STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION AND FORESTRY
LAND USE PLANNING COMMISSION
45 RADAR RD
ASHLAND, MAINE
04732

PAUL RICHARD LEPAGE
GOVERNOR

WALTER E. WHITCOMB
COMMISSIONER

PERMIT

DEVELOPMENT PERMIT DP 4960

The staff of the Maine Land Use Regulation Commission after reviewing the application and supporting documents submitted by Donald, Diana, and Alan Dudley for Development Permit DP 4960, finds the following facts:

1. Applicant: Donald, Diana, and Alan Dudley
   PO Box 676
   Patten, Maine 04765

2. Date of Completed Application: October 14, 2014

3. Location of Proposal: T 6 R 8 WELS, Penobscot County
   Taxation Lot #3.3 on Plan 01

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

5. Lot Size: 21.80 Acres (owned)

6. Existing Structures: Existing Permanent Home (22 ft. by 60 ft., 12 ft. by 22 ft. & 14 ft. by 12 ft.)
   Existing Seasonal Camp (18 ft. by 22 ft. and 16 ft. by 16 ft.)
   Existing Garage (26 ft. by 32 ft.)
   Existing Generator Shed (12 ft. by 12 ft.)
   Existing Pole Barn (37 ft. by 49 ft.)
   Existing Wood Shed (8 ft. by 8 ft.)

7. Proposed Structures: Proposed Equipment Storage Building (24 ft. by 24 ft.)

8. The applicants' lot is developed with a pre-Commission 22 foot by 48 foot home with 12 foot by 14 foot and 12 foot 22 foot additions, a 18 foot by 22 foot and 16 foot by 16 foot camp, an 8 foot by 8 foot wood shed, a 12 foot by 12 foot generator shed and a 37 foot by 49 foot pole barn. In May of 2001, Building Permit 11145 was issued to Donald Dudley for construction of a 12 foot by 22 foot and 9 foot by 9 foot L-shaped addition to the home and a 26 foot by 32 foot garage. All construction activities have been completed.

9. The applicants propose to construct a 24 foot by 24 foot pole building for storage of the local snowmobile club's groomer. The pole building would be located in a partially cleared opening near the existing pole barn and would be accessed using an existing access. Soil disturbance would be minimal and limited to that required to install the poles. The proposed pole building would be set back approximately 280 feet from the East Branch Penobscot River, approximately 155 feet from the Grand Lake Road (Rt. 159) and approximately 125 feet from the nearest property boundary line.

10. The proposal complies with Sub-Chapter III of the Commission's Land Use Districts and Standards.

NICHOLAS LIVESAY, EXECUTIVE DIRECTOR

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11. Under the provisions of Section 10.21,C,3,c(28) of the Commission's Land Use Districts and Standards, other structures, uses, or services that are essential to the uses listed in Section 10.21,C,3,a through c are allowed uses with a permit within the (D-GN) General Development Subdistrict subject to the applicable requirements set forth in Sub-Chapter III.

12. The facts are otherwise as represented in Development Permit application DP 4960 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.A.

Therefore, the staff approves the application of Donald, Diana, and Alan Dudley 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. The authorized structure must be set back a minimum of 150 feet from East Branch Penobscot River, 75 feet from all roads and 25 feet from other property boundary lines.

3. The authorized structure must not be used for purposes other than the storage and maintenance of the local snowmobile club's groomer and other related equipment.

4. 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.

5. 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.

6. 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.

7. 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.

8. Provision shall be made for vehicular access to and within the project premises in such a manner as to avoid traffic congestion and safeguard against hazards to traffic and pedestrians along existing roadways within the project area. Development shall be located and designed so that the roadways and intersections in the vicinity of the development will be able to safely and efficiently handle the traffic attributable to the development in its fully operational stage.

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 permittees complywith 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 ASHLAND, MAINE, THIS 14th DAY OF OCTOBER, 2014.

By: Billie J. MacLean
for Nicholas Livesay, Executive Director