



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

WALTER E. WHITCOMB
COMMISSIONER

PAUL RICHARD LEPAGE
GOVERNOR

PERMIT

AMENDMENT A TO GREAT PONDS PERMIT GP 3375

The staff of the Maine Land Use Planning Commission, after reviewing the amendment request and supporting documents submitted by Roger and Gayle Hoffses for Amendment A to Great Ponds Permit GP 3375, finds the following facts:

1. Applicants: Roger and Gayle Hoffses
115 Dudley Street
Presque Isle, Maine 04769
2. Date of Completed Application: July 21, 2015
3. Location of Proposal: T11 R 4 WELS, Aroostook County
Lot #5 on Plan 03
4. Zoning: (D-RS) Residential Development Subdistrict
5. Affected Waterbody: Squapan Lake

The Commission has identified Squapan Lake as a management class 7, resource class 2, accessible, developed lake with the following resource ratings: significant fisheries resources, significant cultural resources, present physical resources.
6. The applicants' 2.65 acre lot with 225.8 feet of shoreline frontage is developed with a single family dwelling with deck. The water level of Squapan Lake is controlled by a hydro dam in the Town of Masardis and has reportedly been very high in recent years causing erosion of the applicants' shoreline. The applicants state that they have lost up to 15 feet of lawn in recent years.
7. In June of 2013, Great Ponds Permit GP 3375 was issued to the applicants for stabilization of the eroding shoreline by installing riprap along a 5 to 6 foot by 142 foot area using filter fabric as underlayment and rock set at a 2 to 1 ration. Work was to be done during low water with machinery working from above the normal high water mark using an existing access way and lawn area. The toe of the riprap was to be setback at least 5 feet from the normal high water mark of Squapan Lake. A silt fence and/or hay bales was to be placed between the water body and work area to prevent erosion and sedimentation. The project was needed because the shoreline had deteriorated to the extent that it was causing a loss of shore frontage and serious erosion and sedimentation of Squapan Lake. Installation of rip rap would prevent any more deterioration and improve the water quality of Squapan Lake.
8. The applicants now seek amendment approval for the previously approved riprap. Due to wet weather conditions and higher than expected lake water levels, the applicants were unable to begin the project within the original time approved.
9. Under provisions of Section 10.21,J,3,c(16), of the Commission's Land Use Districts and Standards, shoreland alterations are an allowed use in a (D-RS) Residential Development Subdistrict upon issuance of a permit and subject to the applicable requirements of Sub-Chapter III.
10. The facts are otherwise as represented in Great Ponds Permit Application GP 3375, the amendment request, and supporting documents.

Based upon the above Findings, the staff concludes that:

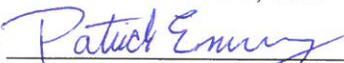
1. The proposed shoreland alteration would be in conformance with the provisions of Sections 10.21,J,3,c(16) of the Commission's Land Use Districts and Standards.
2. If carried out in compliance with the Conditions below, the proposal will meet the Criteria for Approval, Section 685-B(4) of the Commission's Statutes, 12 M.R.S.A.

Therefore, the staff approves the amendment request of Roger and Gayle Hoffses the following conditions:

1. The Standard Conditions for Shoreland Alterations (ver. 4/91), a copy of which is attached.
Notwithstanding Condition #3 of the Standard Conditions for Shoreland Alterations, activities authorized by this permit must be begun within two years of the date of issuance and completed within five years from the date of issuance of this permit.
2. The Standards for Installation of Riprap (ver. 4/91), a copy of which is attached.
3. Any excavation or construction must be done when the water level is low.
4. Any debris or fill material must be stored on the shore until reused or removed. Silt fences, hay bales, and tarps must be used to prevent sedimentation from stockpiled materials, where necessary.
5. All areas of disturbed mineral soil must be promptly reseeded and stabilized with mulch, and maintained in a vegetated state to prevent soil erosion. In areas where revegetation is not initially successful, additional measures to control erosion and sedimentation must be undertaken as often as necessary to be effective.
6. No dredging may take place, except rocks that were part of the original shoreline may be removed and/or reused.
7. All material used for shoreline alteration stone and gravel shall be clean.
8. Upon completion of the project within the terms of this permit, any debris or excavated materials remaining must be removed from the lot and all solid waste and other debris disposed of in a proper manner, in compliance with all applicable state and federal solid waste laws and rules.
9. Should any erosion or sedimentation occur during construction, the permittees shall contact the Land Use Planning Commission immediately, notifying it of the problem and describing all proposed corrective measures.
10. All wheeled or tracked equipment may be operated below the normal high water mark of Squapan Lake or in the vegetated area above the normal high water mark but in no instance shall be operated in the open water or below the water line of Squapan Lake.
11. All conditions of previously issued Commission permits shall remain in effect, except as specifically modified by this permit. For parcels that are part of a Commission-approved subdivision, all conditions of the subdivision permit as they pertain to the permittee's parcel shall remain in effect.

This permit is approved upon the proposal as set forth in the amendment request and supporting documents, except as modified in the above stated conditions, and remains valid only if the permittees comply with all of these conditions. Any variation from the amendment request 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 22nd DAY OF JULY, 2015

By: 
for Nicholas Livesay, Executive Director