STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
LAND USE PLANNING COMMISSION
PO BOX 1107
GREENVILLE, MAINE 04441

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PERMIT

AMENDMENT B TO DEVELOPMENT PERMIT DP 3735

The staff of the Maine Land Use Planning Commission (LUPC or Commission), after reviewing the application and supporting documents submitted by the Maine Bureau of Parks and Lands Allagash Wilderness Waterway for Amendment B to Development Permit DP 3735, finds the following facts:

1. Applicants: Allagash Wilderness Waterway
   PO Box 1107
   Greenville, Maine 04441

2. Date of Completed Application: May 12, 2015

3. Location of Proposal: Township 7 Range 14 WELS, Piscataquis County
   Plan 01 Lot #3

4. Zoning: Great Pond Protection Subdistrict (P-GP)
   Accessible Lake Protection Subdistrict (P-AL)
   Unusual Area Protection Subdistrict (P-UA)

5. Lot Size: 1,350 acres (owned)

6. Development: Existing Camp (22 feet by 30 feet)
   Proposed Shed (8 feet by 12 feet)

7. Sewage Disposal: Existing Non-Engineered Disposal System with Pit Privy

8. Affected Waterbody: Allagash Lake

   The Commission has identified Allagash Lake as a resource class 1A, management class 2, relatively accessible, relatively undeveloped lake, with significant cultural resources, and outstanding fisheries, wildlife, scenic, shore character, and physical resources.

History

9. Development Permit DP 3735 was issued to the applicant in March 1986 authorizing the construction of a 22 foot by 30 foot seasonal ranger camp to replace an existing cabin

constructed prior to the inception of the Commission. The permitted camp was to be setback 140 feet from the Normal High Water Mark of Allagash Lake on 10,000 feet of water frontage.

10. Development Permit DP 3735 Amendment A was issued to the applicant in February 2003 authorizing the removal of the gravity fed water system and the installation of a pressurized above ground water system fed by Allagash Lake.

Proposal

11. The applicant now proposes to construct a 8 foot by 12 foot shed 12 feet in height on posts located more than a mile from a road, 270 feet from the property line, and 225 feet from the Normal High Water Mark of Allagash Lake.

Review Criteria

12. In accordance with Sections 10.23,A,3,c,(20) and 10.23,M,3,c,(14) of the Commission's *Land Use Districts and Standards*, permits are required for all other structures, uses, or Services that are essential for the uses listed in the (P-AL) Accessible Lake Protection Subdistrict and (P-UA) Unusual Area Protection Subdistrict.

13. In accordance with Sections 10.26,A, 10.26,B, 10.26,C, 10.26,D, 10.26,E, and 10.27,F of The Commissions *Land Use Districts and Standards* required dimensional standards for non-residential permit approval are a minimum of a 40,000 square foot lot, a minimum of 300 feet of shoreline frontage, a minimum of 200 feet of road frontage (if applicable), minimum setbacks of 25 feet from property lines, 75 feet from roads, and 150 feet from Great Ponds, all structures shall not exceed 30 percent of the lot size, and maximum height shall not exceed 100 feet.

14. The facts are otherwise as represented in Development Permit application DP 3735 Amendment B and supporting documents.

Based upon the above Findings, the staff Concludes that 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.

Therefore, the staff approves the request of the Allagash Wilderness Waterway 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. 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.

3. The Standard Conditions (ver. 2004), a copy of which is attached

4. The authorized shed must be constructed to the size and in the location proposed. The shed must be setback at least 75 feet from the nearest road, 25 feet from the closest property boundary line, and a minimum of 150 feet from Allagash Lake.

5. Upon completion of the project within the terms of this permit, any debris remaining must be disposed of in a proper manner, in compliance with all applicable state and federal solid waste laws and rules.

6. To protect the scenic quality of Allagash 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.

7. The permittee shall secure and comply with all other applicable licenses, permits, and authorizations of all federal, state and local agencies.

8. 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.

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 GREENVILLE, MAINE, THIS 13th DAY OF MAY, 2015.

By: _____

for Nicholas D. Livesay, Executive Director