

For office use:

48178 Tracking No. GP/SAWL/WQC 3416 Permit No.

Expedited Shoreland Alteration Permit Application

\$ 100.00 Fee Received

Permit for Alteration of a P-WL1 Subdistrict and Water Quality Certification

1. APPLICANT INFORMATION Print the legal names and mailing addresses of all persons or organizations with title, right or interest in the property associated with this application. Persons with "title, right or interest" are those listed on any deed, lease or sales contract for the property.

Applicant Name(s) <i>Richard M & Elaine H. Living Trust</i> <i>Richard M. Emery & Elaine H. Emery, Trustees</i>	Daytime Phone <i>207-584-5331</i>	FAX or Email (if applicable)	
Mailing Address <i>1013 Waltham Road</i> <i>Waltham, ME 04605-8815</i>	Town	State	Zip Code

2. PROJECT LOCATION AND PROPERTY DETAILS (See Instructions)

Township, Town or Plantation <i>TWP 10 SD BPP</i>	County <i>Hancock</i>
Tax Information (check your tax bill) Map: <i>HA006</i> Plan: <i>03</i> Lot: <i>7</i>	Deed or Lease Information (check your deed or lease) Book: <i>2886</i> Page: <i>79</i> Lease #:
Lot size (in acres, or in square feet if less than 1 acre) <i>18730.8 sq ft.</i>	Zoning at Development Site <i>D-RS</i> <i>Deed reviewed online 5/21/15. KEB</i>

Water Frontage. List the name and frontage (in feet) for any lakes, ponds, rivers, streams, or other waters on or adjacent to your lot. Measure water frontage in a straight line between the points of intersection of side property lines and the normal high water mark of the shoreline.

Waterbody: *Tunk Lake* Frontage *100'*

LUPC Approved Permit. List any permit numbers you are aware of for projects on your property previously approved by the Commission. If your lot is part of an approved subdivision, provide both the subdivision permit number and your lot number. This information is usually included in your deed description. *LOE-87-032 / ULP 233-29*

Land Division History. Using your deed as a starting point, trace the ownership history and configuration changes of your property back 20 years from today. List any division of those lots from which your property originated (use an additional sheet of paper or page 3 of the application, if needed).	Grantor and grantee <i>✓ KED</i>	Date of sale or lease <i>1/12/97</i>	Lot size <i>10 acres</i>
	If your property is part of subdivision approved by the Commission, continue to Question 3. If your property is not part of an approved subdivision, please complete the Land Division History. (Check deed or contact the LUPC office that serves your area.)		

3. PROPOSED ACTIVITY (check all that apply)

Dock Reconstruction
 Shoreline Stabilization
 Rock Relocation

Water Intake Pipe (private residential) or Dry Hydrant (public) (NOTE: An application for a dry hydrant may only be made by a public entity or representative, for example a town or fire department.)

If this application is for a Dock Reconstruction, Shoreline Stabilization, Rock Relocation and/o Water Intake Pipe or Dry Hydrant you must complete and attach the appropriate Activity Attachment form.

Time extension of previously issued Expedited Shoreland Alteration permit (write permit number) _____

Other amendment of previously issued Expedited Shoreland Alteration permit (write permit number) _____

If this is a permit amendment or a time extension of a previously issued Expedited Shoreland Alteration permit, contact the LUPC office that serves your area to determine which parts of this application form you must complete.

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4. DEVELOPMENT IN FLOOD PRONE AREAS

(Note: There are questions in the Conditions of Approval activity attachment relevant to work in a FEMA zone, P-FP zone, or an area prone to flooding.)

Is your proposed activity located within a mapped P-FP (Flood Prone Area Protection) Subdistrict, a mapped FEMA (Federal Emergency Management Agency) flood zone, or an unmapped area prone to flooding?	P-FP Subdistrict.....	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
	FEMA Flood Zone	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
	Unmapped Area Prone to Flooding.....	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO

5. APPLICANT SIGNATURE (REQUIRED) AND AGENT AUTHORIZATION (OPTIONAL)

Agent Name <i>Peter Nevells</i>	Daytime Phone <i>207-610-9050</i>	FAX or Email (if applicable)	
Mailing Address <i>9 Sugar Hill Rd.</i>	Town <i>Eastbrook</i>	State <i>Me.</i>	Zip Code <i>04634</i>

I have personally examined and am familiar with the information submitted in this application, including the accompanying exhibits and supplements, and to the best of my knowledge and belief, this application is complete and includes all necessary exhibits. I understand that if the application is incomplete or missing any of the required exhibits, this will result in delays in processing my permit. The information in this application is a true and adequate narrative and depiction of what currently exists on, and what is proposed at, the property. I certify that I will give a copy of this permit and the associated CONDITIONS OF APPROVAL to any contractors working on my project. I understand that I am ultimately responsible for complying with all applicable regulations and with all conditions and limitations of any permits issued to me by the Commission. If there is an Agent listed above, I hereby authorize that individual or business to act as my legal agent in all matters relating to this permit application.

I certify that the project will be completed in accordance with the CONDITIONS OF APPROVAL, and the attached Standard Conditions for Shoreland Alterations, and any other applicable Commission requirements and laws. If this is a permit amendment, then all conditions in prior permits issued for this activity will continue to apply unless specifically amended herein.

Please check one of the boxes below: (see "Accessing the Project Site for Site Evaluation and Inspection" on Page ii)

- I authorize staff of the Land Use Planning Commission to access the project site as necessary at any reasonable hour for the purpose of evaluating the site to verify the application materials I have submitted, and for the purpose of inspecting for compliance with statutory and regulatory requirements, and the terms and conditions of my permit.
- I request that staff of the Land Use Planning Commission make reasonable efforts to contact me in advance to obtain my permission to fully access the project site for purposes of any necessary site evaluation and compliance inspection.

All appropriate persons listed on the deed, lease or sales contract must sign below.

Signature(s) <i>Richard M. Emery</i>	Date <i>5/13/15</i>
<i>Elaine H. Emery</i>	Date <i>5/13/15</i>

IMPORTANT

- > This application, once signed by Commission staff and then returned to you, is your permit and authorization to proceed with your project as you have described it and have shown on the Site Plan.
- > Your project must be done in compliance with all of the CONDITIONS OF APPROVAL, as you have described in this application and the Activity Attachment.
- > The Permit Certificate that will be included with the signed permit must be displayed at the construction site.
- > In order to comply with the Conditions of this LUPC Permit and be eligible for authorization under the Corps of Engineers Maine General Permit for work being done in a water of the United States under Federal Jurisdiction, LUPC permittees must submit to the Corps the U.S. Army Corps of Engineers, Category 1 Notification Form that will be attached to the signed LUPC permit. (See COMPLIANCE, on the last page of the Instructions)

LUPC AUTHORIZATION (for office use)

Based on the information you have submitted in the attached application and supporting documents, the staff of the Land Use Planning Commission concludes that, if carried out in compliance with the CONDITIONS OF APPROVAL and Standard Conditions (attached), the project you propose will not affect the water quality classification of the affected waterbody and meets the provisions of the General Land Use Standards for Wetland Alterations, Section 10.25,P of the Commission's Land Use Districts and Standards. Further, the project you propose meets the Criteria for Approval, 12 M.R.S.A. §685-B(4) of the Commission's statutes. Any variation from the project as described in this application and the CONDITIONS OF APPROVAL is subject to the LUPC staff review and approval prior to construction. Any variation undertaken without approval by Commission staff 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.

<i>Karen E. Balaban</i> LUPC Authorized Signature	<i>5/21/2015</i> Effective Date
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Activity Attachment: Rock Relocation

Questions and Conditions of Approval

This Activity Attachment must accompany the Expedited Shoreland Alteration Permit Application, and is for projects, as follows:

- The relocation of rocks below the normal high water mark on inland waters, including ponds or lakes, to provide boat access.
- The activity must not involve blasting or use of heavy machinery in the water.
- The area of the waterbody affected by the rock relocation must be less than 10 feet wide, and less than 50 feet long.
- Relocated rocks must not be piled up within the waterbody, must not be used to form jetties, must not be removed from the waterbody, and must be scattered in a natural fashion on the lake bottom.
- Rocks must not be removed from the shoreline, and rocks moved within the waterbody must not be placed along the shoreline.

This Activity Attachment cannot be used for rock relocation activities in flowing waters (streams or rivers) or tidal waters.

This Activity Attachment is only for rock relocation projects where the affected waterbody is bordered by the following zones:

- P-GP and P-GP2, including where there is a FEMA or P-FP zone, or a P-AR zone
- P-SL2 zone associated with a pond smaller than 10 acres, including where there is a FEMA or P-FP zone, or a P-AR zone
- P-AL zone
- All development zones (except D-MT and D-PD)

Projects on waterbodies abutting zones not listed here may be allowed using the standard application form. Contact the LUPC office that serves your area to obtain the standard application form.

A. LOCATION (check one)

Lake or pond larger than 10 acres Pond smaller than 10 acres

B. PROJECT DETAILS

Answering YES to a question indicates that the statement is correct about your project.

1. The total area in square feet of lake or pond below the normal high water mark to be impacted by the rock relocation will be less than 500 square feet. YES NO

If NO, then the expedited shoreland alteration permit form cannot be used; STOP HERE. Contact the LUPC office that serves your area to obtain the standard application form.

If YES, then provide the size of the area of the water body to be impacted, and continue to Section C. 20 sq. ft.

C. CONDITIONS OF APPROVAL

Answering YES to a question indicates that the statement is correct about your project.

By law, any proposed development must meet certain conditions of approval. Please read each of the following statements carefully. Check 'YES' if your project will be done as described in each statement. **Checking 'NO' to any of the statements indicates that your project will not comply with that CONDITION OF APPROVAL, and this form cannot be used for your project.** However, projects not qualifying for the expedited form may still be allowed using a standard permit. If a statement does not apply to your project, check 'N/A' and if needed, explain why on page 3 of the application form.

- The rock relocation will not involve alteration of any (P-WL) Wetland Protection Subdistrict other than the waterbody that the activity is within. YES NO
- The rock relocation will be limited to an area below the normal high water mark that is less than 10 feet wide and less than 50 feet long. YES NO
- The rock relocation will only be for the purpose of providing boat access. YES NO
- The rock relocation will occur during a period of low water. YES NO
- Heavy machinery will not be driven in the water or below the normal high water mark (except as provided for on flowed lakes, see Question 6, below). N/A YES NO
- For projects on flowed lakes only:** Heavy machinery will be driven below the normal high water mark only where necessary, when the work area is above the level of the water, and only on rocky or gravely substrate. Mats or platforms will be used to protect the shoreline and lake bottom from damage. N/A YES NO

Section C Conditions of Approval, continues onto the next page ...

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7. The rock relocation will not require construction of an access road.....	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
8. The rock relocation will not occur within 250 feet of mapped Endangered, Threatened, and Special Concern species habitat as designated by the Maine Department of Inland Fisheries and Wildlife. For further information, contact the LUPC office that serves your area; or MDIFW, 284 State Street, Augusta, ME 04333; (207) 287-8000.....	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
9. The rock relocation will not interfere with navigation or recreation.....	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
10. The rock relocation will not interfere with natural flow, will not create an impoundment, and will not block fish passage; and on flowed lakes will not reduce the flood carrying capacity of the water course.....	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
11. The relocated rocks will not be piled up within the waterbody or used to form a jetty.....	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
12. The relocated rocks will not be placed along the shoreline.....	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
13. Rocks will not be removed from the shoreline.....	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
14. The relocated rocks will remain within the waterbody and will be scattered in a natural manner.....	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
15. The rock relocation will not involve blasting.....	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
16. The rock relocation will not involve excavation of the waterbody.....	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
17. The rock relocation will not occur in an area of the waterbody with non-invasive aquatic vegetation.....	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
18. The rock relocation will not occur when the soil above the normal high water mark is frozen or saturated.....	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
19. The project will not result in more than incidental disturbance of soil or vegetation within 100 feet of the normal high water mark and will comply with the Commission's standards for Vegetation Clearing (10.27,B) and for Filling and Grading (10.27,F). See www.maine.gov/dacf/lupc/laws_rules/ch10.html	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
20. Any areas of disturbed mineral soil above the normal high water mark as a result of the rock relocation project will be stabilized with hay or bark mulch, and replanted within one week of inactivity or completion of the project, in accordance with the Commission's Guidelines for Vegetative Stabilization. See www.maine.gov/dacf/lupc/laws_rules/ch10.html , Rules and Regulations, Chapter 10, Appendix B.....	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO

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03-6.1

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03-16.2

03-17.2

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03-17.1

03-17.3

03-17.4