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MAR 18 2014

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

LUPC - DOWNEAST

Building Permit

For office use:

47284 BP 15134 \$ 567.60  
Tracking No. Permit No. Fee Received

1. APPLICANT INFORMATION

For All Residential Development

Applicant Name(s) Applebee Enterprises Inc. Daytime Phone 207-884-8111 FAX 207-884-8111  
Mailing Address 45 MT Pleasant Road Email Kaitlyn@ApplebeeEnterprises.com  
Town Levant State Maine Zip Code 04456

2. PROJECT LOCATION AND PROPERTY DETAILS

Township, Town or Plantation Orneville Twp. County Piscataquis  
Tax Information (check tax bill) Map: P1082 Plan: 02 Lot: 02-23 Deed or Lease Information (check deed or lease, Part of) Book: 1623 Page: 147 Lease #:  
Lot size (in acres, or in square feet if less than 1 acre) 1 acre Lot Coverage (in square feet) 290' X 150'  
All Zoning on Property (check the LUPC map) None P-WL2; M-GN Zoning at Development Site None M-GN  
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: 290  
Road #1: Shaw Road Frontage 290' ft. Waterbody #1: Frontage ft.  
Road #2: Frontage 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)  
Cindy & Kevin Chase to Applebee Enterprises Inc. 3/2014 1 Acre

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

Previously issued Building Permit number (if applicable)

Table with 7 columns: Type of structure, Year built, Exterior dimensions (in feet) (LxWxH), Type of foundation (full basement, slab, post, etc.), and six columns for Horizontal Distance (in feet) of structure from nearest: Road, Property line, Lake or pond, River or stream, Wetland, Ocean/Tidal waters.

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

Table with columns: Type of structure, Proposal (check all that apply), Exterior dimensions, Horizontal Distance (in feet) of structure from nearest (Road, Property line, Lake or pond, River or stream, Wetland, Ocean/Tidal waters). Includes handwritten entries for 'Residential Home & attached garage'.

\* 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.

- \*\* 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?
b. Will the camper(s), trailer(s), and/or recreational vehicle(s) be registered and road ready?
c. Will the campsite have access to an on-site pressurized water supply (and not a self-contained water tank with pump)?
d. Will the campsite have access to permanent structures other than an outhouse, fireplace, picnic table, or lean-tos?

- \*\*\* 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:
b. For reconstructions, has the existing structure been damaged, destroyed or removed from your property?
If YES, was the structure in regular active use within a 2-year period preceding the damage, destruction or removal?
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?
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?
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](http://www.maine.gov/dacf/lupc/application_forms/index.shtml).

7. VEGETATIVE CLEARING (Note: Exhibit may be required. See instructions.) For Development Only and Per ITandW

7.1 What is the total amount of proposed vegetative clearing not including the driveway and the footprint of proposed structures? .....  NA \_\_\_\_\_ 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? ..... For development only \_\_\_\_\_ 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? ..... Miles away feet

8.6 Will any removed topsoil be stockpiled at least 100 feet from water and wetlands? (P-WL2) outside of wetland  YES  NO

8.7 Will any fill used be free of hazardous or toxic materials, trash and rubbish? ..... per conversation with agent. KEB  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')  
 (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.))  
 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 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: Outside of P-WL 2 wetland

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 Applebee Enterprises Inc.	Daytime Phone 207-884-8111	FAX 207-884-8111
Mailing Address 45 MT Pleasant Road	Email Kaitlyn@ApplebeeEnterprises.com	
Town Levant	State Maine	Zip Code 04456

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) [Signature] Date 3/17/2014  
 Date \_\_\_\_\_

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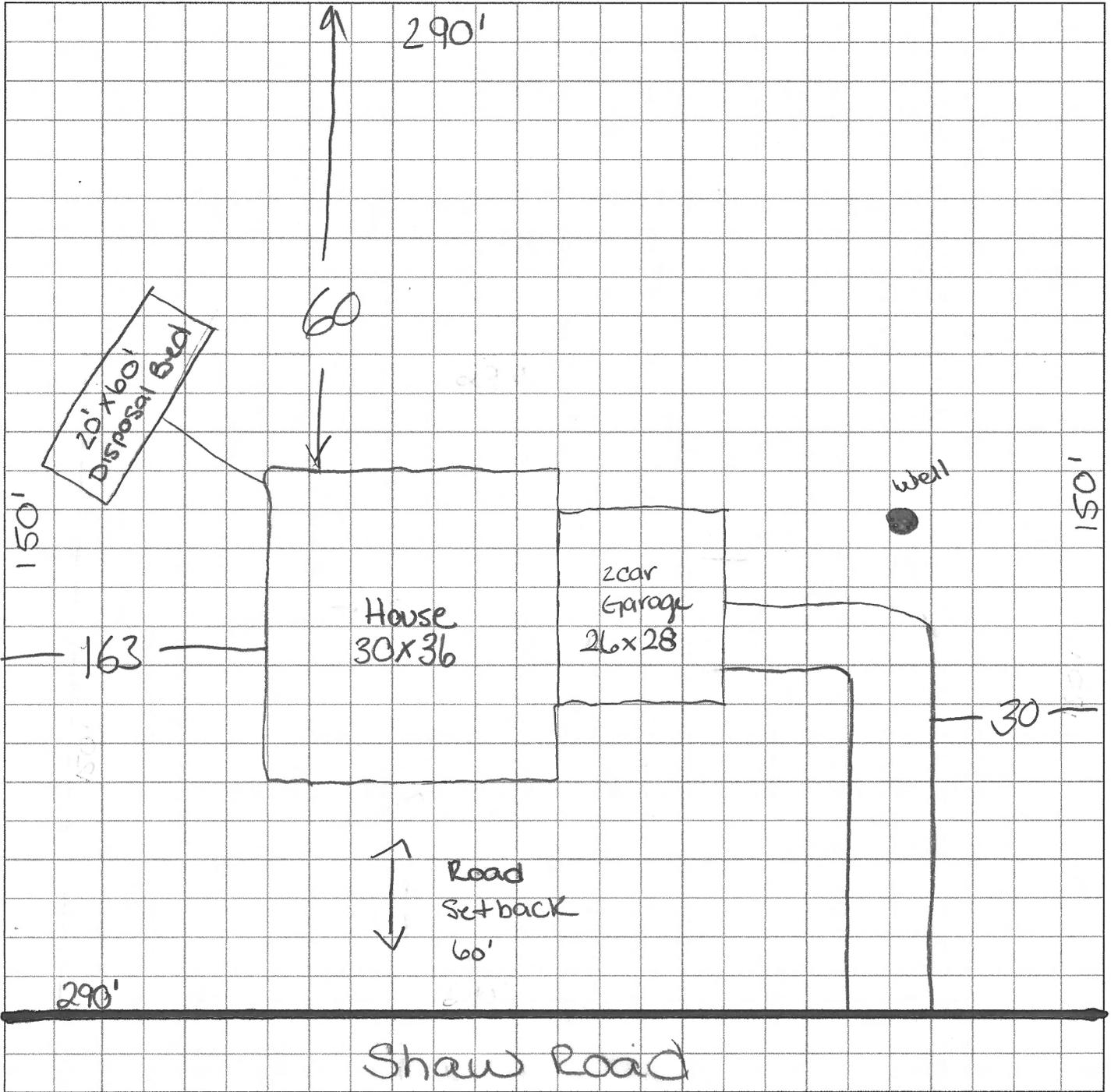
Tracking No.

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EXHIBIT D-1: SITE PLAN

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:

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# BUILDING PERMIT BP-15134



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. § 685-B(4) of the Commission's statutes and the provisions of the Commission's *Land Use Districts and Standards* (Chapter 10; ver. September 1, 2013). 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.

*Karen E. Balotnik*

LUPC Authorized Signature

March 20, 2014

Effective Date

## CONDITIONS OF APPROVAL

### General 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. 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.
3. 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 Sections 4, 7 and 8 and approved by this permit.
4. 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.
5. 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.
6. Cleared openings created as part of construction activities authorized under this permit must be effectively stabilized and revegetated.
7. All imported fill material must be free of hazardous or toxic materials and must not contain debris, trash, or rubbish.
8. Unless otherwise proposed in Question 8.4 and by the submittal of **Exhibit G, Erosion and Sediment Control Plan**, and approved by this permit, soil disturbance must not occur when the ground is frozen or saturated.
9. 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.
10. 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.
11. 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.
12. 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.

13. 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.
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; and the Maine Department of Transportation, Driveway Entrance Permit, a physical E-911 address from your County Commissioner's Office.
15. 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.

#### **Common Conditions**

16. Upon final execution of the deed transferring title of this parcel of land, the permittee shall submit a copy of such deed for the Commission's records. The deeded lot must have a minimum lot size of at least 40,000 square feet and a minimum road frontage of at least 100 feet as measured along the traveled portion of the road between the points of intersection of side lot lines with the traveled portion of the road.
17. All structures must be constructed in the locations proposed within the (M-GN) General Management Subdistrict and outside of any (P-WL) Wetland Protection Subdistrict.
18. All structures must be set back a minimum of 50 feet from the traveled portion (edge) of the Shaw Road, outside of any wetland, and 15 feet from other property boundary lines.
19. All vegetation clearing activities must be in conformance with the Standards for Vegetation Clearing, Section 10.27,B of the Commission's Standards, revised September 01, 2013, a copy of which is attached.
20. All filling and grading activities must be in conformance with the Standards for Filling and Grading, Section 10.27,F of the Commission's Standards, revised September 01, 2013, a copy of which is attached.

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## B. VEGETATION CLEARING

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Vegetation clearing activities not in conformance with the standards of this section may be allowed upon issuance of a permit from the Commission provided that such types of activities are allowed in the subdistrict involved. An applicant for such permit shall show by a preponderance of the evidence that the proposed activity, which is not in conformance with the standards of this section, shall be conducted in a manner which produces no undue adverse impact upon the resources and uses in the area.

The following requirements shall apply to vegetation clearing activities for any purpose other than road construction, road reconstruction and maintenance, wildlife or fishery management, forest management, agricultural management, public trailered ramps or hand-carry launches:

1. A vegetative buffer strip shall be retained within:
  - a. 50 feet of the right-of-way or similar boundary of any public roadway,
  - b. 75 feet of the normal high water mark of any body of standing water less than 10 acres in size, or any tidal water or flowing water draining less than 50 square miles, and
  - c. 100 feet of the normal high water mark of a body of standing water 10 acres or greater in size or flowing water draining 50 square miles or more.
2. Within this buffer strip, vegetation shall be maintained as follows:
  - a. There shall be no cleared opening greater than 250 square feet in the forest canopy as measured from the outer limits of the tree crown. However, a footpath is permitted, provided it does not exceed six (6) feet in width as measured between tree trunks, and, has at least one bend in its path to divert channelized runoff.
  - b. Selective cutting of trees within the buffer strip is permitted provided that a well-distributed stand of trees and other natural vegetation is maintained.

For the purposes of this section a “well-distributed stand of trees” adjacent to a body of standing water 10 acres or greater in size shall be defined as maintaining a rating score of 24 or more in a 25-foot by 50-foot rectangular area as determined by the following rating system.

Near other water bodies, tributary streams and public roadways a “well-distributed stand of trees” shall be defined as maintaining a rating score of 16 or more per 25-foot by 50-foot (1250 square feet) rectangular area as determined by the following rating system.

<b>Diameter of Tree at 4-1/2 feet Above Ground Level (inches)</b>	<b>Points</b>
2.0 to < 4.0	1
4.0 to < 8.0	2
8.0 to < 12.0	4
12.0 +	8

Table 10.27,B-1. Rating system for a well-distributed stand of trees.

The following shall govern in applying this rating system:

- (1) The 25-foot x 50-foot rectangular plots shall be established where the landowner or lessee proposes clearing within the required buffer;
- (2) Each successive plot shall be adjacent to but not overlap a previous plot;
- (3) Any plot not containing the required points shall have no vegetation removed except as otherwise allowed by these rules;
- (4) Any plot containing the required points may have vegetation removed down to the minimum points required or as otherwise allowed by these rules; and
- (5) Where conditions permit, no more than 50% of the points on any 25-foot by 50-foot rectangular area may consist of trees greater than 12 inches in diameter.

For the purposes of this section, “other natural vegetation” is defined as retaining existing vegetation under 3 feet in height and other ground cover and retaining at least 5 saplings less than 2 inches in diameter at 4½ feet above ground level for each 25-foot by 50-foot rectangular area. If 5 saplings do not exist, the landowner or lessee may not remove any woody stems less than 2 inches in diameter until 5 saplings have been recruited into the plot. In addition, the soil shall not be disturbed, except to provide for a footpath or other permitted use.

- c. In addition to Section 10.27,B,2,b above, no more than 40% of the total basal area of trees 4.0 inches or more in diameter, measured at 4½ feet above ground level, may be removed in any ten (10) year period.
  - d. Pruning of live tree branches is prohibited, except on the bottom 1/3 of the tree provided that tree vitality will not be adversely affected.
  - e. In order to maintain a buffer strip of vegetation, when the removal of storm-damaged, diseased, unsafe, or dead trees results in the creation of cleared openings in excess of 250 square feet, these openings shall be established with native tree species.
3. At distances greater than one hundred (100) feet, horizontal distance, from the normal high water mark of a body of standing water greater than 10 acres, no more than 40% of the total basal area of trees four inches or more in diameter, measured at 4½ feet above ground level, may be removed in any ten (10) year period. In no instance shall cleared openings exceed, in the aggregate, 10,000 square feet, including land previously cleared. These provisions apply to areas within 250 feet of all bodies of standing water greater than ten (10) acres, and to the full depth of the P-AL zone. This requirement does not apply to the development of uses allowed by permit.
  4. Cleared openings legally in existence as of June 7, 1990 may be maintained, but shall not be enlarged except as permitted by these regulations.

In all subdistricts where natural vegetation is removed within the required vegetative buffer strip of a flowing water, body of standing water, tidal water, or public roadway, it shall be replaced by other vegetation (except where the area cleared is built upon) that is effective in preventing erosion and retaining natural beauty.

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**F. FILLING AND GRADING**


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The following requirements for filling and grading shall apply in all subdistricts except as otherwise provided herein.

Filling and grading activities not in conformance with the standards of this section may be allowed upon issuance of a permit from the Commission provided that such types of activities are allowed in the subdistrict involved. An applicant for such permit shall show by a preponderance of the evidence that the proposed activity, which is not in conformance with the standards of this section, shall be conducted in a manner which produces no undue adverse impact upon the resources and uses in the area.

These standards do not apply to filling or grading activities which constitute forest or agricultural management activities, the construction, reconstruction and maintenance of roads, or the construction of public trailered ramps, hand-carry launches, or driveways. Such activities are separately regulated.

1. Within 250 feet of water bodies and wetlands, the maximum size of a filled or graded area, on any single lot or parcel, shall be 5,000 square feet. This shall include all areas of mineral soil disturbed by the filling or grading activity; and
2. Beyond 250 feet from water bodies, the maximum size of filled or graded areas, as described above, shall be 20,000 square feet, except that there shall be no limit to the size of filled or graded areas in M-GN subdistricts which are greater than 250 feet from water bodies and wetlands. In such M-GN subdistrict areas, the provisions of Section 10.27,F,4 and 6 shall apply; and
3. Clearing of areas to be filled or graded is subject to the clearing standards of Section 10.27,B; and
4. Imported fill material to be placed within 250 feet of water bodies shall not contain debris, trash, rubbish or hazardous or toxic materials. All fill, regardless of where placed, shall be free of hazardous or toxic materials; and
5. Where filled or graded areas are in the vicinity of water bodies or wetlands such filled or graded areas shall not extend closer to the normal high water mark of a flowing water, a body of standing water, tidal water, or upland edge of wetlands identified as P-WL1 subdistrict than the distance indicated in the following table:

<b>Average Slope of Land Between Exposed Mineral Soil and Normal High Water Mark or Upland Edge (Percent)</b>	<b>Width of Strip Between Exposed Mineral Soil and Normal High Water Mark or Upland Edge (Feet Along Surface of the Ground)</b>
10 or less	100
20	130
30	170
40	210
50	250
60	290
70	330

Table 10.27,F-1. Unscarified filter strip width requirements for exposed mineral soil created by filling and grading.

6. All filled or graded areas shall be promptly stabilized to prevent erosion and sedimentation.

Filled or graded areas, including all areas of disturbed soil, within 250 feet of water bodies and wetlands, shall be stabilized according to the Guidelines for Vegetative Stabilization contained in Appendix B of this chapter.