

FREQUENTLY ASKED QUESTIONS

What information does my LUPC representative need to help me research a property?

Be prepared with the town, township or plantation the property is located in, the name of the current owner, and the tax map, plan and lot number of the property. We can let you know if other information is needed to answer your specific question.

Where can I find a map that displays zone, and tax map, plan and lot number?

https://www.maine.gov/dacf/lupc/plans_maps_data/digital_maps_data.html#viewer

What do I provide for a land division history?

Staff need any deed and lease information for any parcels created within the last 20 years from what was the original parcel as of 20 years ago..

Where can I get a copy of my deed or other deeds?

www.maineregistryofdeeds.com

Where can I get a Building Permit Application?

From your local LUPC office or our website:
https://www.maine.gov/dacf/lupc/application_forms/

Where can I find a copy of the LUPC rules?

https://www.maine.gov/dacf/lupc/laws_rules/

How do I know if the property and structures I am buying are in compliance with LUPC rules and regulations?

You can request a Certificate of Compliance, or Advisory Ruling if needed —see information about these items in this brochure.

Can my LUPC representative tell me if a property is “buildable”?

Sometimes this is a simple answer, but other times can only be answered in response to the submission of a more detailed proposal as part of a Building Permit Application or request for an Advisory Ruling. Be sure to ask before you buy!

May I seek permit approval before I purchase a property?

Yes, if you have a Purchase and Sales Agreement you may submit a Building Permit Application before you purchase the property.

Related Questions and Links

How do I find my local plumbing inspector?

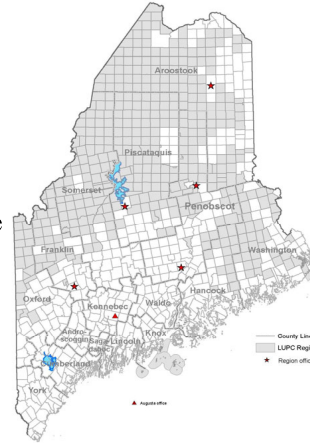
<https://www.maine.gov/dhhs/mecdc/environmental-health/plumb/lists.htm>

How do I get a copy of my septic plans?

<https://www1.maine.gov/cgi-bin/online/mecdc/septicplans/index.pl>

NEED HELP?

The Commission’s staff is available to discuss any questions regarding your permit and are also available to meet with you on site before construction activities begin. Our staff can review your permit with you, help you determine setbacks, and explain the requirements for vegetation clearing and erosion control. We can explain any permit conditions of approval and answer any other questions that you may have. To schedule a pre-construction site visit, call the LUPC office that serves your area.



AUGUSTA OFFICE

18 Elkins Lane - Harlow Building
22 State House Station
Augusta, ME 04333-0022

Tel. (207) 287-2631
FAX (207) 287-7439
TTY (Maine Relay 711)

ASHLAND OFFICE

Serving most of Aroostook County and portions of Northern Penobscot and Piscataquis Counties

45 Radar Road
Ashland, ME 04732-3600

Tel. (207) 435-7970

BANGOR OFFICE

Serving Hancock, Kennebec, Knox, Lincoln, Sagadahoc, and Waldo Counties; most of Washington County; and all coastal islands in the LUPC service area

106 Hogan Rd., Suite 8
Building H, Fourth Floor
Bangor, ME 04401

Tel. (207) 592-4448
Tel. (207) 215-4685

EAST MILLINOCKET OFFICE

Serving southern Penobscot and Aroostook Counties, and portions of Piscataquis and northern Washington Counties

191 Main Street
East Millinocket, ME 04430

Tel. (207) 485-8354
Tel. (207) 399-2176

GREENVILLE OFFICE

Serving most of Piscataquis and Somerset Counties

43 Lakeview Street
P.O. Box 1107
Greenville, ME 04441-1107

Tel. (207) 557-2874
Tel. (207) 349-0941

WILTON OFFICE

Serving Franklin and Oxford Counties

932 US Route 2 East
Wilton, ME 04294

Tel. (207) 670-7492
Tel. (207) 670-7493

ABOUT Buying and Selling Property



READ BEFORE YOU BUY OR SELL!

What you should know before you divide, buy, or sell land in the service area of the Maine Land Use Planning Commission.

THE MAINE LAND USE PLANNING COMMISSION

The Maine Land Use Planning Commission (LUPC—formerly LURC) was created in 1971 to serve as the planning and zoning board for the state’s unorganized areas, plantations, coastal islands and towns without local land use control.

The Commission’s mission is to extend the principles of sound planning and zoning; preserve public health, safety, and welfare; encourage well-planned, multiple use of natural resources; promote orderly development; and protect natural and ecological values within its jurisdiction.

You can learn more about the Commission by visiting LUPC’s website
(<https://www.maine.gov/dacf/lupc/>)

Is Your Land in the UT?

The LUPC service area consists of all of the unorganized territories of the State (townships) along with some towns and plantations that elect to have LUPC provide land use rules for them. The LUPC website provides a map of the towns and plantations within the LUPC service area at <https://www.maine.gov/dacf/lupc/about/offices/>

Selling Land

If the LUPC (or LURC) has ever issued a permit for development on a property, an up to date **Certificate of Compliance (COC)** can assure a potential buyer that the property is in compliance with no unresolved violations. For a pre-Commission (prior to 1971) structure that never required a permit from either the LURC or from the LUPC, an owner could instead request an **Advisory Ruling** to determine whether the property and all structures are legally existing. If there are any violations at the property, it is best to identify them early so they can be resolved and don’t delay the sale.

Look up your property and the subdistrict it is in at LUPC’s Zoning and Parcel Viewer:
https://www.maine.gov/dacf/lupc/plans_maps_data/digital_maps_data.html#viewer

Buying Land

The following information may be helpful if you are considering purchasing property in the service area of the LUPC. Be sure to also read the sections on selling land, dividing land, violations, Certificates of Compliance, and Advisory Rulings.

Purchasing an Undeveloped Lot

A Building Permit is required for almost all new construction. Chapter 10 of the Commission’s rules (https://www.maine.gov/dacf/lupc/laws_rules/index.shtml) provides the setbacks, dimensional regulations and activity-specific standards for all of the subdistricts within the LUPC service area.

Note that even though a property may meet the Commission rules and requirements, there may still be other issues that could affect a permit decision such as soils, wetlands, and subsurface wastewater. Permitting and inspection for plumbing and sewage disposal is conducted by a **Local Plumbing Inspector** independent of the LUPC; see Related Questions and Links on other side of this brochure for more information.

Property with a Dwelling Constructed Before September 1971

If legally existing structures do not meet the current dimensional standards, they are **“nonconforming” structures** to which tailored rules regarding reconstruction and expansion apply. For nonconforming structures, Building Permits are required for all expansions (any increase in height or floor area) and reconstructions (more than 50% of structural components or adding a permanent foundation). If the structure is within 100 feet of any water body, you are advised to contact your regional LUPC office to discuss the specifics.

Property with a Dwelling Constructed After September of 1971

With few exceptions any dwelling built after 1971 required issuance of a Building Permit . The permit, and all conditions associated with that permit, **stay with the property**. If the present owner cannot produce a copy of the permit, please contact us and we will do our best to provide you with a copy.

Dividing Land

A subdivision is defined, in part, as “a division of an existing parcel of land into 3 or more parcels or lots within any 5-year period...”. The creation of a subdivision requires a permit from the LUPC. **You should always consult with LUPC staff prior to dividing land to be certain that you are not creating a subdivision.**

If you subdivide and sell a lot without prior permit approval, you may be in violation of subdivision law and the new owners may not be able to develop the lots. **All Building Permit applications must include a land division history** so it is extremely beneficial for both the seller and buyer to ensure that the land was divided legally.

Advisory Rulings

An Advisory Ruling is a document that provides advice and guidance as to how certain requirements apply to a particular situation. Advisory Rulings are most often requested to clarify land division questions or to establish the status of a legally existing nonconforming structure.

An Advisory Ruling can be requested by the landowner or any other party with a title, right, or interest in the property, such as a potential purchaser with a purchase and sales agreement. While an Advisory Ruling is not a permit or a Certificate of Compliance, it is issued by the LUPC based on the application of law and rules in effect at the time and provides written advice and guidance.

Violations

Violations of land use laws and rules administered by the LUPC **travel with the property**. Any violation that has not been resolved, no matter who committed the violation, may adversely affect the sale of a property. While LUPC cannot prevent the sale of a property with a violation, **occasionally a sale is delayed or called off** because a potential buyer will not purchase a property with a known violation. When a property is sold with an outstanding violation , the new property owner will be responsible for correcting the violation committed by a previous landowner. In order to prevent this from happening, **contact LUPC and ask about obtaining a Certificate of Compliance or an Advisory Ruling** to determine if the property that you are buying or selling is in compliance. In some cases where a violation exists on a property, we cannot process future applications for that property until the known violation is resolved.

Certificates of Compliance

A Certificate of Compliance (COC) is an agency determination issued after a compliance inspection to ensure that the development and all permit conditions were completed. The COC is similar to a Certificate of Occupancy required in many municipalities prior to occupancy of a dwelling. In some situations, a condition of the LUPC permit requires a COC prior to occupancy.

A COC can be beneficial as it demonstrates to potential buyers that the property is in compliance with all land use laws and rules. If a Building Permit has not been issued, the property owner may be in violation of our standards, and it is important to note that violations travel with the property from one owner to the next.

Please also note that a Certificate of Compliance **does not include inspection of the sewage disposal system**. The permitting and inspection for plumbing and sewage disposal is conducted by a Local Plumbing Inspector that has been assigned to each area (see link on reverse).