



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

PAUL R. LEPAGE
GOVERNOR

WALTER E. WHITCOMB
COMMISSIONER

NICHOLAS D. LIVESAY
EXECUTIVE DIRECTOR

SUBDIVISION PERMIT SP 4098

The Maine Land Use Planning Commission (the Commission), after reviewing the application and supporting documents submitted by C&E Real Estate, LLC (C&E) for Subdivision Permit SP 4098, public comments, agency review and staff comments and other related materials on file, finds the following facts:

1. Applicant: C&E Real Estate, LLC
PO Box 512
Greenville, Maine 04441
2. Date of Completed Application: March 15, 2016
3. Location of Proposal: Big Moose Township, Piscataquis County
Lots 2.12 & 2.16 on Plan 01
4. Zoning: (D-RS) Residential Development Subdistrict
(M-GN) General Management Subdistrict
(P-GP) Great Pond Protection Subdistrict
5. Subdivided Acreage: 16.21 acres (D-RS)
6. Affected Waterbody: Moosehead Lake

The Commission has identified Moosehead Lake as a resource class 1A, management class relatively accessible, relatively developed with outstanding fisheries, wildlife, scenic, botanical, cultural, and physical resources. Moosehead Lake is a flowed lake.

ADMINISTRATIVE HISTORY & BACKGROUND INFORMATION

7. In August of 2005, C&E acquired 2 abutting lots of land in Big Moose Township, as evidenced by two warranty deeds, one conveying a 29.9 acre lot from OFLC, Inc. (OFLC) to C&E, dated August 10, 2005 and recorded in the Piscataquis County Registry of Deeds in Book 1675, pages 178-183 (Plan 01, Lot 2.12); the other conveying a 21 acre lot from OFLC to C&E, dated August 17, 2005 and recorded in the Piscataquis County Registry of Deeds in book 1678, pages 150-155 (Plan 01, Lot 2.16). These two lots in common ownership made a single, merged parcel consisting of 50.9 acres located in a Great Pond Protection (P-GP) Subdistrict and General Management (M-GN) Subdistrict.
8. On January 7, 2008, the Commission approved a Utility Line Permit (ULP 426) for C&E to construct approximately 6,600 feet of above ground utility lines to provide electric power and telephone service to the 50.9 acre parcel for development of single family residential homes. The utility poles were

permitted to run along an existing land management road that was constructed for forest management activities.

9. On May 18, 2012, the Commission issued an Advisory Ruling, AR 12-03, to C&E, offering an opinion on dividing parcels from their land. The Commission's staff opined that the two separately purchased parcels were merged, forming a single 50.9 acre lot and any division that would create three or more lots in a five year period would require a Subdivision Permit from the Commission.
10. On June 11, 2012, the Commission issued a Building Permit, BP 14796, to Adam N. Moskovitz for the construction of a single family dwelling with attached and detached garages on a 1.94 acre lot divided from Plan 01, Lot 2.16 (Plan 01 Lot 2.161). The building permit was issued for a lot, which was subject to the terms and conditions of a purchase and sales agreement dated May 28, 2012.
11. On December 3, 2012 and March 5, 2013, C&E met with the Commission's staff to discuss rezoning its lands for a residential subdivision.
12. On February 6, 2013, the Commission answered a request from counsel for C&E, to reconsider the opinion offered in Advisory Ruling, AR 12-03. In that letter, the Commission acknowledged that only one lot had been divided for residential purposes since the land was purchased by C&E in 2005 (the 1.94 acre Moskovitz lot). One additional lot could be divided and sold, provided the remaining lands met the "Retained Lot" exemption (10.25,Q,1,g(2)).
13. On May 15, 2013, the Commission issued an Advisory Ruling, AR 13-06, to C&E, offering opinions on multiple additional land division questions. After receiving this Advisory Ruling, C&E divided an approximately 2.86 acre lot from Plan 01, Lot 2.16 (Plan 01 Lot 2.162) and transferred it to the abutting land owner, Adam N. Moskovitz. This additional transferred acreage merged with the previously divided 1.94 acre lot to create an approximately 4.8 acre waterfront parcel (the Moskovitz lot, Plan 01, Lots 2.161 & 2.162) developed with the residential dwelling and garages (BP 14796) noted above. The merged 4.8 acre developed parcel is located on the 50.9 acre peninsula but is not included in this application for a residential subdivision. C&E retained ownership of the remaining 46.1 acres (the C&E parcel).
14. On May 14, 2014, the Commission approved Zoning Petition ZP 744 to rezone 18.8 acres on a peninsula on Moosehead Lake from M-GN and P-GP to Residential Development (D-RS). The purpose of the rezoning was to facilitate development of a shorefront residential subdivision with 6 new lots. The six proposed lots, plus the combined Moskovitz lot, would have totaled 7 residential lots on the peninsula.
15. On December 17, 2014, the petitioner transferred 9 acres to Rodney B. Folsom, Sr. and Vanessa J. Folsom. The new 9 acre lot included the petitioner's proposed Lot 1, which was within the area rezoned to D-RS and an abutting section of the "Retained Land of C&E Real Estate" zoned P-GP and M-GN. This transfer is exempt when counting lots for the purposes of subdivision, since it is the second division within 5 years and the remaining lands owned by the petitioner meet the "Retained Lot" exemption (10.25,Q,1,g(2)). After the transfer of acreage to create the Moskovitz Lot and the Folsom Lot, the applicant's Retained Lot was reduced to approximately 37.1 acres owned in Big Moose Township, Piscataquis County.
16. On September 30, 2015, the petitioner submitted an application for a 7 lot subdivision (Subdivision Permit Application SP 4098). The proposed subdivision layout had been revised from the layout

considered during the review for Zoning Petition ZP 744. Staff determined that the lot layout needed additional revisions and the limits of the area rezoned to D-RS also needed to be revised to fit the revised subdivision layout. The subdivision permit application was placed on hold until a new zoning petition was submitted and approved by the Commission.

17. On October 27, 2015 C&E submitted a new zoning petition. After the submission of additional information requested by staff, the zoning petition was deemed complete on November 12, 2015.
18. On December 9, 2015, the Commission approved zoning petition ZP 758, which amended the zoning boundary approved by the Commission pursuant to ZP 744. The new zoning boundary created a 16.21 acre Residential Development Subdistrict (D-RS) for the revised layout of the proposed 5 lot residential subdivision.
19. On March 15, 2016, the applicant submitted electronic copies of the final revisions to Sheets D2, 3, 4, 5 & 6 of the subdivision plans as requested by the Commission's staff. The application was considered complete on this date. The hard copies of the revised plans were received on March 24, 2016.

SUBDIVISION PROPOSAL

20. The applicant proposes a 5 lot subdivision to be located on a peninsula east of Route 6/15 and the railroad, on the western shore of Moosehead Lake. The applicant proposes to subdivide 16.21 acres to develop 5 shorefront residential lots, which would vary in size from 1.0 to 3.5 acres and would typically have at least 200 feet of frontage on Moosehead Lake and at least 100 feet of road frontage. The applicant proposes to provide a centrally located community center lot with on street parking. The lots would be accessed from Route 6/15 via an existing approximately 1.05 mile land management road within a ROW easement through a separately owned parcel to the railroad crossing. The railroad has issued a crossing agreement for vehicle and pedestrian passage across the railroad ROW for property owners within the proposed subdivision and property owners on the peninsula.

The existing land management road continues from the railroad ROW approximately .4 miles to the end of the peninsula. The applicant proposes to upgrade the existing .4 miles of land management road from the railroad ROW to the end of the peninsula and construct an approximately 400 foot long spur road off of that existing road. The upgraded .4 miles of land management road and proposed 400 foot spur road would be constructed above grade and would be 18 feet wide with 3 inches of road surface gravel over an 18 inch course gravel subbase with vegetated drainage ditches to handle runoff. The proposed upgrade of approximately 250 feet of land management road that crosses through the wetlands would include at least 12 inches of "Rock Sandwich" below the 18 inches of coarse gravel subbase.

The applicant has proposed permanent and temporary erosion and sediment control measures for the construction and maintenance of the road and drainage systems. Drainage would be directed through the proposed roadside vegetated drainage ditches and diversion ditches to five different stone berm level lip spreaders to adjacent wooded buffer areas. Some road drainage would also flow directly into wooded buffer areas. These treatment techniques are proposed to meet the requirements of the Maine Department of Environmental Protection Storm Water Law.

In addition to the proposed 5 lot subdivision, the peninsula also includes a 9 acre lot owned by Rodney and Vanessa Folsom, a 4.8 acre lot owned by Adam Moskovitz and 20.89 acres owned by the applicant as "Retained Land of C& E Real Estate". The proposed 16.21 acre 5 lot subdivision is bordered by

Moosehead Lake on all sides except where it borders the Moskovitz lot and the Retained Lands of C&E Real Estate. The existing land management road also serves as access to the Moskovitz lot and Folsom lot. The access road entrance on Route 6/15 is approximately 4.8 miles north of Greenville Junction and approximately 0.47 miles north of the main entrance to the Big Squaw Mountain Ski Resort.

The proposed subdivision is shown on plans in 8 sheets prepared by Snowden Consulting Engineers, Inc., entitled "Squaw Cove Properties": Sheet D1 dated August 14, 2015, revised through December 02, 2015; Sheets D2, 3, 4, 5 & 6 dated August 14, 2015, revised through March 14, 2016; Sheets 7 & 8 dated August 14, 2015.

SITE CONDITIONS

21. The applicant submitted a Class B High Intensity Soil Survey prepared by a Soil Scientist describing the suitability of the soils for the proposed residential subdivision. The site is forested, with a mix of sapling sized successional softwoods and mature softwood and hardwood stands. With the exception of the very poorly drained and poorly drained soils, the report states that the soils observed on site were generally suitable for the proposed residential development. The dominant soils were formed from glacial till and are bouldery loam or silt loam textured over shallow to moderately deep bedrock and moderately deep to dense basal till on lower side slopes. The dominant soils are shallow and somewhat excessively drained Monson series, moderately and well drained Elliot series, somewhat poorly drained Telos series and moderately well drained Chesuncook series. The soils that were found to be unsuitable for development included poorly drained (hydric) Monarda series and very poorly drained Burnham series. The glacial till-derived soils on the lowest elevations were associated with drainages and wetlands, which were predominantly poorly and very poorly drained Burnham and Monarda soils. Most poorly drained areas were dominated by an extremely stony surface with water standing between the boulders. Most very poorly drained soils were covered with 1 to 2 feet of peat moss over mineral soils. The Monarda and Burnham soils mapped on site are hydric, limited by a high water table, wetness, low strength and frost susceptibility. With the exception of the land management road that crossed through these hydric soils, the proposed residential development has avoided these poorly and very poorly drained soils. The applicant has provided soil logs that show suitable soils for subsurface sewage disposal systems within each of the proposed building envelopes for the proposed 5 residential lots.
22. The applicant submitted a Protected Natural Resources Report and delineated wetlands on the property. One wetland was identified (Sheet D-1), with the portion within 250 feet of Moosehead Lake qualifying as a P-WL1 wetland of special significance and the remainder of the wetland qualifying as a forested wetland (P-WL3). The applicant does not propose any wetland disturbance as part of the development of the subdivision. (Sheet 8.) The applicant did not observe any potential vernal pools on site.

REVIEW CRITERIA

23. Under provisions of Section 10.21,H,3,c,(13) of the Commission's Land Use Districts and Standards, residential subdivisions are an allowed use upon issuance of a permit in the (D-RS) Residential Development Subdistrict subject to the applicable requirement set forth in Sub-Chapter III.
24. Under the provision of Title 12, Section 685-B(4) of the Commission's Statutes, the Commission shall approve no application, unless:

- A. Adequate technical and financial provision has been made for complying with requirements of the State's air and water pollution control and other environmental laws, including minimum lot size laws, site location of development laws, and natural resource protection laws, and those standards and regulations adopted with respect thereto;
 - B. Adequate provision has been made for loading, parking and circulation of land, air and water traffic, in, on and from the site, and for assurance that the proposal will not cause congestion or unsafe conditions with respect to existing or proposed transportation arteries or methods;
 - C. Adequate provision has been made for fitting the proposal harmoniously into the existing natural environment in order to assure there will be no undue adverse effect on existing uses, scenic character, and natural and historic resources in the area likely to be affected by the proposal;
 - D. The proposal will not cause unreasonable soil erosion or reduction in the capacity of the land to absorb and hold water and suitable soils are available for a sewage disposal system if sewage is to be disposed on-site; and
 - E. The proposal is otherwise in conformance with the Commission's laws and the regulations, standards and plans, including the Commission's Comprehensive Land Use Plan, adopted pursuant thereto.
25. Under provisions of Section 10.25,D,4,e of the Commission's Land Use Districts and Standards, Roadways shall adhere to the applicable roadway standards of Section 10.27,D and Section 10.27,H and the roadway specifications outlined in Table 10.25,D-1. A Class 2 Roadway is generally appropriate for residential subdivisions with fewer than 15 lots surrounded by a relatively sparse development pattern. A Class 2 Roadway shall have a minimum roadway surface that is at least 14 feet wide, a minimum course gravel base that is at least 12 inches deep, a minimum wearing surface that is at least 3 inches of fine gravel and a maximum sustained grade 15 percent or less. A Class 1 Roadway with at least 18 feet of roadway surface over 18 inches of course gravel base with 3 inches of surface gravel may be used for subdivisions with fewer than 15 lots also.
 26. Under provisions of Section 10.25,G,1,a of the Commission's Land Use Districts and Standards, Soil types shall be determined by a site-specific soil survey, according to the "Guidelines for Maine Certified Soil Scientists for Soil Identification and Mapping" Maine Association of Professional Soil Scientists, 2009. For both level 1 and 2 subdivisions, a Class B high intensity soil survey shall be used to identify soils within the proposed building envelopes and other disturbed areas, aside from proposed access roads, driveway locations, and utility lines.
 27. Under provisions of Section 10.25,G,3 of the Commission's Land Use Districts and Standards, For all developments that include onsite subsurface wastewater disposal, a sufficient number of test pits must be provided within the footprints of all proposed wastewater disposal fields to adequately document that disposal fields can be installed entirely on soils and slopes in compliance with the Subsurface Wastewater Disposal Rules (10-144A CMR 241).
 28. Under provisions of Section 10.25,L of the Commission's Land Use Districts and Standards, For subdivisions located within the direct watershed of a body of standing water 10 acres or greater in size, provision shall be made to limit the export of phosphorus from the site following completion of the development or subdivision so that the project will not exceed the allowable per-acre phosphorus allocation for the water body, determined by the Commission according to the "Maine Stormwater

Best Practices Manual, Volume II, Phosphorus Control in Lake Watersheds: A Technical Guide to Evaluating New Development” Maine Department of Environmental Protection 2008, and hereafter cited as the Phosphorus Design Manual.

29. Under provisions of Section 10.25,M,2,a of the Commission’s Land Use Districts and Standards, Permanent and temporary erosion and sedimentation control measures shall meet the standards and specifications of the “Maine Erosion and Sediment Control BMPs” (Maine Department of Environmental Protection, March 2003) or other equally effective practices. Areas of disturbed soil shall be stabilized according to the “Guidelines for Vegetative Stabilization” (Appendix B of this chapter) or by alternative measures that are equally effective in stabilizing disturbed areas.
30. Under provisions of Section 10.25,Q,3,a & b of the Commission’s Land Use Districts and Standards, Subdivisions shall be designed to harmoniously fit into the natural environment and shall cause no undue adverse impact on existing surrounding uses. When determining “harmonious fit”, the Commission shall consider the existing character of the surrounding area, potential for conflict with surrounding uses, proposed driveway and roadway locations, and proposed lot sizes, among other factors. Subdivisions shall be designed to avoid the linear placement of lots and driveways along roadways and shorelines. To the extent practicable, subdivision lots shall be placed as to create a distinct community center.
31. Under provisions of Section 10.26,A,1 of the Commission’s Land Use Districts and Standards, The minimum lot size for residential uses is 40,000 square feet per dwelling.
32. Under provisions of Section 10.26,B,2,a of the Commission’s Land Use Districts and Standards, For lots fronting on body of standing water 10 acres or greater in size, the minimum shoreline frontage shall be 200 feet per dwelling unit for residential uses.
33. Under provisions of Section 10.26,C,1,a of the Commission’s Land Use Districts and Standards, the minimum road frontage for residential uses shall be 100 feet.
34. Under provisions of Section 10.26,D,1,b of the Commission’s Land Use Districts and Standards, the minimum setback for structures from the shoreline of a standing body of water greater than 10 acres is size shall be 100 feet.
35. Under provisions of Section 10.26,F,2 of the Commission’s Land Use Districts and Standards, structures within 500 feet of the normal high water mark of a body of standing water 10 acres or greater or coastal wetland shall be no higher than 30 feet, measured as the vertical distance between the mean original (prior to construction) grade at the downhill side of the structure and the highest point of the structure, excluding chimneys, steeples, antennas, and similar appurtenances that have no floor area.

AGENCY REVIEW COMMENTS

36. On November 16, 2015, the Piscataquis County Commissioners offered comments on the application. They stated they have no comments or objections. Previously, they stated that they would support development approved by the Commission and provide the same services that are currently provided to all property owners of Big Moose Township.

37. The Maine Department of Transportation reviewed the original petition ZP 744 and stated that they had no comments.
38. The Maine Department of Inland Fisheries and Wildlife (IF&W) responded to the applicant's request for a review of their original proposed rezoning, ZP 744. IF&W reviewed the mapping data and found no endangered, threatened, or special concern wildlife species in the vicinity of the Property. IF&W also determined that essential habitat does not occur within the area of the Property. IF&W noted that no significant wildlife habitat has been mapped on the Property, but requested that a vernal pool survey be conducted prior to final project design and any ground disturbance. IF&W noted mapped inland fisheries resources within the general project area include whitefish (fish species of special concern) habitat and wild lake trout habitat in Moosehead Lake. IF&W recommended that best management practices to avoid erosion and sedimentation should be followed to avoid impacts to the mapped inland fisheries resources within the project area. IF&W recommended consultation with Maine Natural Areas Land Program and Maine Department of Environmental Protection prior to the start of any site disturbance.
39. The Maine Natural Areas Program reviewed the application and determined that no rare botanical features would be disturbed at the project site.
40. The Maine Historic Preservation Commission reviewed the application and has no concerns regarding this project.
41. The Maine Department of Environmental Protection (DEP) reviewed the original ZP 744 petition and commented that depending on the size and nature of any subdivision proposed in the future, a DEP Site Law permit may be needed for the development.
42. The Maine State Soil Scientist reviewed the original ZP 744 petition and determined that the existing road crossing through the wetlands was acceptable and, based on the information submitted by the applicant's soils expert, the proposed area appeared to be suitable for the proposed residential development.
43. The Natural Resources Council of Maine (NRCM) requested the opportunity to review and comment on the application. NRCM did not have any comments.
44. The facts are otherwise as represented in Subdivision Permit Application SP 4098 and supporting documents.

Based upon the above Findings, the staff concludes that:

1. The residential subdivision is a use allowed with a permit in the subdistrict in which it is proposed.
2. The applicant has demonstrated adequate technical and financial capacity to complete the proposal in compliance with the state's air and water pollution control laws and other applicable environmental laws. Specifically, the applicant has retained qualified professionals to design and implement the proposal.
3. Adequate provision has been made for vehicular access and traffic circulation in that the proposed subdivision access roads are designed in accordance with the Commission's standards for vehicular access under Section 10.25,D of the Commission's standards. In addition, constructing the roadways to

Class 1 Roadway specifications will provide for ingress and egress of both automobile and larger vehicles.

4. The applicant has made adequate provision for fitting the proposal harmoniously into the existing natural environment in order to assure there will be no undue adverse effect on existing uses, scenic character, and natural and historic resources in the area. Specifically, the proposed residential subdivision is modest in scope, locates proposed building envelopes away from sensitive areas such as wetlands and steep slopes, provides for vegetative screening of proposed development to preserve the scenic character of the area, and would not significantly impact the traditional use of the adjacent area for forest management purposes.
5. The proposed residential subdivision will not cause unreasonable soil erosion or reduction in the capacity of the land to absorb and hold water. Specifically, the applicant's erosion and sedimentation control plan and phosphorus control plans are in accordance with the Commission's standards; and the soils information submitted by the applicant demonstrates that areas to be developed have suitable soils, and that there are sufficient areas of suitable soils on each proposed residential lot to accommodate a sewage disposal system.
6. The proposed residential subdivision conforms with the Commission's relevant regulations and standards, as follows:
 - A. The scope and design of the proposed subdivision is consistent with the purpose of the (D-RS) Residential Development Subdistrict under Section 10.21,H,3,c,(13), of the Commission's Land Use Districts and Standards.
 - B. The proposed subdivision is consistent with the Commission's standards for subdivision layout and design under Section 10.25, Q,3 of the Commission's Land Use Districts and Standards. Specifically, the irregular lot size and layout along the roadways and shoreline of the peninsula does not create a linear placement of lots and the community center is centrally located to benefit all five lots of the subdivision.
 - C. The proposed residential development lots and building envelopes conform with the Commission's minimum dimensional requirements under Section 10.26,D.
7. 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., including otherwise being in conformance with the Commission's laws and the regulations, standards and plans adopted pursuant to these laws, including the Comprehensive Land Use Plan.

Therefore, the Commission, through its staff, approves the application of C&E Real Estate, LLC subject to the following conditions:

1. The Standard Conditions (ver. 10/90), a copy of which is attached.
2. The permittee must submit, for Commission review and approval, a sample deed for the subdivision lots:
 - A. Such sample deed must contain the following reference to Subdivision Permit approval:

Lot # _____ is part of a Subdivision approved pursuant to Maine Land Use Planning Commission Subdivision Permit SP 4098, which is recorded in the Piscataquis County Registry of Deeds. Use of this lot is subject to applicable conditions of that Subdivision Permit approval.

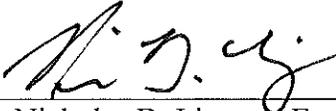
B. Such deed must also describe any restrictions to be imposed by the permittee, and must incorporate the following additional restrictions:

- (1) No building or other such construction may be undertaken on any lot without first obtaining an approved Building Permit from the Maine Land Use Planning Commission;
 - (2) All structures must be set back a minimum of 100 feet from the Normal High Water Mark of Moosehead Lake and comply with the other setback requirements contained in the Maine Land Use Planning Commission's Land Use Districts and Standards. In addition, all structures and clearing for development must be located within the boundaries of building envelopes, as designated on the Subdivision plat authorized pursuant to Maine Land Use Planning Commission Subdivision Permit SP 4098;
 - (3) All property owners must become members of the Big Moose Point Road Association, which shall be required to maintain, upkeep and snowplow the roadway from Route 6/15 to the lots created by Subdivision Permit 4098.
 - (4) No lot shall be further divided or reconfigured without the written approval of the Maine Land Use Planning Commission in accordance with 12 M.R.S. §§ 681 et seq. and applicable requirements of the Commission.
3. Deeds conveying approved residential lots must incorporate the language of the sample deed as approved by the Commission.
 4. The permittee must submit for Commission review, approval, and signature, a final plat for this subdivision which meets the Commission's specifications for subdivision plats and is acceptable for recording in the Registry of Deeds. The final plat must accurately show all lot lines, roads, utilities, building envelopes, common driveways, wooded phosphorus buffers, and delineated wetlands.
 5. At the time of application for a Maine Land Use Planning Commission Building Permit, each individual lot owner must submit a completed Form HHE-200 "Application for Subsurface Wastewater Disposal" with a system design and location in compliance with Maine State Plumbing Code Subsurface Wastewater Disposal Regulations in effect at the time that such Building Permit application is submitted.
 6. The sites of the current test pits on each lot are conditionally approved pending submission and acceptance of an application for a Building Permit submitted by each individual lot owner. Other locations may be proposed as part of individual permit applications. However, such other locations, even those with suitable soil conditions, may not necessarily be approvable based on setbacks or other requirements.
 7. The permittee shall implement measures in accordance with its erosion and sedimentation plan and phosphorus control plan as described in the application and shown on Subdivision Plans, with details shown on Sheets #7 and #8.

8. Prior to the sale of any of the lots created through Subdivision Permit 4098, the permittee shall complete the upgrade of the approximately .4 miles of land management road that begins at the railroad ROW and extends through the peninsula and construct the approximately 400 foot spur road and all of the drainage structures to the standards approved by this permit and as shown on Sheets #7 and #8 of the approved plans.
9. Once the construction areas are permanently stabilized, any temporary erosion and sedimentation control structures must be removed. The subdivision road must be maintained so that it will not erode.
10. Future structural development and associated clearing must be limited to the building envelopes as located on the approved subdivision plat.
11. Prior to the sale or lease of any subdivision lot the permittee must:
 - A. Record in the Piscataquis County Registry of Deeds this approved Subdivision Permit SP 4098 including Conditions of Approval, the final subdivision plat signed by the Director of the Commission, and the Declaration of Restrictive Covenants for the residential lots in accordance with Condition #2. Upon such recording of the permit, plat, and declarations, the permittee must promptly submit to the Commission a copy of the recorded plat; the book, page, and file numbers for the permit, plat and declarations; and the date of such recordings.
 - B. Obtain a Certificate of Compliance for this Subdivision Permit SP 4098 from the Commission.
12. The remainder of the permittee's lot must be retained for a period of at least five years from the date of this permit. For this five year period the retained lot must be:
 - A. retained and not be sold, platted, leased, conveyed or further divided, except for transfer to an abutter pursuant to Section 10.25,Q,1,g(3) of the Commission's Land Use Districts and Standards; and
 - B. used solely for forest or agricultural management activities and associated structures and development such as buildings to store equipment or materials used in forest or agricultural management activities, land management roads, driveways consistent with forest or agricultural management activities, or natural resource conservation purposes.

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 AUGUSTA, MAINE, THIS 25TH DAY OF MARCH, 2016.

By: 
Nicholas D. Livesay, Executive Director

STATE OF MAINE
County of Kennebec, ss,

Date: 3/28/16

Personally appeared the above named Nicholas D. Livesay, in his capacity as Executive Director of the Land Use Planning Commission, and acknowledged the foregoing to be his free act and deed in his said capacity and the free act and deed of the Land Use Planning Commission.

Before me,

Marylisa York
Mary York, Notary Public
My Commission expires: 9/11/18

MARYLISA YORK
Notary Public • State of Maine
My Commission Expires September 11, 2018