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

PAUL R. LEPAGE
GOVERNOR

WALTER E. WHITCOMB
COMMISSIONER

NICHOLAS D. LIVESAY
EXECUTIVE DIRECTOR

PERMIT

AMENDMENT A TO GREAT PONDS PERMIT GP 3384
WATER QUALITY CERTIFICATION

The staff of the Maine Land Use Regulation Commission, after reviewing the application and supporting documents submitted by Joyce Hartson for Amendment A to Great Ponds Permit GP 3384, finds the following facts:

1. Applicant: Joyce Hartson
   PO Box 99
   Paris, ME 04271

2. Date of Completed Application: January 14, 2014

3. Location of Proposal: Lakeville, Penobscot County, Maine
   Maine Revenue Service Map PEP031; Plan 10, Lot 27 (part of)
   Penobscot County Registry of Deeds: Book 8342, Page 272

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

5. Lot Size: 4.8 Acres

6. Proposed Development: Shoreline Access Boardwalk (3 ft. by 500 ft.) for Access to a Temporary Docking Structure and a Non-Commercial Mooring

7. Affected Waterbody: Junior Lake, Boyce Cove

   The Commission has identified Junior Lake as a resource class 1B, management class 7, relatively accessible, undeveloped lake with significant fisheries, shoreline, scenic, and cultural values.

Administrative History:

8. The applicant's 4.8 acre lot with approximately 342 feet of shore frontage on Junior Lake and over 100 feet of road frontage on Boyce Cove Road. Within 500 feet of the open water of Junior Lake, the applicant's lot consists of 250 feet of P-WL1 wetland of special significance and approximately 250 feet of P-WL2 scrub-shrub wetland,.

9. Building Permit BP 15076, issued to Joyce A. Hartson and Gary A. Salisbury on September 30, 2013, authorized the construction of a 24 foot by 32 foot single family residential dwelling, a 20

foot by 300 foot residential driveway and a subsurface wastewater disposal system. The above authorized construction activities were not substantially started within 2 years of the effective date and Building Permit BP 15076 has lapsed.

10. Amendment A to Building Permit BP 15076, issued to the applicant on January 14, 2015, reauthorized the construction of a 24 foot by 32 foot single family, residential dwelling, a 20 foot by 300 foot residential driveway, and a subsurface wastewater disposal system.

11. Great Ponds Permit GP 3384, issued to Joyce A. Hartson and Gary A. Salisbury on October 25, 2013, authorized the construction of a 3 foot by 500 foot wooden boardwalk to access an onsite temporary docking structure and a non-commercial mooring on Junior Lake. Commission staff at that time determined there were no offsite alternative locations and no locations on the lot where the boardwalk would not impact wetlands. Therefore, an onsite location was chosen which requires the shortest boardwalk linear distance and the least vegetation cutting to gain access to a temporary docking structure and a non-commercial mooring. In addition, the board walk's width was reduced to 3 feet to limit the amount of wetlands altered by the project. The final location of the boardwalk would be 15 feet from the applicant's southern property boundary line and would impact 750 square feet of P-WL1 wetland of special significance and approximately 750 square feet of P-WL2 scrub shrub and other nonforested wetlands.

    Based on the Findings of Great Ponds Permit GP 3384, staff concluded, in part:

    > In accordance with Section 10.25,P,1 and 10.25,P,2 of the Commission's Land Use Districts and Standards, the boardwalk will meet the applicable requirements of Tier 3 review. Specifically, there is no practicable alternative to the project that would be less damaging to the wetland while still allowing access to either an onsite temporary docking structure and a non-commercial mooring or a nearby offsite marina; the boardwalk will be constructed to minimize wetland impacts to the minimum amount necessary to complete the project; the project will comply with the water quality classification standards contained in 38 M.R.S.A. §465; the project will be completed utilizing erosion control methods which will prevent sedimentation into the waterbody; and the proposed project has been designed to have no unreasonable impact on the wetland; neither a functional assessment nor compensation will be required. The permanent impacts have been limited and the Commission has determined that the impact to wetland functions and values from the boardwalk will be insignificant.

    The authorized construction activities were not substantially started within 2 years of the effective date and Great Ponds Permit GP 3384 has lapsed.

Proposal:

12. The applicant now seeks reauthorization to construct a 3 foot by 500 foot wooden boardwalk to access an onsite temporary docking structure and a non-commercial mooring on Junior Lake. Currently, the applicants cannot access an onsite temporary docking structure and a non-commercial mooring because of an extensive wetland complex between the applicant's dwelling location and the open waters of Junior Lake. No other changes are proposed.

13. The board walk would be constructed of timbers 'floating' on top of the wetland. The timbers would be overlain with decking and, in those areas where additional stability would be warranted, the applicant would drive posts. These posts would be at an interval of approximately 12 feet.

14. No machinery would be used in the wetland; new sections of boardwalk would be installed from the previously installed boradwalk or would be prefabricated outside of the wetland and hand placed and connected to the previously installed section.

15. The total area altered by the entire project would be 750 square feet of P-WL1 wetland of special significance and approximately 750 square feet of P-WL2 scrub shrub and other nonforested wetlands.

16. The facts are otherwise as represented in Great Ponds Permit Application GP 3396, Amendment Request A to Great Ponds Permit GP 3396, 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. and will be in compliance with the provisions of Sub-Chapter III of the Commission's Land Use Districts and Standards.

Therefore, the staff approves the application of Joyce Hartson 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 constrcution 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 for Shoreland Alterations (ver. 4/91), a copy of which is attached.

4. Machinery shall not enter the wetland. New boardwalk sections shall only be placed from hand installed temporary mats or from the previously placed boardwalk section.

5. The use of untreated lumber is preferred. Pressure treated wood approved by the U.S. Environmental Protection Agency for dock construction may be used. Chromated copper arsenate (CCA) treated wood shall not be used in freshwater environments. Creosote of pentachlorophenol (PCP) treated wood shall not be used.

6. The boardwalk shall be set back at least 15 feet from property boundary lines.

7. The boardwalk shall stop landward of the normal high water mark of Junior Lake; the boardwalk shall not extend below the normal high water mark of Junior Lake; and the boardwalk shall be limited to 3 feet in width.

8. Once construction is complete, the permittee shall submit an as-built drawing of the boardwalk which clearly indicates the final location of in reference to the property line and the boardwalks total length.

9. 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.

11. All Conditions of Great Ponds Permit GP 3384 remain in effect, with the exception of Condition #1 of Great Ponds Permit GP 3384, which is superseded by Condition #1 of this Amended Permit.

This permit is approved only upon the above stated conditions and remains valid only if the permittee complies with all of these conditions. 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 20th DAY OF JANUARY, 2016.

By: _____
for 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 SHORELAND ALTERATION PERMITS

1. The permit certificate must be posted in a visible location on your property during performance of the activities 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, permits required under the Natural Resources Protection Act administered by the Maine Department of Environmental Protection.

5. 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.

6. All areas of exposed mineral soil above the normal high water line or wetland boundary shall be promptly seeded and mulched so as to avoid soil erosion and lake sedimentation. Rocks and trees which are holding the shoreline and preventing erosion shall not be removed.

7. Unless otherwise specified in this permit, all work must be conducted at periods of low water when the water level is lower than the work area.

8. Unless otherwise specified in this permit, no mechanical equipment, machinery or vehicles shall be operated below the normal high water line or wetland boundary.

9. If pressure treated wood is to be used, such wood must be allowed to cure, away from the waterbody or wetland, for a minimum of three weeks prior to installation.

10. Once the activity is completed, 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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18 ELKINS LANE, HARLOW BUILDING
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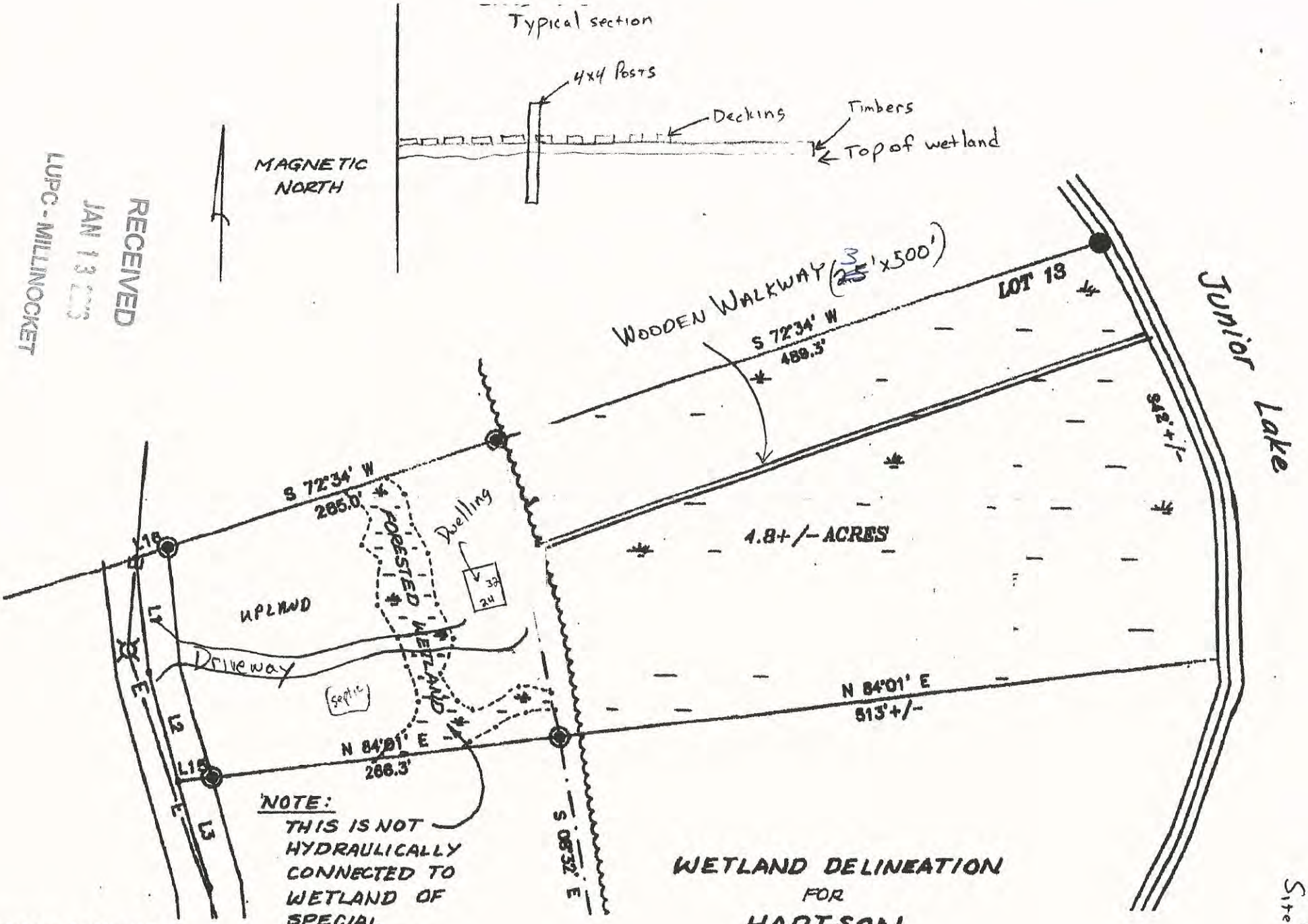
FAX: 207-287-7439



NOTE:
THIS IS NOT HYDRAULICALLY CONNECTED TO WETLAND OF SPECIAL SIGNIFICANCE. (IT IS 4'± HIGHER ELEVATION; NEVER FLOODED BY LAKE).

WETLAND DELINEATION
FOR
HARTSON
BOYCE COVE ROAD
LAKEVILLE, MAINE
MAY 8, 2013

JOHN R. WHITNEY
SOIL SCIENTIST
31 N. CHESTER ROAD
CHESTER, ME. 04457
(207) 794-8627

RECEIVED
JAN 13 2013
LUPC - MILLINOCKET

Hartson application Site Plan