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## 10.22 MANAGEMENT SUBDISTRICTS

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Pursuant to the Commission's Comprehensive Land Use Plan, the following management subdistricts are established:

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### A. GENERAL MANAGEMENT SUBDISTRICT (M-GN)

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#### 1. Purpose

The purpose of the M-GN subdistrict is to permit forestry and agricultural management activities to occur with minimal interferences from unrelated development in areas where the Commission finds that the resource protection afforded by protection subdistricts is not required.

#### 2. Description

These are areas which are appropriate for forest or agricultural management activities and that do not require the special protection afforded by the protection subdistricts or the M-NC or M-HP subdistricts. Also included within M-GN subdistricts shall be areas which do not qualify for inclusion in any other subdistrict.

#### 3. Land Uses

##### a. Uses Allowed Without a Permit

The following uses shall be allowed without a permit from the Commission within M-GN subdistricts:

- (1) Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations;
- (2) Forest management activities;
- (3) Land application of septage, sludge and other residuals, and related storage and composting activities in compliance with regulations promulgated by the Maine Department of Environmental Protection under 38 M.R.S.A. §13: Maine Hazardous Waste, Septage and Solid Waste Management Act;
- (4) Motorized vehicular traffic on roads and trails, and snowmobiling;
- (5) Primitive recreational uses, including fishing, hiking, hunting, wildlife study and photography, wild crop harvesting, trapping, horseback riding, tent and shelter camping, canoe portaging, cross country skiing, and snowshoeing;
- (6) Surveying and other resource analysis;
- (7) Trails, provided they are constructed and maintained so as to reasonably avoid sedimentation of water bodies; and
- (8) Wildlife and fishery management practices.

##### b. Uses Allowed Without a Permit Subject to Standards

The following uses shall be allowed without a permit from the Commission within M-GN subdistricts subject to the applicable requirements set forth in Sub-Chapter III:

- (1) Agricultural management activities, including cranberry cultivation and the construction, alteration or maintenance of farm or livestock ponds which are not fed or drained by a flowing water;
- (2) Campsites;
- (3) Checkpoint buildings;
- (4) Creation, alteration or maintenance of constructed ponds, other than those described in Section 10.22,A,3,b,(1) above, less than 1 acre in size which are not fed or drained by flowing waters, in conformance with the vegetative buffer strip requirements of Section 10.27,C,2,a;
- (5) Driveways associated with residential uses;
- (6) Filling and grading;
- (7) Land management roads, in accordance with the guidelines in Chapter 15 of the Commission's rules;
- (8) Level A and B road projects;
- (9) Level A mineral exploration activities, including associated access ways;
- (10) Mineral extraction operations, less than 5 acres in size;
- (11) Minor home occupations;
- (12) Parking areas, roads, signs and similar facilities associated with public trailered ramps and private and commercial hand-carry launches.
- (13) Service drops; and buildings or structures necessary for the furnishing of public utility services, provided they contain not more than 500 square feet of floor area, are less than 20 feet in height, and are not supplied with water. Wire and pipe line extensions which do not meet the definition of service drops shall require a permit;
- (14) Signs; and
- (15) The operation of machinery and the erection of buildings including buildings to store equipment and materials for maintaining roads and other structures used primarily for agricultural or forest management activities.

**c. Uses Requiring a Permit**

The following uses may be allowed within M-GN subdistricts upon issuance of a permit from the Commission pursuant to 12 M.R.S.A. §685-B, and subject to the applicable requirements set forth in Sub-Chapter III:

- (1) Campgrounds;
- (2) Commercial sporting camps having a total gross floor area of no more than 10,000 square feet for all principal buildings concerned;
- (3) Creation, alteration or maintenance of constructed ponds, other than those described in Section 10.22,A,3,b, above, which are 1 acre or more in size, or such ponds less than 1 acre which are not in conformance with the vegetative buffer strip requirements of Section 10.27,C,2,a;
- (4) Driveways associated with non-residential uses; driveways associated with residential uses which are not in conformance with the standards of Section 10.27,H;
- (5) Family burying grounds of not more than ¼ acre, in accordance with 13 M.R.S.A. §1142;
- (6) Filling and grading, which is not in conformance with the standards of Section 10.27,F and draining, dredging, and alteration of the water table or water level for other than mineral extraction;
- (7) Land management roads which are not in conformance with the guidelines in Chapter 15 of the Commission's rules;
- (8) Level 2 subdivisions;

- (9) Level A mineral exploration activities, including associated access ways, which are not in conformance with the standards of Section 10.27,C;
- (10) Level B mineral exploration activities;
- (11) Level C road projects;
- (12) Major home occupations, **except in the townships or plantations listed in Section 10.22,A,3,d;**
- (13) Maple sugar processing operations;
- (14) Mineral extraction operations
  - (a) affecting an area less than 5 acres in size and which are not in conformance with the standards of Section 10.27,C;
  - (b) affecting an area between 5 and 30 acres provided the unreclaimed area is less than 15 acres; and
  - (c) structures essential to the extraction activity having a total gross floor area of no more than 2,000 square feet;
- (15) Non-commercial structures utilized for educational, scientific, or nature observation purposes;
- (16) Parking areas, roads, signs and similar facilities associated with commercial and private trailered ramps and such facilities addressed in Section 10.22,A,3,b which are not in conformance with the standards of Section 10.27,L;
- (17) Peat extraction affecting an area less than 30 acres in size;
- (18) Portable mineral processing equipment;
- (19) Remote rental cabins;
- (20) Residential: Single and two-family dwellings;
- (21) Sawmills and chipping mills on sites of less than 5 acres;
- (22) Signs which are not in conformance with the standards of Section 10.27,J;
- (23) Solid waste disposal facilities affecting an area less than 2 acres in size;
- (24) Structures devoted to composting of sludge, septage or other residuals affecting an area less than 5 acres in size;
- (25) Structures devoted to the storage of sand or salt;
- (26) Truck and equipment storage;
- (27) Utility facilities, excluding service drops;
- (28) Water impoundments;
- (29) Other structures, uses, or services that are essential to the uses listed in Section 10.22,A,3,a through c; and
- (30) Other structures, uses, or services which the Commission determines are consistent with the purposes of this subdistrict and of the Comprehensive Land Use Plan and are not detrimental to the resources or uses they protect.

**d. Special Exceptions**

The following uses may be allowed within the M-GN subdistricts as special exceptions upon issuance of a permit from the Commission pursuant to 12 M.R.S.A. §685-A(10), and subject to the applicable requirements set forth in Sub-Chapter III, provided that the applicant shows by substantial evidence that there is no alternative site in a development subdistrict which is both suitable to the proposed use and reasonably available to the applicant:

- (1) Major home occupations in the following plantations:
  - Dallas Plantation,
  - Rangeley Plantation,
  - Sandy River Plantation.

**e. Prohibited Uses**

All uses not expressly allowed, with or without a permit or by special exception, shall be prohibited in M-GN subdistricts.

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## **B. HIGHLY PRODUCTIVE MANAGEMENT SUBDISTRICT (M-HP)**

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### **1. Purpose**

The purpose of the M-HP subdistrict is to ensure the continued availability of products from high yield or high value forest and/or agricultural lands by reserving areas for these uses.

### **2. Description**

Areas identified by the Commission, not including those in protection subdistricts or in existing patterns of development, that are identified as prime or unique forest or agricultural land of national, statewide or local importance. In selecting areas for designation in this subdistrict, the Commission shall consider the following:

- a. Prime or unique agricultural lands currently in use for food, fiber, feed, forage, and oil seed crops that are determined in accordance with rules and regulations hereinafter adopted by the Commission as amendments to these standards.
- b. Prime or unique forest lands currently held for commercial production of forest trees that are determined in accordance with the rules and regulations hereinafter adopted by the Commission as amendments to these standards.

### **3. Land Uses**

#### **a. Uses Allowed Without a Permit**

The following uses shall be allowed without a permit from the Commission within M-HP subdistricts:

- (1) Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations;
- (2) Forest management activities;
- (3) Land application of septage, sludge and other residuals, and related storage and composting activities in compliance with regulations promulgated by the Maine Department of Environmental Protection under 38 M.R.S.A. §13: Maine Hazardous Waste, Septage and Solid Waste Management Act;
- (4) Motorized vehicular traffic on roads and trails, and snowmobiling;
- (5) Primitive recreational uses, including fishing, hiking, hunting, wildlife study and photography, wild crop harvesting, trapping, horseback riding, tent and shelter camping, canoe portaging, cross country skiing, and snowshoeing;
- (6) Surveying and other resource analysis;
- (7) Trails, provided they are constructed and maintained so as to reasonably avoid sedimentation of water bodies; and
- (8) Wildlife and fishery management practices.

**b. Uses Allowed Without a Permit Subject to Standards**

The following uses shall be allowed without a permit from the Commission within M-HP subdistricts subject to the applicable requirements set forth in Sub-Chapter III:

- (1) Agricultural management activities, including cranberry cultivation and the construction, alteration or maintenance of farm or livestock ponds which are not fed or drained by a flowing water;
- (2) Creation, alteration or maintenance of constructed ponds, other than those described in Section 10.22,B,3,b,(1) above, less than 1 acre in size which are not fed or drained by flowing waters, in conformance with the vegetative buffer strip requirements of Section 10.27,C,2,a;
- (3) Filling and grading;
- (4) Land management roads, in accordance with the guidelines in Chapter 15 of the Commission's rules;
- (5) Level A mineral exploration activities, including associated access ways;
- (6) Level A road projects;
- (7) Service drops;
- (8) Signs; and
- (9) The operation of machinery and the erection of buildings including buildings to store equipment and materials for maintaining roads and other structures used primarily for agricultural or forest management activities.

**c. Uses Requiring a Permit**

The following uses may be allowed within M-HP subdistricts upon issuance of a permit from the Commission pursuant to 12 M.R.S.A. §685-B, and subject to the applicable requirements set forth in Sub-Chapter III:

- (1) Campsites;
- (2) Creation, alteration or maintenance of constructed ponds, other than those in Section 10.22,B,3,b above, which are 1 acre or more in size, or such ponds less than 1 acre which are not in conformance with the vegetative buffer strip requirements of Section 10.27,C,2,a;
- (3) Driveways;
- (4) Home occupations;
- (5) Land management roads which are not in conformance with the Guidelines of Chapter 15 of the Commission's rules;
- (6) Level A mineral exploration activities, including associated access ways, which are not in conformance with the standards of Section 10.27,C.
- (7) Level B mineral exploration activities;
- (8) Level B road projects;
- (9) Mineral extraction operations for road purposes;
- (10) Residential: Single-family dwellings;
- (11) Signs which are not in conformance with the standards of Section 10.27,J;
- (12) Structures devoted to composting of sludge, septage or other residuals affecting an area less than 5 acres in size;
- (13) Other structures, uses, or services that are essential for the uses listed in Section 10.22,B,3,a through c; and
- (14) Other structures, uses, or services which the Commission determines are consistent with the purposes of this subdistrict and of the Comprehensive Land Use Plan and are not detrimental to the resources or uses they protect.

**d. Special Exceptions**

The following uses may be allowed within M-HP subdistricts as special exceptions upon issuance of a permit from the Commission pursuant to 12 M.R.S.A. §685-A(10), and subject to the applicable requirements set forth in Sub-Chapter III, provided that the applicant shows by substantial evidence that (a) there is no alternative site which is both suitable to the proposed use and reasonably available to the applicant, (b) the use can be buffered from those other uses and resources within the subdistrict with which it is incompatible, and (c) such other conditions are met that the Commission may reasonably impose in accordance with the policies of the Comprehensive Land Use Plan:

- (1) Filling and grading, except as provided in Section 10.22,B,3,b and draining or altering the water table or water level for other than mineral extraction;
- (2) Level C road projects;
- (3) Sawmills and chipping mills on sites of less than 2 acres;
- (4) Utility facilities excluding service drops; and
- (5) Water impoundments.

**e. Prohibited Uses**

All uses not expressly allowed, with or without a permit or by special exception, shall be prohibited in M-HP subdistricts.

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## C. NATURAL CHARACTER MANAGEMENT SUBDISTRICT (M-NC)

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### 1. Purpose

The purpose of the M-NC subdistrict is to maintain some of the areas that characterize the natural outdoor flavor and spirit of certain large undeveloped areas of the jurisdiction and to permit only forestry and agricultural practices and primitive recreation. Unrelated development that might interfere with these activities and natural values will not be permitted.

### 2. Description

Areas which the Commission determines:

- a. are appropriate for forest management activities;
- b. shall comprise certain few large areas which are remote and have a natural and wild character; the area is significant because of a variety and concentration of important features which in the aggregate include significant topographic features and distinctive recreation resources characteristic of the "Maine Woods" in their totality; such resources include, but are not limited to, hiking trails, canoe streams, and scenic overviews; such features include, but are not limited to, lakes, remote ponds, mountains and valleys;
- c. comprise at least 10,000 contiguous acres of land and water area; and
- d. support only those land use activities which do not appreciably detract from the natural character of the area.

Any proposal for inclusion of an area within an M-NC subdistrict, unless it is made by the owner or owners of such area, shall be considered by the Commission only when a written statement has been made stating how such area meets the criteria stated above. Such statements shall be available to the public at the time of publication of notice for the public hearing at which such proposal shall be heard.

The M-NC subdistrict may surround different protection, management, and development subdistricts. In delineating boundaries for the M-NC subdistrict, the Commission may consider property ownership or township boundaries, ridge lines, shorelines, watershed boundaries, roadways, or other rights of way or other appropriate natural or man-made features.

### 3. Land Uses

#### a. Uses Allowed Without a Permit

The following uses shall be allowed without a permit from the Commission within M-HP subdistricts:

- (1) Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations;
- (2) Forest management activities;

- (3) Land application of septage, sludge and other residuals, and related storage and composting activities in compliance with regulations promulgated by the Maine Department of Environmental Protection under 38 M.R.S.A. §13: Maine Hazardous Waste, Septage and Solid Waste Management Act;
- (4) Motorized vehicular traffic on roads and trails, and snowmobiling;
- (5) Primitive recreational uses, including fishing, hiking, hunting, wildlife study and photography, wild crop harvesting, trapping, horseback riding, tent and shelter camping, canoe portaging, cross country skiing, and snowshoeing;
- (6) Surveying and other resource analysis;
- (7) Trails, provided they are constructed and maintained so as to reasonably avoid sedimentation of water bodies; and
- (8) Wildlife and fishery management practices.

**b. Uses Allowed Without a Permit Subject to Standards**

The following uses shall be allowed without a permit from the Commission within M-HP subdistricts subject to the applicable requirements set forth in Sub-Chapter III:

- (1) Agricultural management activities, including cranberry cultivation and the construction, alteration or maintenance of farm or livestock ponds which are not fed or drained by a flowing water;
- (2) Campsites;
- (3) Creation, alteration or maintenance of constructed ponds, other than those described in Section 10.22,C,3,b,(1) above, less than 1 acre in size which are not fed or drained by flowing waters, in conformance with the vegetative buffer strip requirements of Section 10.27,C,2,a;
- (4) Filling and grading;
- (5) Land management roads, in accordance with the guidelines in Chapter 15 of the Commission's rules;
- (6) Level A mineral exploration activities, including associated access ways;
- (7) Level A and B road projects;
- (8) Mineral extraction operations affecting an area less than 5 acres in size, for road purposes;
- (9) Service drops;
- (10) Signs listed as exempt in Section 10.27,J; and
- (11) The operation of machinery and the erection of buildings including buildings to store equipment and materials for maintaining roads and other structures used primarily for agricultural or forest management activities.

**c. Uses Requiring a Permit**

The following uses may be allowed within M-HP subdistricts upon issuance of a permit from the Commission pursuant to 12 M.R.S.A. §685-B, and subject to the applicable requirements set forth in Sub-Chapter III:

- (1) Campgrounds;
- (2) Creation, alteration or maintenance of constructed ponds, other than those in Section 10.22,C,3,b above, which are 1 acre or more in size, or such ponds less than 1 acre which are not in conformance with the vegetative buffer strip requirements of Section 10.27,C,2,a;
- (3) Driveways;

- (4) Land management roads which are not in conformance with the Guidelines of Chapter 15 of the Commission's rules;
- (5) Level A mineral exploration activities, including associated access ways, which are not in conformance with the standards of Section 10.27,C;
- (6) Level B mineral exploration activities;
- (7) Mineral extraction operations affecting an area 5 acres or greater in size, for road purposes; mineral extraction operation, affecting an area less than 5 acres in size, for road purposes and which are not in conformance with the standards established for such activities in Section 10.27,C;
- (8) Remote Camps;
- (9) Signs which are not in conformance with the standards of Section 10.27,J;
- (10) Structures devoted to composting of sludge, septage or other residuals affecting an area less than 5 acres in size;
- (11) Other structures, uses, or services that are essential for the uses listed in Section 10.22,B,3,a through c; and
- (12) Other structures, uses, or services which the Commission determines are consistent with the purposes of this subdistrict and of the Comprehensive Land Use Plan and are not detrimental to the resources or uses they protect.

**d. Special Exceptions**

The following uses may be allowed within M-NC subdistricts as special exceptions upon issuance of a permit from the Commission pursuant to 12 M.R.S.A. §685-A(10), and subject to the applicable requirements set forth in Sub-Chapter III, provided that the applicant shows by substantial evidence that (a) there is no alternative site which is both suitable to the proposed use and reasonably available to the applicant; (b) the use can be buffered from those other uses and resources within the subdistrict with which it is incompatible; and (c) such other conditions are met that the Commission may reasonably impose in accordance with the policies of the Comprehensive Land Use Plan:

- (1) Level C road projects;
- (2) Non-exempt signs; and
- (3) Utility facilities.

**e. Prohibited Uses**

All uses not expressly allowed, with or without a permit or by special exception, shall be prohibited in M-NC subdistricts.