STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
LAND USE PLANNING COMMISSION
191 MAIN STREET
EAST MILLINOCKET, MAINE 04430

PAUL R. LEPAGE
GOVERNOR

WALTER E. WHITCOMB
COMMISSIONER

NICHOLAS D. LIVESAY
EXECUTIVE DIRECTOR

PERMIT

AMENDMENT L TO
DEVELOPMENT PERMIT DP 3394

The staff of the Maine Land Use Regulation Commission, after reviewing the application and supporting documents submitted by Girl Scouts of Maine for Amendment L to Development Permit DP 3394, finds the following facts:

1. Applicant: Girl Scouts of Maine
   Attn: Mary Ellen Deschenes
   138 Gannett Drive
   South Portland, ME 04106

2. Date of Completed Application: April 28, 2016

3. Location of Proposal: T 2 R 9 WELS, Piscataquis County
   Plan 01, Lot 1.1 on Map PI011

4. Zoning: (D-GN) General Development Subdistrict

5. Lot Size: 30 Acres (owned)

6. Affected Waterbody: Lower Togue Pond

   The Commission has identified Lower Togue Pond as a management class 4, resource class 1A, relatively developed, relatively accessible lake with outstanding scenic and physical resources, and significant fisheries and shoreline resources.

7. Existing Development: Recreational Lodging Facility, Level C – Expanded Access

   A. Principal Buildings: Existing Dining Hall/Multipurpose Building (40 ft. by 98 ft.)
   Existing Shower/Toilet House "Ridge Unit" (16 ft. by 40 ft.)
   With Attached Addition (12 ft. by 16 ft.)
   Existing Shower/Toilet House "Knoll Unit" (22 ft. by 44 ft.)
   Existing Health Center/Nurse's Sleeping Quarters (24 ft. by 30 ft.)
   With Nurse's Sleeping Quarters
   Existing Arts & Crafts/Nature Center "The Birches" (34 ft. x 40 ft.)

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Existing Activities Shelter/Storage "Katahdin House" (18 ft. by 32 ft.)
Existing Activities Shelter/Storage "Pioneer Unit" (20 ft. by 40 ft.)
Existing Director's Cabin (20 ft. by 24 ft.)
Existing 'Holmes Hut" Cabin (18 ft. by 36 ft.)
With Attached Storage Shed (18 ft. by 8 ft.)
Existing Staff Cabin (14 ft. by 16 ft.)
Three (3) Existing Six-Person Bunkhouses (16 ft. by 20 ft.)

B. Accessory Structures:

Ridge Tent Unit:
Existing Generator Building (22 ft. by 22 ft.)
With Attached Breezeway (15 ft. by 15 ft.)
Existing Storage Shed (12 ft. by 12 ft.)
Eight (8) Existing Four-Person Tent Platforms (10 ft. by 12 ft.)

Pamola Unit:
One (1) Existing Four-Person Tent Platform (10 ft. by 12 ft.)
Existing Pit Privy

Wilderness Unit:
Four (4) Existing Four-Person Lean-to Shelters (8 ft. by 16 ft.)
Existing Pit Privy

Katahdin Unit:
Seven (7) Existing Four-Person Tent Platforms (10 ft. by 12 ft.)
Existing Pit Privy

Knoll Unit:
Existing Water Storage Shed (8 ft. by 10 ft.)
Five (5) Existing Four-Person Tent Platforms (10 ft. by 12 ft.)
Existing Pit Privy

Pioneer Unit:
Four (4) Existing Four-Person Tent Platforms (10 ft. by 12 ft.)
Existing Pit Privy

Boulder Unit:
Six (6) Existing Four-Person Tent Platforms (10 ft. by 12 ft.)

Traveller Unit:
Existing Storage Shed (12 ft. by 12 ft.)
Five (5) Existing Four-Person Tent Platforms (10 ft. by 12 ft.)
Existing Pit Privy

Singing Pines Unit:
Five (5) Existing Four-Person Tent Platforms (10 ft. by 12 ft.)
Existing Pit Privy

8. Proposed Development: Proposed Expansion of Existing Parking Area (25 ft. by 40 ft.)
   Proposed Expansion of Existing Parking Area (20 ft. by 30 ft.)

9. Sewage Disposal: Existing Combined System (serving "Ridge Unit" Shower/Toilet House)
   Existing Combined System (serving Dining Hall)
   Existing Combined System (serving Health Center)
   Existing Combined System (serving 'Champion' Shower/Toilet House)
   Existing Separated Greywater Disposal System (serving 'The Birches'/Arts & Crafts Building)
   Existing Pit Privies (serving Pamola, Wildnerness, Katahdin, Pioneer, Traveller, & Singing Pines Unit)

Proposal:

10. The applicant seeks amendment approval for two expansions (25 ft. by 40 ft. and 20 ft. by 30 ft.) to an existing parking area located behind the Dining Hall at Camp Natarswi, an existing Level C-Expanded Access Recreational Lodging Facility. The first proposed 25 ft. by 40 ft. parking area expansion would be located 175 feet from the normal high water mark of Lower Togue Pond, 255 feet from the Baxter Park Road, and 340 feet from the nearest property boundary line. The second proposed 20 ft. by 30 ft. parking area expansion would be located 230 feet from the normal high water mark of Lower Togue Pond, 240 feet from the Baxter Park Road, and 465 feet from the nearest property boundary line. The facility is located within a General Development Subdistrict (D-GN). The average slope of the land between the disturbed soil and the normal high water mark of Lower Togue Pond is less than 10 percent and no soil disturbance within any wetland or water crossing is proposed. The expanded parking areas would be buffered from the Baxter Park Road and Lower Togue Pond by the existing forested buffer and utilizes an existing parking area to accommodate the traffic generated by the facility while not unreasonably interfering with existing uses and minimizing any visual impacts.

11. Recreational Lodging Facility Factors. Information relevant to the categorization of the Facility (*10.27,Q, Table A):*
    a. *On-site recreation activities, features, and/or services.* The facility is an existing Girl Scout campground with a main dining hall, health center, two (2) shower/toilet facilities, an arts & craft/nature building, two (2) program shelter/storage buildings, three (3) cabins (Director's, Staff, & Holmes Hut), three (3) bunkhouses, four (4) lean-to campsites, and tent campsites. The facility primarily caters to Girl Scout campers that come to swim, sail boat, canoe, kayak, hike, archery, and rock climb. The nonprofit campground is identified as partially screened by forested buffers and generating low noise or odor.
    b. *Utilities.* The facility is served by solar power and generators. The two shower houses provide flush toilets and showers. There is no water or electricity available at the tent campsites.
    c. *Floor area of principal buildings.* The floor area of all principal buildings is approximately 11,108 square feet.
    d. *Footprint of clearing within 250 feet of waterbodies.* The facility currently includes approximately 40,136 square feet of cleared area within 250 feet of Lower Togue Pond.
    e. *Retail.* The facility does not include any retail space.
    f. *Dining Amenities.* There are dining amenities at the facility and is available only to its overnight guest
    g. *Fuel Sales.* Fuel is not available for sale at the facility.

h. *Recreation amenities.* Amenities are available to overnight guests only.
i. *Overnight occupancy.* The facility is currently limited to 205 guests per night, utilizing the staff sleep cabins, 3 bunkhouses, 4 lean-tos, and 41 tent campsites.

Background

12. The applicant's 30 acre lot, located on the Baxter Park Road in T2 R9 WELS, Piscataquis County, has operated as a summer camp for Girl Scouts at this location since prior to September 23, 1971.

13. On March 21, 1975, Development Permit DP 942 was issued to Abnaki Girl Scout Council, a prior owner, authorizing the construction of a 40 foot by 80 foot Dining Hall/Multipurpose building to be located 150 feet from the shore of Lower Togue Pond. *(Development Permit DP 942 was subsequently incorporated into Development Permit DP 3394)*

14. On February 18, 1977, Amendment B to Development Permit DP 942 was issued for the construction of 22 foot by 22 foot storage building to house a generator and tools to be located 150 feet from Lower Togue Pond.

15. On April 6, 1979, Development Permit DP 3394 was issued to Abnaki Girl Scout Council authorizing the construction of a 16 foot by 40 foot shower house and a 24 foot by 30 foot infirmary complex. Both structures were to be located 150 feet from the pond and at least 75 feet from the nearest access road.

16. On May 24, 1985, Amendment A to Development Permit DP 3394 was issued for a 20 foot by 40 foot "Unit Shelter" for use as a gathering point for campers and as a storage facility. The structure was to be located 175 feet from the pond and 200 feet from the nearest access road.

17. On October 2, 1986, Amendment B to Development Permit DP 3394 was issued for the an additional multi-purpose program building, primarily a nature and crafts center. The structure was to be located approximately 170 feet from the pond and over 200 feet from the nearest road. The structure included two sleeping rooms for camp counselors but was not provided with piped-in water.

18. On September 9, 1987, Amendment C to Development Permit DP 3394 was issued for the removal of eight (8) trees along the shore of Lower Togue Pond to provide access to, and visibility of, an area where canoes and sailboats are beached when not in use.

19. On July 6, 1988, Amendment D to Development Permit DP 3394 was issued for the replacement of five of six existing tent platforms with three 16 foot by 20 foot bunkhouses. All the tent platforms were setback less than 75 feet from Lower Togue Pond, whereas the bunkhouses would be setback approximately 105 feet, 115 feet, and 147 feet from the pond. The remaining tent platform would be used for counselors quarters. The bunkhouses would be screened by existing vegetation.

20. On May 7, 1992, Amendment E to Development Permit DP 3394 was issued for the installation of a sink and pressurized water in the multipurpose program building, and to install a separated graywater disposal system to serve the structure.

21. On December 13, 1993, Amendment F to Development Permit DP 3394 was issued for the replacement of five pit privies at the Pioneer Unit, Traveller Unit, Knoll Unit, Katahdin Unit and Pamola Unit of the summer camp.

22. On September 25, 1998, Amendment G to Development Permit DP 3394 was issued for the construction of a 12 foot by 12 foot storage shed, a 12 foot by 16 foot addition to the existing shower house, the construction of a 15 foot by 15 foot breezeway connecting the existing shower house and generator shed, and a 22 foot by 44 foot shower house and the installation of a combined system.

23. On September 23, 1999, Amendment H to Development Permit DP 3394 was issued for the constructions of a 16 foot by 40 foot addition onto the existing dining hall/multipurpose facility, the expansion of the existing pump house attached to the facility, and for the construction of a handicapped accessible ramp to the existing shower house.

24. On May 24, 2000, Amendment I to Development Permit DP 3394 was issued for the removal of an existing 16 foot by 20 foot director's cabin and replace it with a 20 foot by 24 foot cabin with a slab foundation to be set back 140 feet from the normal high water mark of Lower Togue Pond. The proposed cabin would not contain plumbing or water facilities. Amendment I further authorized the construction of six 10 foot by 12 foot tent platforms to be set back greater than 100 feet from the normal high water mark of Lower Togue Pond, and to construct an 8 foot by 10 foot storage shed to be set back greater than 150 feet from the normal high water mark of Lower Togue Pond.

25. On June 25, 2001, Amendment J to Development Permit DP 3394 was issued for the construction of two 10 foot by 12 foot tent platforms and four 8 foot by 16 foot lean-tos. A pit privy would serve the four lean-tos. The tent platforms would be located at least 200 feet from the normal high water mark of Lower Togue Pond, the lean-tos would be set back at least 300 feet from the normal high water mark of Lower Togue Pond. All proposed structures would be setback at least 75 feet from the road and 25 feet from the side property lines.

26. The application for Amendment K to Development Permit DP 3394 was returned as activities not requiring a permit at the time of the application (expansion of two conforming accessory structures and normal maintenance and repair of an existing trail).

Review Criteria and Staff Analysis

27. Under the provisions of Section 10.02, 168 of the Commission's *Land Use Districts and Standards* (Standards), "Recreational Lodging Facilities" are defined as: Site improvements, a building or group of buildings, or any part thereof, used, maintained, advertised or held out to the public as a place where sleeping accommodations are furnished to the public for commercial purposes. Recreational lodging facilities primarily cater to recreational users who engage in recreation activities that are primarily natural resource-based. The term includes, but is not limited to, commercial sporting camps, youth or group camps, back-country huts, rental cabins, outpost cabins, campgrounds, lodges, hotels, motels, inns, or any combination of these types of uses that exhibit characteristics of a unified approach, method or effect such as unified ownership, management or supervision, or common financing. To be included in a recreational lodging facility, rental units must be served by an on-site attendant while guests are present. Related development that is located more than one half mile, measured in a straight line, from the nearest structure providing guest services, such as dining, gathering places, retail shower house, dumping station, check-in office, and equipment rental shall be considered a separate facility, unless the owner chooses to consider them as one facility. Caretaker or attendant housing will not be used to establish the one half mile distance unless no other guest services are provided. If no guest services are provided then all development on the regulatory parcel shall be considered part of the same facility and may be part of a facility on an adjoining parcel. For the purposes of Land Use Planning Commission rules, recreational lodging facilities are divided into five levels: [Levels A

through E, with additional Level C or D "Expanded Access" which provides certain amenities to the general public in addition to overnight guests, and may have increased overnight occupancy. The term Expanded Access reflects that more people will be accessing these facilities].

Level C-Expanded Access Facilities have moderate impacts on existing resources within the development site and surrounding areas. Level C-Expanded Access facilities are specifically designated by Section 10.27,Q,1, Table A and B of the Commission's standards.

Level C-Expanded Access recreational lodging facilities may be allowed within D-GN (General Development) Subdistricts upon issuance of a permit from the Commission pursuant to 12 M.R.S. §685-B, subject to the applicable requirements set forth in Sub-Chapter III.

28. On August 5, 2013, Chapter 10 of the Commission's rules, Land Use Districts and Standards, were amended to incorporate the extensive revisions regarding recreational lodging facilities. Based on facility level determination factors in Tables A and B of Section 10.27,Q, Recreational Lodging Facilities, of the Commission's Rules, the facility is classified as a Level C – Expanded Access Recreational Lodging Facility. Specifically, the overnight occupancy is more than 150 but less than 300 people (currently limited to 205 guests per night). The footprint of clearing within 250 feet of Lower Togue Pond is more than 36,000 but less than 54,000 square feet (currently approximately 40,136 square feet). However, recreational lodging facilities in existence prior to July 1, 2013 can be categorized without regard to the footprint of cleared areas within 250 feet of a waterbody. The current proposal would create an additional 1,600 square feet of cleared area within 250 feet of Lower Togue Pond.

29. Under the provisions of Section 10.26 of the Commission's Land Use Districts and Standards, the dimensional requirements applicable to the proposed parking lot expansions include: a minimum parking area setback of 150 feet from the normal high water mark of Lower Togue Pond, 75 feet from the traveled portion (edge) of the Baxter State Road, and 25 feet from side and rear property boundary lines.

30. The facts are otherwise as represented in the application for Amendment L to Development Permit DP 3394 and supporting documents.

Based upon the above Findings, the Commission concludes that:

1. The existing Level C – Expanded Access Recreational Lodging Facility would be an allowed use in the (D-GN) General Development Subdistrict under the provisions of Section 10.21, C, 3, c,(16),(c) of the Commission's Land Use Districts and Standards.

2. The proposed expanded parking areas would comply with the dimensional requirements of Section 10.26 of the Commission's Land Use Districts and Standards, would not exceed the footprint of clearing within 250 feet of Lower Togue Pond for a Level C- Expanded Access Facility and is adequately buffered from other uses within the Subdistrict.

4. 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 amendment request of Girl Scouts of America 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. 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. 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.

4. The expanded parking areas authorized under this permit must be set back a minimum of 150 feet from the normal high water mark of Lower Togue Pond, 75 feet from the traveled portion (edge) of the Baxter Park Road, and at least 25 feet from side and rear property boundary lines.

5. 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.

6. The permittee shall secure and comply with all other applicable licenses, permits, authorizations and monitoring requirements of all federal, state and local agencies including, but not limited to, the Maine Department of Health and Human Service's Division of Environmental Health's, Subsurface Wastewater Unit and Health Inspection Program.

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. All conditions of Development Permit DP 942 (subsequently incorporated into Development Permit DP 3394), Development Permit DP 3394 and subsequent amendments remain in effect except as specifically modified by this permit.

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 complies 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.

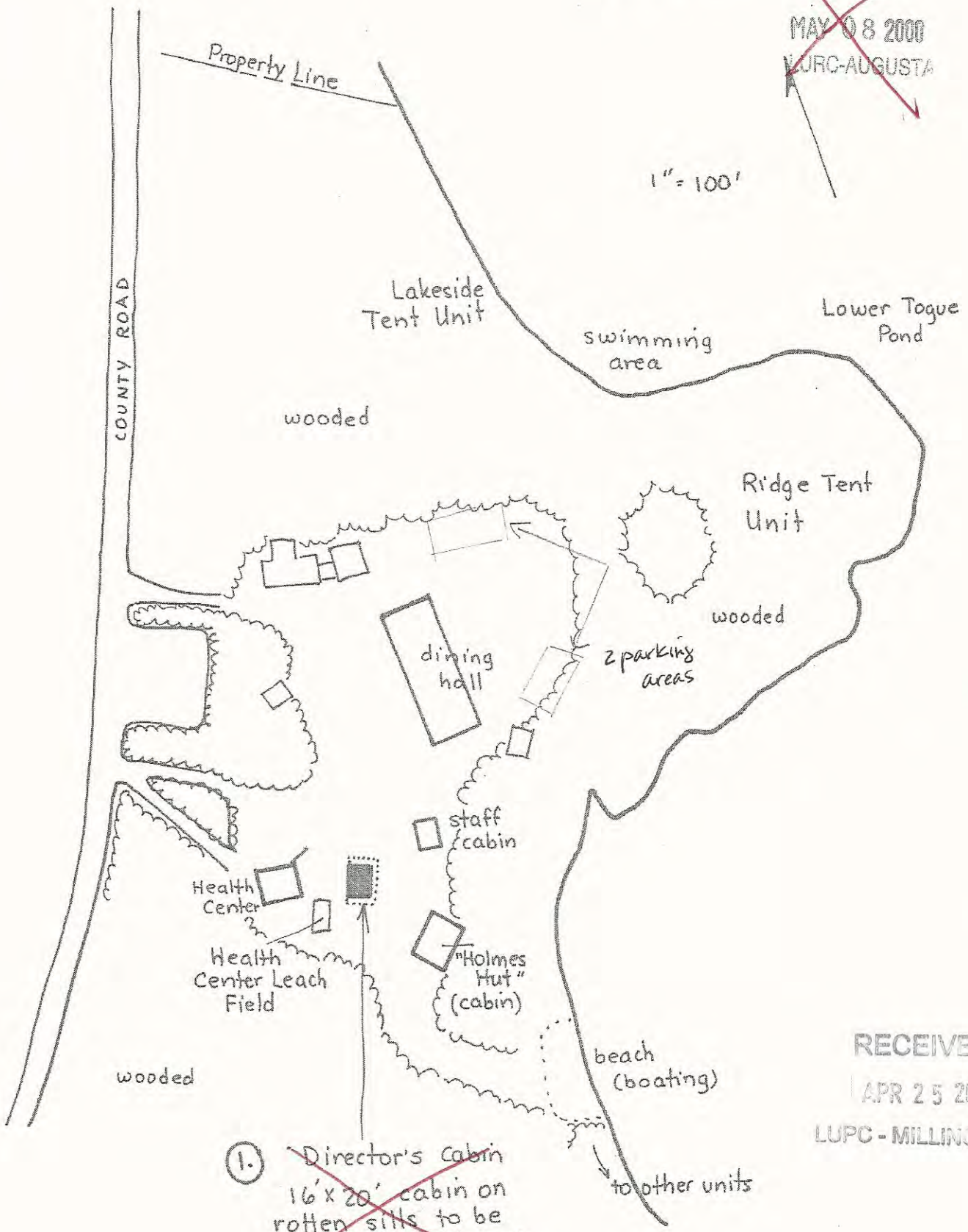
DONE AND DATED AT EAST MILLINOCKET, MAINE, THIS 12TH DAY OF MAY, 2016.

By: Debra A. Kanzawski

for Nicholas D. Livesay, Executive Director

Exhibit D.

RECEIVED
MAY 08 2000
MLURC-AUGUSTA



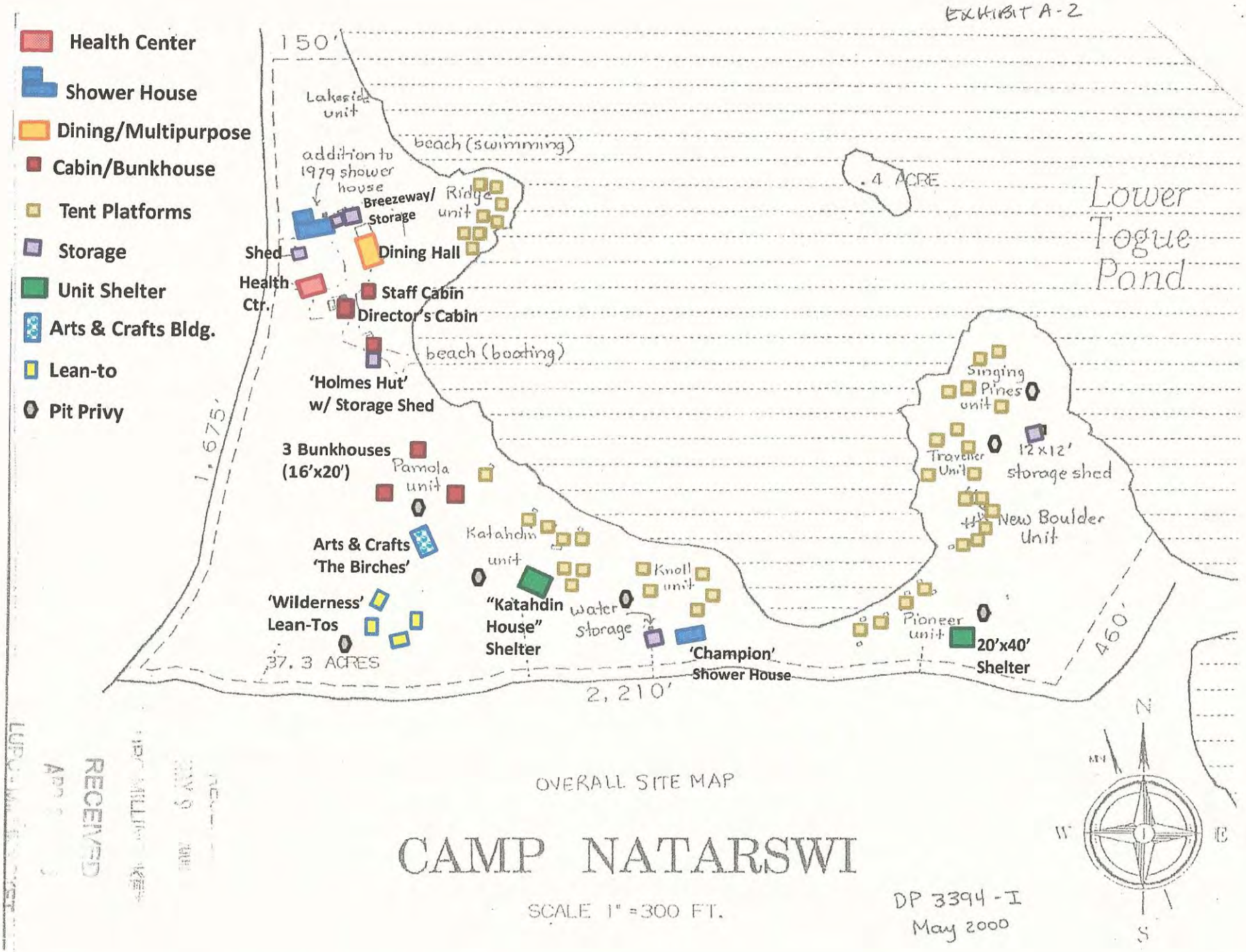
1. ~~Director's Cabin~~ 16'x20' ~~cabin~~ on rotten sills to be replaced by ~~20'x24'~~ cabin on slab. No plumbing.

RECEIVED
APR 25 2016
LUPC - MILLINOCKET

DP 3394-I

Revised April 2016

EXHIBIT A-2



OVERALL SITE MAP

CAMP NATARSWI

SCALE 1" = 300 FT.

DP 3394-I
May 2000

RECEIVED
APR 9 2000
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Lower Togue Pond
p-wl1ow
Upper Togue Pond
d-gn
01-1.23
01-1.22
01-1.1
p-wl1
p-gp
p-ua
p-wl2
01-1.2
p-sl2
p-wl3