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

PAUL RICHARD LEPAGE
GOVERNOR

WALTER E. WHITCOMB
COMMISSIONER

PERMIT

DEVELOPMENT PERMIT DP 4986

The staff of the Maine Land Use Planning Commission, after reviewing the application and supporting documents submitted by the Appalachian Mountain Club for Development Permit DP 4986, finds the following facts:

1. Applicant: Appalachian Mountain Club (AMC)
   c/o Dan Rinard
   PO Box 310
   Greenville, Maine 04441

2. Date of Completed Application: October 6, 2015

3. Location of Proposal: Second West Branch Pond
   Shawtown (TA R12 WELS), Plan 01, Lot 1
   Piscataquis County

4. Zoning: (P-GP) Great Pond Protection Subdistrict

5. Lot Size: Part of 27,000 Acres (Owned)

6. Affected Waterbody: Second West Branch Pond, is a Resource Class 1B undeveloped accessible lake with significant scenic and outstanding fishery resources.

Proposal

7. The applicant proposes to construct a remote water access campsite on Second West Branch Pond. The campsite would have a gravel pad for two tents, a picnic table and a privy. The campsite would be located approximately 148 feet from the Normal High Water mark of the pond.

Review Criteria

8. Under the provisions of Sub-Chapter I, Definitions Section 10.02(177) of the Commission's Land Use Districts and Standards; Remote Campsites are campsites which are not part of a commercial campground and which are characterized by their remoteness, limited scale, dispersed nature, and limited usage. More specifically, remote campsites include sites which: a) are designed and generally are only accessible by water or on foot; b) are comprised of not more than four individual camping areas designed for separate camping parties, and are designed for a total of not more than 12 overnight campers; c) have permanent structures limited to privies, fireplaces or fire rings, picnic tables, and

picnic table shelters not more than 80 square feet in area consisting of a roof without walls; and d) require no other construction or grading and only minimal clearing of trees.

9. Under the provisions of Sub-Chapter II, Section 10.23,E,3,c(2) of the Commission's Land Use Districts and Standards; Campsites are a use that may be allowed within a Great Pond Protection Subdistrict (P-GP) upon issuance of a permit.

10. Under the provisions of Sub-Chapter III, Section 10.26, D,4,b of the Commission's Land Use Districts and Standards; Remote campsites shall be setback at least 50 feet from roads, 25 feet from property lines, and 25 feet from shorelines, except the Commission may require a greater setback from shorelines of remote campsites where necessary due to site conditions in order to avoid accelerated soil erosion or sedimentation to surface waters.

11. Pursuant to 12 M.R.S. § 685-B(4), the Commission may not approve an application, unless, among other things, (a) adequate provision has been made for fitting the proposal harmoniously into the existing natural environment in order to ensure there will be no undue adverse effect on existing uses and natural resources in the area likely to be affected by the proposal, (b) the proposal will not cause unreasonable soil erosion or reduction in the capacity of the land to absorb and hold water, and (c) the proposal is otherwise in conformance with Chapter 206-A and the regulations, standards and plans adopted pursuant thereto. The burden is upon the applicant to demonstrate by substantial evidence that the criteria for approval are satisfied, and that the public's health, safety and general welfare will be adequately protected.

Review Comments

12. The Maine Bureau of Parks and Lands has reviewed the permit application and has made no recommendations.

13. The facts are otherwise as represented in the application for Development Permit DP 4986, and supporting documents.

Based upon the above Findings, the Commission, through its staff, concludes:

14. In accordance with Section 10.02(177) of the Commission's Land Use Districts and Standards, the proposed campsite is a remote campsite.

15. In accordance with Section 10.23,E,3,c(2) of the Commission's Land Use Districts and Standards, a remote campsite is a use allowed within a Great Pond Protection Subdistrict (P-GP).

16. In accordance with Section 10.26, D,4,b of the Commission's Land Use Districts and Standards, the location of the proposed remote campsite is greater than: 50 feet from the nearest road, 25 feet from the property line and 25 feet from the shoreline.

17. 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 Commission, through its staff, approves the application of AMC with the following conditions:

1. Standard Conditions of Approval for all Development Permits (Version 2004 Attached).

2. 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.

3. The remote campsite must be located greater than: a) 50 feet from the nearest road, b) 25 feet from the property lines, and c) 25 feet from the shoreline.

4. The remote campsite shall: a) be designed and only accessible by water or on foot; b) be comprised of not more than four individual camping areas designed for separate camping parties for a total of not more than 12 overnight campers; c) have permanent structures limited to privies, fireplaces or fire rings, picnic tables, and picnic table shelters not more than 80 square feet in area consisting of a roof without walls; and d) require no other construction or grading and only minimal clearing of trees.

5. The remote campsite shall not be part of a commercial campground, but may be managed from a central office located offsite.

6. Construction debris must not be disposed of in a wetland. All construction debris must be removed from the remote campsite upon completion of construction activities.

7. As necessary, permanent soil stabilization shall be completed within one week of inactivity or completion of construction.

8. 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.

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 TWENTYSEVENTH DAY OF OCTOBER, 2015.

for: Roderick J. Falls

Nicholas D. Livesay, Executive Director

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

STANDARD CONDITIONS OF APPROVAL FOR ALL DEVELOPMENT PERMITS

1. The permit certificate must be posted in a visible location on your property during development of the site and construction of all structures approved by this permit.

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 therefrom is subject to the 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. Construction activities authorized in this permit must be substantially started within two (2) years of the effective date of this permit and substantially completed within five (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.

4. The recipient of this permit ("permittee") shall secure and comply with all applicable licenses, permits, and authorizations of all federal, state and local agencies including, but not limited to, natural resources protection and air and water pollution control regulations and the Subsurface Wastewater Disposal Rules of the Maine Department of Environmental Protection and the Maine Department of Human Services.

5. Setbacks of all structures, including accessory structures, from waterbodies, roads and property boundary lines must be as specified in conditions of the permit approval.

6. 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 advised of the conditions of approval. The new owner or lessee must contact the Land Use Planning Commission to have the permit transferred into his/her name and to reflect any changes proposed from the original application and permit approval.

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. The permittee shall not advertise Land Use Planning Commission approval without first obtaining Commission 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.

9. Once construction is complete, the permittee shall notify the Commission that all requirements and conditions of approval have been met. The permittee shall submit all information requested by the Commission demonstrating compliance with the terms of the application and the conditions of approval. Following notification of completion, the Commission's staff may arrange and conduct a compliance inspection.

Administrative Policy Revised 04/04

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