

Application for Nonresidential Development Land Use Planning Commission



Getting Started

Contact the Land Use Planning Commission (LUPC) office that serves your area (see contact information on the next page) to schedule a pre-application meeting. LUPC staff can also inform you about fees for the project (detailed in [Chapter 1](#) of the Commission’s Rules) and make sure you are using the correct form(s). If you are requesting to change an existing permit, LUPC staff can determine the information you need to submit.

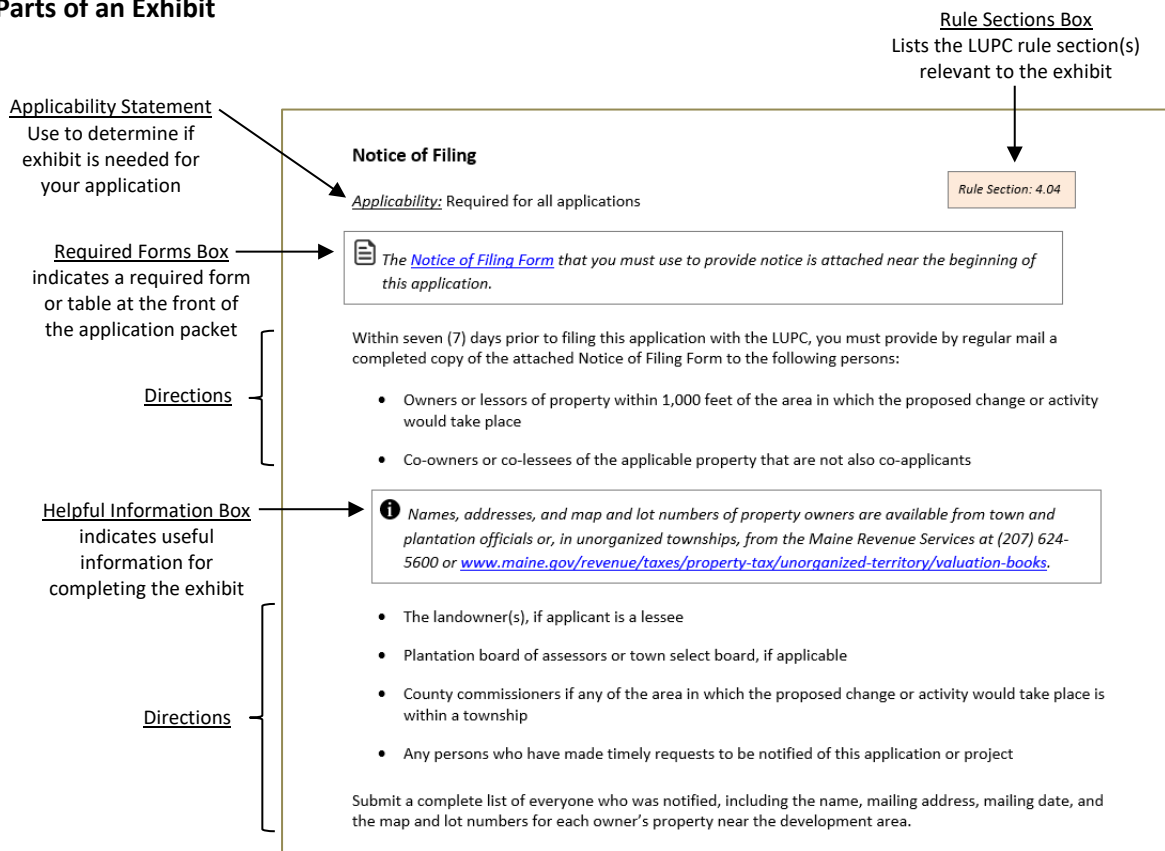
How Can I Get Help Completing This Application?

LUPC staff are available to answer your questions throughout the application process. Use the General Inquiry button on the Contact Us page of our website at <https://www.maine.gov/dacf/lupc/about/contact.shtml> to contact staff.

Parts of this Form:

- 1) [Applicant, Agent, and Property Information](#) (p. 3-4) – two pages requesting information about the applicant, the applicant’s agent (if applicable), and the property. The applicant and the agent must sign at the bottom of the first page.
- 2) [Required Forms and Tables](#) (p. 5-9) – these blank forms and tables must be used in completing this application. They may be typed in or printed and filled out by hand. Digital versions are also available on the [LUPC’s website](#).
- 3) [Exhibit List](#) (p. 10-11) - provides the names and order of the exhibits required for all applications and those that are required only for certain applications.
- 4) [Exhibit Instructions](#) (p. 13-44) – describe the information to be submitted as part of each exhibit. Exhibits required for all applications appear first, followed by those required for certain applications.

Parts of an Exhibit

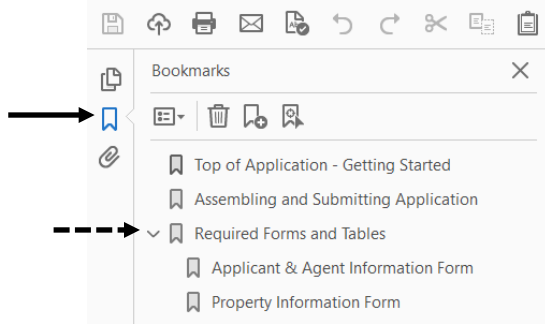


Application for Nonresidential Development - Land Use Planning Commission

Helpful Hints for Navigating in the Application

The application contains bookmarks and internal links to help you find what you are looking for.

In Adobe Acrobat Reader, bookmarks are revealed by clicking the bookmark symbol (usually on the far left or right):



If the bookmark symbol is not present, reveal it by using the 'View' drop-down menu at the top and selecting Show/Hide > Navigation Panes > Bookmarks so that 'Bookmarks' is checked.

Click on a bookmark to jump to the corresponding section of the application.

Click on the > symbol to reveal additional bookmarks.

Links are shown in [underlined, blue font](#). Some links will take you to another part of the application (similar to how a bookmark works); other links will take you to a webpage.

Assembling Your Application

Assembling your application involves bringing two pieces together. 1) The Applicant, Agent, and Property Information is provided by filling out two pages of forms requesting information such as name, address, etc. 2) Exhibits contain the information, required forms, required tables, maps, drawings, etc. that you submit in response to information requests and instructions. For example, to complete the exhibit called "Directions and Location Map," the applicant is given instructions for providing directions to the project site and a map of the site's location.

A completed application will include the Applicant, Agent, and Property Information form on the top followed by the exhibits. The information requested in the exhibits must be organized and labeled by exhibit and follow the order of exhibits given in the Exhibits List. *Use separate sheets of paper to answer all questions in the exhibits.* Do not add your exhibit information to the exhibit instructions.

Submitting Your Application

Submit the complete application and fee (see the [Application Fee](#) exhibit) to the LUPC regional office serving your area. See the LUPC [Contact Sheet](#) for a list of offices and addresses. For electronic submissions, call the appropriate office to speak with a staff person.

Digital Signatures and Electronic Submissions

Applicants and agents at their discretion may sign the Applicant and Agent Information Form (next page) using a digital signature. This digital signature has the same force and effect as an original manual signature. To meet statutory requirements, digital signatures must be computer-created electronic signatures linked to data, such as those generated by Adobe Fill and Sign, DocuSign, or any similar method with prior approval by the LUPC. A pasted image of a signature is not sufficient.

Applicants wishing to submit electronic application materials but not sign digitally must supply a paper copy of the Applicant and Agent Information Form with original manual signatures. This paper copy has the effect of applying signatures to all electronic records submitted as part of the application. Please be aware that review of application materials for completeness will not begin until an acceptable digital or manual signature has been received.

This Application Is Not A Permit.

No construction activities may begin prior to the Commission issuing a permit.

The Land Use Planning Commission decides whether to issue a permit based on the information submitted in this application. To complete its review, the LUPC may require additional information not requested in this application.

Tracking No.

DP/BCP/RP/ULP

Permit No.

Fee Received

Applicant and Agent Information – LUPC Nonresidential Development Application

APPLICANT INFORMATION

Please Print Legibly

Applicant Name(s)	Title <i>(if representing a corporation)</i>	
	Phone	
Mailing Address	Email	
Town	State	Zip Code

AGENT INFORMATION (If applicable)

Agent Name(s)	Phone	
Business Name		
Mailing Address	Email	
Town	State	Zip Code

APPLICANT AND AGENT SIGNATURES

I have personally examined and am familiar with all information submitted in this application, and to the best of my knowledge, it is true, accurate, and complete. I am aware that there may be significant penalties for submitting false information. I understand that the applicant is responsible for complying with all conditions of any permits issued by the Land Use Planning Commission.

If signing this document on behalf of a corporation, partnership, trust, or other legal entity, I affirm that I am authorized to bind the entity and execute legal agreements on its behalf.

Please check **one** of the boxes below:

- I authorize staff of the Land Use Planning Commission to access the project site as necessary between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.
- I request that staff of the Land Use Planning Commission make reasonable efforts to contact me in advance to coordinate access to the project site.

Authorization of Agent by Applicant: *By signing below, I authorize the individual or business listed above to act as my legal agent in all matters relating to this application.*

Applicant Signature: _____ **Date:** _____

Agent Signature: _____ **Date:** _____

Tracking No.

DP/BCP/RP/ULP

Permit No.

Fee Received

Property Information – LUPC Nonresidential Development Application

PROPERTY INFORMATION. Provide the following details about your property location. Tax map, plan, and lot numbers are listed on your property tax bill. If you lease your property, check your lease to find out whether any unique lease lot numbers have been assigned to the property.

Applicant	Township, Town or Plantation	County
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Tax Map, Plan, and Lot Numbers *[list all applicable; check tax bill(s)]*

Lot size *(in acres, or in square feet if less than 1 acre)*

Deed Book and Page #'s, and lease information if applicable *(include any lessor or lease lot numbers assigned by a property owner)*

All Zoning on Property *(check the LUPC Land Use Guidance Map)*

Zoning at Development Site

Road Frontage: List the name(s) and frontage(s) (in feet) for any public or private roads, or other rights-of-way adjacent to your lot:

Road #1 _____ Frontage _____ ft.

Road #2 _____ Frontage _____ ft.

Water Frontage: List the name(s) and frontage(s) (in feet) for any lakes, ponds, rivers, streams (named and unnamed), or coastal wetlands on or adjacent to your lot:

Waterbody #1 _____ Frontage _____ ft.

Waterbody #2 _____ Frontage _____ ft.

If there is no road frontage, describe the access for the property.

LUPC Approved Subdivision: If the lot is part of an LUPC approved subdivision, provide the subdivision permit and lot numbers:

Subdivision Permit # _____ and Lot # _____ *(usually included in deed description)*

BRIEF PROJECT SUMMARY *(include proposed zoning if submitting an application for zone change; include proposed project name, if applicable)*

APPLICATION FEE *(see the [Application Fee exhibit](#) for more information, including surcharges if paying online)* Please check **one** of the boxes below:

I have enclosed a check or money order to pay my application fee.

I would like to pay my application fee online. Please contact me with the necessary information.

For Use with [Exhibit 8](#): Land Division History

Applicant/Project Name: _____

Use this table to present the ownership and land division history of your parcel. Be sure to start the history 20 years ago and include drawings. See further instructions and an example in [Land Division History \(Exhibit 8\)](#).

<p style="text-align: center;">Drawing (does not have to be to scale)</p>	<p style="text-align: center;">Transaction Details, Including Names of <u>Seller/Grantor and Buyer/Grantee</u></p>	<p style="text-align: center;"><u>Date of Transaction</u></p>	<p style="text-align: center;"><u>Book & Page Numbers</u></p>	<p style="text-align: center;"><u>Lot Size (in acres)</u></p>

Note: *If you own or are under contract to buy the property to be developed, your county registry of deeds office or the previous owner of the property may provide helpful information. If you lease your property, contact your lessor for information on the history of your lot.*

For Use with [Exhibit 9](#): Structures Table

Applicant/Project Name: _____

Refer to [Structures, Features, Uses \(Exhibit 9\)](#) for instructions. Name structures consistent with the labeling used on the [Site Plans \(Exhibit 10\)](#).

Structure Type and Use (specify if temporary)	Year Built or Duration (if temporary)	Proposed alterations (check all that apply)									Exterior Dimensions (LxWxH) in ft Indicate Current (C) & Proposed (P)	Type of Foundation	Number of:		Distance (in feet) of structure from nearest:					
		Change in Use	New Construction	Expand or Add On	Reconstruct or Replace	Permanent foundation	Relocate or Remove	Enclose deck or porch	Change Dimensions or Setbacks	Other			Bedrooms	Plumbing or water fixtures	Road	Property line	Lake or pond	River or stream	Wetland	Ocean/Coastal Wetland
<u>Existing Structures</u>																				
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>										
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<u>Proposed Structures</u>																				
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For Use with [Exhibit 9](#): Infrastructure Table

Applicant/Project Name: _____

Refer to [Structures, Features, Uses \(Exhibit 9\)](#) for instructions. Name infrastructure consistent with the labeling used on the [Site Plans \(Exhibit 10\)](#).

Infrastructure Type and Use (specify if temporary)	Proposed alterations (check all that apply)							Dimensions (LxW) in ft	Year Built or Duration (if temporary)	Average Slope (%)	Max. Sustain. Slope (%)	Distance (in feet) of infrastructure from nearest:					
	Change in Use	New Construction	Change Dimensions	Reconstruct or Replace	Relocate	Change Setbacks	Other					Road	Property line	Lake or pond	River or stream	Wetland	Ocean/Coastal Wetland
<u>Existing Infrastructure</u>																	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>										
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>										
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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>										
<u>Proposed Infrastructure</u>																	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>										
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LIST OF EXHIBITS

i **Application Supplements May Be Required:** Certain projects require additional information provided through application supplements (S).

- **Water Body and Wetland Alterations (S-3)**
- **Development in Flood Prone Areas (S-4)**
- **Recreational Lodging (S-6)**

These application supplements may be found on the LUPC's webpage for application forms, https://www.maine.gov/dacf/lupc/application_forms. **Contact** your regional LUPC representative for more information.

i **Road, Water Crossing, and Utility Line Projects:** A subset of these exhibits is required for projects involving only a road, water crossing, or utility line. Water crossing and utility line projects also require an additional exhibit. **Contact** your regional LUPC representative for more information.

i **Locating Maine Licensed Professionals:** Some exhibits require Maine licensed professionals (for example, licensed soil scientists) to obtain information. Guidance and links for locating licensed professionals can be found on the LUPC's homepage, www.maine.gov/dacf/lupc, in the column on the right.

<u>Exhibits Required for All Applications</u>	
Exhibit	✓
1. Directions and Location Map	
2. Project Description	
3. Deed, Lease, Sales Contract, or Easement	
4. Application Fee	
5. Financial Capacity and Corporate Good Standing	
6. Technical Capacity	
7. Notice of Filing	
8. Land Division History	

List of Exhibits Required for All Applications (continued)

9.	Structures, Features, and Uses	
10.	Site Plans	
11.	Site Photographs	
12.	Fire, Police, and Ambulance	
13.	Solid Waste Disposal	
14.	Electricity and Telephone Service	
15.	Water Supply	
16.	Wastewater Disposal	
17.	Vehicle Access, Circulation, and Parking	
18.	Exterior Lighting	
19.	Noise	
20.	Harmonious Fit and Natural Character	
21.	Archaeological and Historical Resources	
22.	Protected Natural Resources	
23.	Soil Suitability and Mapping	
24.	Water and Air Quality	
25.	Erosion, Sedimentation, and Drainage Control Measures	

See next page for the list of Exhibits Required for Certain Applications.

Exhibits Required for Certain Applications

Exhibit	Applicability	✓
26. Wildlife Passage	Required for commercial businesses located in development subdistricts established in primary locations after June 17, 2019	
27. Site Access	Required when site access is off a private road or over water	
28. Roadway Construction and Upgrades	Required for projects upgrading existing roads and/or constructing new roads	
29. Roadway Maintenance	Required for any development project accessed by a private road	
30. Phosphorus Control	Required for all projects within the direct watershed of a lake or pond > 10 acres in size	
31. Additional Information	As needed	

Instructions for exhibits begin on the next page.

Exhibits Required for All Applications

Use Separate Sheets of Paper to Answer All Questions in the Exhibits. Do Not Add Your Exhibit Information to these Exhibit Instructions.

1. Directions and Location Map

Applicability: Required for all applications

Rule Section: 4.05,A

Provide directions to the site using enough detail for Commission staff to locate the site. Helpful information includes distances and, where applicable, a street address.

Submit an LUPC Land Use Guidance Map or a map from the LUPC Zoning and Parcel Viewer (see information and tool boxes below) on which you have clearly marked (if possible given the map scale):

- the approximate boundaries of all the parcels you own in the area
- the approximate location of the proposal (for example: the location of structural development, the boundaries of a proposed subdivision, or the area proposed for rezoning)
- map reference points such as roads or waterbodies
- a scale bar, a north arrow, and a legend that describes what is shown on the map

If possible, the map should show a distance greater than one mile from all property boundaries.

If available, provide the latitude and longitude (by using a GPS app, Google Earth, etc.) for the approximate location of the center of the site plan, or provide a Geographic Information Systems (GIS) shapefile for the project area.



Land Use Guidance Maps are available for all townships, towns, and plantations served by the Land Use Planning Commission. Copies are available on the LUPC's [website](http://www.maine.gov/dacf/lupc/plans_maps_data/digital_maps_data.html) at www.maine.gov/dacf/lupc/plans_maps_data/digital_maps_data.html and at any [LUPC regional office](#). There is no charge for these maps when associated with an application.



The Zoning and Parcel Viewer is an interactive map on the Commission's website that provides information about zoning and parcels in the Commission's service area. This tool can be found at www.maine.gov/dacf/lupc/plans_maps_data/digital_maps_data.html#viewer.

2. Project Description

Applicability: Required for all applications

Rule Section: 4.05,A

Explain, in detail, the activity or development that you are proposing, and the purpose of the project. For example, describe any proposed principal structures, accessory structures, roads, septic systems, driveways, parking lots, alterations of the shoreline (for example: boat launch, docking area, etc.), or other structures and features. Also describe any proposed uses and changes in use.

Describe the schedule of the project, including the start date, the completion date, and the dates and activities of any project phases.

3. Deed, Lease, Sales Contract, or Easement

Applicability: Required for all applications

Rule Sections: 4.05,A & 10.24,A

Submit complete, signed copies of registered deeds, leases, purchase or sale agreements, or easements that demonstrate the applicant's right, title, or interest in all of the areas relevant to this application.

Common Ownership: In the case of common ownership, the applicant must either:

a) include all other owners as co-applicants

or

b) provide documentation or statements from all other owners that authorize(s) the applicant to proceed with the application. Documentation or statements must indicate that other owners have thorough knowledge of the proposed development.

Leases: A lease-holder must provide written permission from the lessor for the proposed activity. Written permission must indicate that the lessor has thorough knowledge of the proposed development.

Purchase or Sale Agreement: If the property is under contract, you may submit a current binding option to purchase all necessary interest in the land or a similar contract that establishes terms for future title and provides a description of the property. If you are submitting a contract, you must also submit complete, signed copies of all deeds or leases that demonstrate the current land owner's title, right or interest.

Restrictions: Submit copies of any existing or proposed restrictions described in a conservation easement or other binding mechanism. Include a parcel map showing the easement/restriction area.

4. Application Fee

Applicability: Required for all applications

Rule Section: 1.02

Please note that LUPC application fees are nonrefundable.

Calculating the Application Fee

For a permit application, the total application fee is the sum of the following subsidiary fees:

- Base Fee
- + Activity Specific Fee
- + Fees for Uses Allowed by Special Exception (if applicable)
- + After-the-Fact Fee (if applicable)
- = Total Application Fee

For accurate fee calculation, it is necessary to know the extent and type of the various activities planned (for example: the size of structures, the amount of disturbed area, the length of any road construction, etc.). This information is needed to calculate activity specific fees and determine any fee limits that may apply. For that reason, it is important to complete key exhibits such as the [Structures, Features, Uses](#) exhibit and the [Site Plans](#) exhibit as thoroughly and accurately as possible before calculating the fee. LUPC staff can help you determine the exhibits, or portions of exhibits, that are necessary to complete for calculating the fee.

To assist with fee calculation, LUPC staff have prepared a Fee Handout and Worksheet. Please contact the appropriate LUPC regional office to obtain a copy or for assistance with calculating your application fee.



A list of LUPC regional offices along with contact information may be found on the [Notice of Filing Form](#) earlier in this application. Regional offices and contact information may also be found online by selecting the region on the map at www.maine.gov/dacf/lupc/about/offices.

After-the Fact Permit Applications: The fee for development started prior to receiving permit approval is three times the otherwise applicable fee. This after-the-fact fee may exceed the maximum fee allowable had permit approval been sought prior to starting development activity.

Paying the Application Fee

Check or Money Order: Along with your application materials, submit a check or money order payable to “Treasurer, State of Maine” for the total application fee.

Electronic/Online Payment: If you intend to pay the application fee online, please check the appropriate box at the [bottom of the Property Information Form](#). LUPC staff will provide you with the applicable fee, a tracking number, and a link to the online payment option.

Please note that the following third-party surcharges apply to electronic/online payments:

- For debit payments: \$0.25, regardless of the transaction amount
- For credit card payments: 3% of the transaction amount

These surcharges can be avoided if the application fee is paid by check or money order.

5. Financial Capacity and Corporate Good Standing

Applicability: Required for all applications

Rule Sections: 4.05,A, 10.24,A & 10.25,C

Provide the total estimated development cost of the proposed project and itemize each component of the total cost. For example, your itemization could include:

Legal	Roads & structures
Information about phasing, if applicable	Monitoring, or other routine expenses for project operation
Surveying	Maintenance
Soils & wetlands	Decommissioning
Erosion & drainage	
Sewer & water	

To demonstrate adequate financial resources to undertake the proposal, submit at least one of the following:

- A letter from a financial institution, government agency or other funding source indicating a commitment to provide a specified amount of funds and their specified uses. In cases where approvals must be received before money can be committed, submit a letter of Intent to Fund indicating the amount of funds and their specified uses.
- The most recent corporate annual report indicating availability of sufficient funds to finance the development. Include an explanation of the report.
- If the applicant will personally finance the development, submit copies of bank statements or other similar evidence indicating availability of funds necessary to complete the development, including all proposed improvements, structures, and facilities.
- If the applicant is a governmental agency, indicate the source of funding (for example: town revenue, bond, grant, etc.).

If the applicant is a corporation, submit a current certification of corporate good standing from Maine's Secretary of State.



Certificates of good standing can be obtained by conducting a corporate name search at apps3.web.maine.gov/nei-sos-icrs/ICRS?MainPage=x (submit the result of the search) or by contacting the Bureau of Corporations, Elections, and Commission's Reporting and Information Section at (207) 624-7752.

6. Technical Capacity

Applicability: Required for all applications

Rule Sections: 10.24,A & 10.25,C

Summarize the qualifications and experience of any individuals involved in the design and construction of the project. Include any consultants, contractors, or staff you hire as well as yourself (if you are involved in design and construction decisions and activities).

Information demonstrating technical capacity may include a statement of the applicant's or contractor's prior experience and appropriate training relating to the proposed development and a description of professional qualifications of personnel who will be employed to design, install, and oversee development, including soil stabilization and erosion control measures.

7. Notice of Filing

Applicability: Required for all applications

Rule Section: 4.04



The [Notice of Filing Form](#) that you must use to provide notice is attached near the beginning of this application.

Within seven (7) days prior to filing this application with the LUPC, you must provide by regular mail a completed copy of the attached Notice of Filing Form to the following persons:

- Owners or lessors of property within 1,000 feet of the area in which the proposed change or activity would take place
- Co-owners or co-lessees of the applicable property that are not also co-applicants



Names, addresses, and map and lot numbers of property owners are available from town and plantation officials or, in unorganized townships, from the Maine Revenue Services at (207) 624-5600 or www.maine.gov/revenue/taxes/property-tax/unorganized-territory/valuation-books.

- The landowner(s), if applicant is a lessee
- Plantation board of assessors or town select board, if applicable
- County commissioners if any of the area in which the proposed change or activity would take place is within a township
- Any persons who have made timely requests to be notified of this application or project

Submit a complete list of everyone who was notified, including the name, mailing address, mailing date, and the map and lot numbers for each owner's property near the development area.

8. Land Division History

Applicability: Required if lot is not part of an LUPC approved subdivision.

Rule Sections: 12 M.R.S. §682-B
& 12 M.R.S. §685-B,1,B

Knowledge of the parcel's land division history is needed for the LUPC to issue a permit. Contiguous parcels in the same township under the same legal deed name are considered one parcel when determining land division history.


In general, land divisions occur when:

- a parcel is split into smaller lots
- the landowner leases a portion of a parcel that creates exclusive rights, generally for the purpose of development, or
- a new dwelling is placed on a parcel that already has one or more dwellings on it

Exemptions apply to certain types of land divisions, such as transfer of property to an abutting land owner or to a family member.




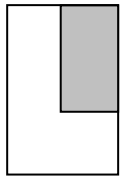

Using your deed, lease or sales contract as a starting point, trace the ownership history and configuration changes of the parcel or contiguous parcels back 20 years from today. List all changes in ownership and all divisions of lots from which your lot originated. Describe the transaction (sale, lease, gift, inheritance, court-order, transfers to abutters, transfers for forest management, agriculture management, conservation, etc.), the book and page numbers, the seller's/grantor's and buyer's/grantee's names, the date of the deed or lease, and the size of the lot resulting from the transaction. Be sure to include any land transfers to abutting land owners as well as property gifted to relatives.

In reporting the land division history, closely follow the example below. Be sure to start the history 20 years ago (rather than in the present) and include a drawing showing all the land divisions (for example, creation of new lots, creation of new leases for development, or the placement of new dwellings on your parcel). Your listings must account for all the acreage within the original parcel as it existed 20 years ago.

 A fillable [table for Land Division History](#) that you must use to organize this information is provided near the beginning of this application.

See the Next Page for a Land Division History Example

Land Division History Example

<u>Transaction Details</u>		<u>Seller/Grantor and Buyer/Grantee</u>	<u>Book/Page, and Date of Transaction</u>	<u>Lot Size</u>
	Amy Adams sold a 10 acre lot to her neighbor, Rob Rogers, on November 22, 1999.	Amy Adams → Rob Rogers	Book 1251, Page 125 11/22/1999	10 acres
	Rob Rogers sold a 4-acre portion of his lot to Dan Davis on June 12, 2006.	Rob Rogers → Dan Davis	Book 1254, Page 63 06/12/2006	4 acres
	Rob Rogers gifted the remaining 6 acres to his daughter, Sue Smith, on January 11, 2008.	Rob Rogers → Sue Smith	Book 1254, Page 178 01/11/2008	6 acres
	Sue Smith sold a 2-acre part of her lot to John Jones on May 21, 2014. Sue Smith still owns the remaining 4 acres.	Sue Smith → John Jones	Book 1257, Page 36 05/21/2014	2 acres
	Applicant purchased the 2-acre lot from John Jones on July 15, 2019.	John Jones → Applicant	Book 1260, Page 91 07/15/2019	2 acres

9. Structures, Features, and Uses

Applicability: Required for all applications

Rule Section: 4.05,A

Site Uses

List and describe separately all current uses and all proposed uses. Examples of uses include residential, rental, home-based business, campsite, commercial, industrial, forestry, undeveloped, public, institutional, etc.

If known, describe historic uses of the property.

Site Conditions

Describe in detail the present condition of your property and the site to be developed or rezoned. Include descriptions of the following:


- water features (lakes, ponds, man-made ponds, rivers, streams, drainageways, etc.)
- the nature of any water frontage (muddy, sandy, stones, boulders, wooded, cleared, etc.)
- whether there are wetlands or any portions of the site are subject to flooding, ponding, etc.
- the general slope and topography of the ground (flat, steep, percent slope, etc.)
- the existing vegetation
- any history of vegetation clearing and timber harvesting activities
- any special natural areas
- cultural/historical conditions and features
- any other relevant features, conditions, or details

Structures

- 1) For each structure that currently exists on the property or is proposed to be altered or newly constructed, provide the following information where applicable:
 - type of structure (for example: dwelling, cabin, office, garage, bunkhouse, store, dock, deck, patio, porch, shed, free-standing sign, etc.). Indicate if the structure is temporary. (For occupied campers, tents, etc., 'temporary' means in place 120 days or less during any calendar year. For docks, 'temporary' means in place less than 7 months during any calendar year.) Name structures consistent with the labeling used in the Site Plans exhibit.
 - current use and proposed use (if use is changing or if structure is new). Examples of uses include, but are not limited to: residential, rental, home-based business, recreational, commercial, industrial, forestry, public, institutional, etc.
 - year built (or anticipated duration if structure is temporary)
 - proposed alterations (if applicable), such as new construction, expansion or addition (include increasing height), reconstruction or replacement, adding permanent foundation, relocating, enclosing deck or porch, removal, etc.
 - current (if applicable) and proposed exterior dimensions (Length x Width x Height)
 - type of foundation (full basement, frost wall, slab, posts, techno posts, sono tubes, wheels, skid, etc.)

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- number of bedrooms and plumbing/water fixtures
- setback distances: the distance (in feet) from the traveled portion of all roads; side and rear property lines; and the shoreline of lakes/ponds, rivers/streams, wetlands, and ocean/coastal wetlands

 A fillable [Structures Table](#) that you must use to organize this information is provided near the beginning of this application.

- 2) Indicate whether any of the structures or foundations have been damaged, destroyed, or removed from the property and provide the date of damage, destruction, or removal. Indicate whether any damaged, destroyed, or removed structures you plan to reconstruct were in regular active use within a 2-year period preceding the damage, destruction, or removal.
- 3) If the new accessory structure, reconstructed structure, or permanent foundation will not meet the Commission’s minimum setback requirements from property lines, roads, water bodies or wetlands, explain what physical limitations (such as lot size, slope, location of septic system, etc.) prevent the structure or foundation from meeting such setbacks.
- 4) For each sign listed in #1 above (structures table), provide the following information:
 - the sign type (affixed to building, pedestal, etc.), the sign material(s), whether or not the sign is lighted, and the distance of the sign from the structure or feature it is advertising
 - explain why the sign will not be a hazard to traffic
 - explain how the signs’ design elements (lighting, color, bulk, materials, height, etc.) will be compatible with the property and will fit harmoniously into the surroundings

Infrastructure

- 1) For infrastructure that is currently existing or is proposed to be altered or newly constructed, provide the following information where applicable:
 - type (for example: well, utility corridor, land management road, driveway, common driveway, recreational trail, level A, B, or C road, subdivision or development access road, parking area, path, walkway, trail, boat launch, rip-rap, dock, well, etc.). Indicate if the infrastructure is temporary. If describing a road or trail, use names/descriptors consistent with those used in the Site Plans exhibit.
 - current use and proposed use (if use is changing or if infrastructure is new). Examples of uses include, but are not limited to: residential, rental, home-based business, recreational, commercial, industrial, forestry, public, institutional, etc.
 - year built (or anticipated duration if structure is temporary)

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- proposed alterations, such as none, newly construct, expand, reconstruct or replace, relocate, removal, etc.
- new dimensions (L x W)
- setback distances: the distance (in feet) from the traveled portion of all roads; side and rear property lines; and the shoreline of lakes/ponds, rivers/streams, wetlands, and ocean/coastal wetlands



Septic systems need not be included in this exhibit. They are covered in the Subsurface Wastewater exhibit. However, please indicate the location of any septic system on the Site Plan exhibit.



A fillable [Infrastructure Table](#) that you must use to organize this information is provided near the beginning of this application.

- 2) List the type of each water crossing currently existing or proposed (for example: bridge, box culvert, culvert, etc.).



Applicants proposing water crossings must complete the Wetlands Supplement as part of this application. The Wetlands Supplement may be downloaded from the LUPC website, www.maine.gov/dacf/lupc/application_forms.


Proceed to Next Page for Exhibit 10, Site Plans

10. Site Plans

Applicability: Required for all applications

Rule Section: 4.05,A

Submit site plans showing an overhead view of the project area. One site plan should show the property as it presently exists (the Existing Site Plan). Another site plan should show the proposed changes (the Proposed Site Plan). A single site plan showing both existing features and proposed changes may be submitted if the information requested below fits conveniently on one drawing.

 Applicants for small development projects may draw the plan to scale on an 8½ x 11 inch sheet of paper or on the [grid paper](#) found near the beginning of this application. Larger projects may draw the plan to scale on plan sheets up to 24 x 36 inches in size. An example site plan is shown at the end of this exhibit.

Each site plan drawing must show the following, if applicable:

- Property boundary lines and dimensions (including any road and water frontage)
- Indications of topography, such as contour lines, especially ridgelines and areas with steep slopes
- Setbacks of existing and proposed development from roads, property lines, waterbodies, and wetlands (based on the shortest distances)
- A north arrow

Site Plan(s) should show the following project features. In each case, include both temporary and permanent project features.

- Natural and cultural features (for example: wooded areas, open fields, rivers, perennial and intermittent streams, lakes, ponds, wetlands, floodplains, historic landmarks, etc.). Include names for waterbodies and other features that are named.
- Existing or proposed/modified structures (for example: buildings, signs, etc.). For each structure, indicate its dimensions. The Proposed Site Plan should show the new building footprints resulting from changes to existing structures, such as expansion, reconstruction, removal, relocation, or any other alteration.
- Existing or proposed/modified infrastructure (for example: wells, septic systems, roads, walkways, driveways, parking areas, utility corridors, utility infrastructure, trails, boat launches, bridges, culverts, etc.). Indicate all dimensions and include names for any roads or other infrastructure with a name.

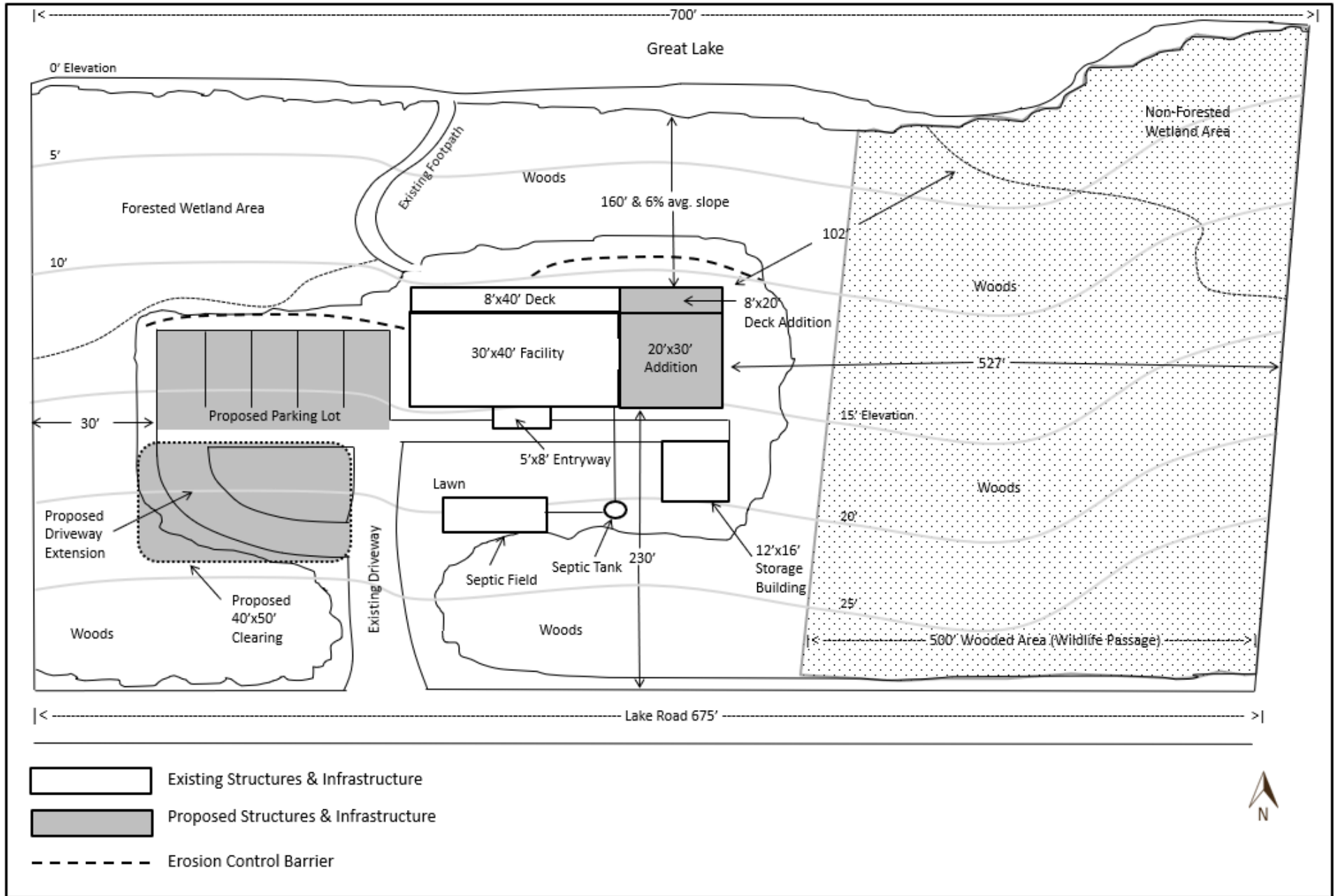
In addition, for each existing and proposed/upgraded road indicate:

- the name
- the center line *(list continued on the next*

- the width of the travel way, shoulders, and rights of way
 - the depth and type of the minimum base
 - the depth and type of the minimum wearing surface
 - the average grade and maximum sustained grade
 - the sizes and locations of turnouts, if present
 - the sizes and locations of turnarounds, if present
- Existing or proposed areas that have been, or will be, stripped, graded, grubbed, filled, or otherwise have exposed soil. Indicate the dimensions of each area.
 - For any areas of soil disturbance occurring within 250 ft of a water body, flowing water, or wetland, provide the average slope of the land between the disturbed soil and the normal high water mark (water body, flowing water) or upland edge (wetland) of the water feature.
 - For any areas of soil disturbance occurring within 250 ft of a property line or road, provide the average slope of the land between the disturbed soil and the property line or edge of the road.
 - Existing or proposed erosion, sedimentation and drainage control measures (hay bales, silt fencing, floating silt booms, level spreaders, culverts, water bars, drainage ditches, etc.)
 - Existing or proposed areas of cleared vegetation. Indicate the dimensions of each area.
 - Existing or proposed development and uses that are potential sources of water pollution (for example: junk yards, auto repair shops, fuel storage tanks, fertilizer or pesticide storage tanks, areas of sprayed fertilizers and pesticides, road salt, road sand, and chemicals used for de-icing or dust control)
 - List sources of water pollution that will be present during construction in addition to those that will be present during routine operation.
 - Proposed areas for wildlife passage. Indicate the dimensions of each area.
 - If practical, include the soils mapping on the proposed site plan.

See Next Page for a Sample Site Plan

Sample Site Plan:



11. Site Photographs

Applicability: Required for all applications

Rule Section: 4.05,A

Attach a series of photographs taken within the past two years that show the project area as it currently exists. Photographs should include structures, features, and other aspects of the area that are noteworthy and representative. While not required, in some cases, aerial imagery can best illustrate current conditions. Include the date taken and an explanatory caption for each photo.

12. Fire, Police, and Ambulance Protection

Applicability: Required for all applications

Rule Section: 10.24,A

For each service (for example: fire department or forest service; county sheriff's office or town police department; ambulance service), give the name of the provider and their distance from the proposed development.

Submit letters from local officials, county officials, and/or service providers* confirming availability and capacity to provide the necessary services. Letters must indicate that officials and service providers have sufficient knowledge of the proposed development to accurately assess the services needed.

If the development would increase demand for services beyond the existing capacity of the service provider, the letter should explain how the additional needs can be met.

***Note:** In Washington County, contact the Unorganized Territories (UT) Supervisor for the letter regarding service by the county sheriff.

13. Solid Waste Disposal

Applicability: Required for all applications

Rule Section: 10.24,A

Construction Wastes

List the types of wastes to be generated by proposed construction activities (asphalt, pavement, stumps, brush, specific building materials, etc.).

For off-site disposal, submit a letter(s) from the solid waste facility(ies) that states both the availability and capacity of each facility to accept wastes from the proposed construction activities. Each letter must specify the location of the facility, the types of construction wastes the facility will accept from the project, and whether the facility is state approved. Each letter must also indicate that the facility operator has sufficient knowledge of the proposed construction activities to accurately assess the disposal services and capacity

needed. If you have a contract with an individual or firm for the collection or transfer of solid construction wastes from the project area to the approved solid waste facility, provide a signed copy of the contract.

For on-site disposal, show the location and size of the disposal area on the Site Plan AND describe how the construction wastes will be disposed of in compliance with the Maine Solid Waste Management Rules.

Solid Waste from Routine Operation:

Submit a letter from the solid waste facility that states both the availability and capacity of the facility to accept wastes from the proposed project. The letter must specify the location of the facility, the types of solid waste the facility will accept from the project, and whether the facility is state approved. The letter must also indicate that the facility operator has sufficient knowledge of the proposed development to accurately assess the disposal services and capacity needed. If you have a contract with an individual or firm for the regular collection or transfer of solid wastes from the project to the approved solid waste facility, provide a signed copy of the contract.

If the same facility is accepting both construction wastes and waste from routine operations for this project, a single letter is sufficient.

14. Electricity and Telephone Service

Applicability: Required for all applications

Rule Section: 4.05,A

Electricity Service

Describe how electricity will be provided for your project, both during and after construction. In your description, include:

- the source(s) of electricity (for example: generators, utility lines, solar, etc.)
- the existing and proposed infrastructure for bringing electricity to the site and distributing it within the site (for example: poles, underground cables, solar panels, inverters, etc.)
- the approximate distance of the project to the nearest existing utility line (whether or not the project site will be provided with electric power)

If electricity will be provided by a utility company, submit a letter confirming the company's capacity to provide the electricity. The letter must indicate that the company has sufficient knowledge of the proposed development to make an accurate assessment of the project's demand for electricity.

Telephone Service

Describe the telephone service for your project. In your description, include:

- the type(s) of telephone service provided (for example: cellular, landline, etc.)

- the existing and proposed infrastructure necessary for providing telephone service to the site and throughout the site (for example: poles, towers, underground cables, etc.)
- the approximate distance of the project to the nearest existing telephone line (whether or not telephone service will be provided)

If telephone service will be provided by a utility company, provide a letter confirming the company’s capacity to provide service. The letter must indicate that the company has sufficient knowledge of the proposed development to make an accurate assessment of the project’s demand for telephone service.

15. Water Supply

Applicability: Required for all applications

Rule Section: 10.25,J

To confirm that sufficient and healthful drinking water exists for your project, submit:

- a letter from a geologist, hydrogeologist or well driller knowledgeable with the area, describing the project site and stating that a sufficient and healthful water supply is likely to be available

OR

- a report indicating the volume and potability of water from a test well dug or drilled on site

Explain how surface water and contaminants will be prevented from infiltrating any existing and new wells. (Locations of all wells must be shown in the Site Plans exhibit.)

If you plan to install a central water supply, submit detailed plans for the water supply system in conformance with Maine’s drinking water regulations. Such plans must be designed by a Maine Licensed Professional Engineer, and must show all water supply locations, support facilities and structures, and pipelines. Also describe how the system will be maintained.



For details about Maine’s drinking water regulations, call the Division of Environmental Health, Drinking Water Program at (207) 287-2070 or www.maine.gov/dhhs/mecdc/healthy-living/health-and-safety/drinking-water-safety/resources/staff-directory.

16. Wastewater Disposal

Applicability: Required for all applications.

Rule Sections: 10.25,G & 10.25,I

For Permanent, On-site Wastewater Disposal

All permanent systems including limited or primitive systems: Contact a Licensed Site Evaluator, your Local Plumbing Inspector, or the Subsurface Wastewater Team, Division of Environmental and Community Health to determine what requirements must be met to comply with the Maine State Plumbing Code. You may need to hire a Licensed Site Evaluator to test the soils on your property, design a sewage disposal system, and complete an HHE-200 form (“Subsurface Wastewater Disposal System Application,” evaluated by the Subsurface Wastewater Team, Division of Environmental and Community Health). If so, you must submit a signed HHE-200 form with this application.

For limited or primitive systems, submit evidence that there are suitable locations on the lot for grey water disposal or a pit privy (outhouse), and for a backup system reserve area.

For temporary wastewater disposal

Portable Privies: If proposing temporary use of portable privies during construction activities, you must submit a copy of the contract for installation, on-going maintenance, and eventual removal of the privies.

Temporary structures with wastewater disposal: If proposing installation of temporary structures (such as offices or bunk-houses) that will include water or plumbing facilities, you must hire a Licensed Site Evaluator to test your soils and design a sewage disposal system. Submit a signed HHE-200 form (“Subsurface Wastewater Disposal System Application,” evaluated by the Subsurface Wastewater Team, Division of Environmental and Community Health) as completed by your Site Evaluator. If you anticipate installation of a sink drain and a pit privy, a minimum of two soils tests must be conducted and reported: one for the sink drain location and one for the privy location.



The Subsurface Wastewater Team may be reached at (207) 287-2070 or

www.maine.gov/dhhs/mecdc/healthy-living/health-and-safety/drinking-water-safety/resources/staff-directory.

17. Vehicle Access, Circulation, and Parking

Applicability: Required for all applications

Rule Section: 10.25,D

Vehicle Access and Circulation

- 1) Describe the type(s) and volume of traffic the proposed project will generate (both during and after construction).
- 2) Describe how safe entering and exiting of vehicles will occur. Include discussion of the following:
 - the number and width of access points
 - how access is designed so that vehicles can exit the site without backing onto roads or shoulders
 - the angle at which each access way intersects the road
 - how sight triangles are designed and maintained on each side of the intersection between the access way and road
 - *(for commercial development only)* whether a shared road access is used (if not, describe why shared access is not possible)
 - additional information that may be important in determining safety (for example: gating, seasonal factors, etc.)
- 3) Describe how safe movement of vehicles within the development will occur. Include discussion of the following:
 - the sizes and locations of turnouts and turnarounds, if applicable
 - explanation of design and safety accommodations for emergency response vehicles
 - explanation of design and safety accommodations if roadways will be used for forest management or other purposes involving large vehicles
 - additional information that may help determine if movement of vehicles will be safe (for example: gating, seasonal factors, etc.)

Parking

- 4) If use of a new or existing parking area is proposed, explain:
 - how parking areas are designed and located (on-street parallel, on-street diagonal, off-street at front, etc.)
 - why side parking and rear parking are not possible or are limited (if proposing any off-street parking area at the front of a building)

- safety features of the parking areas (such as striping, directional signs, bollards, designated entrances and exits, etc.)
- how parking areas will be visually buffered from the roadway and adjacent structures or uses

State, County, Town, and Plantation Road Entrance Permits

If a permit is required for new or modified entrances, roads, or driveways off of county, town, or plantation roads in your area, you must obtain this permit and submit it with your application. Contact your County Commissioners’ office or Town/Plantation office for further information.

If you are proposing to construct, modify, or change the use of a driveway, road, or entrance off of a state or state-aid road, or if the proposal could potentially increase traffic volume or create a safety or drainage concern, you must obtain a Driveway/Entrance Permit from the Maine Department of Transportation (MaineDOT) and submit it with this exhibit.

i *The MaineDOT may be reached at (207) 624-3600, or visit the Department’s Driveway and Entrance Permitting website at <https://www.maine.gov/dot/doing-business/permitting-policy/driveway-and-entrance-permitting>.*

Traffic Impact Study

You may be required to conduct a traffic impact study of roadways and intersections in the vicinity of your project site. If the proposed development has the potential to generate traffic safety or road capacity concerns, contact LUPC staff.

18. Exterior Lighting

Applicability: Required for all applications

Rule Section: 10.25,F

Indicate the location of each exterior light fixture and lighted sign on the Site Plan (Exhibit 10).

Submit a lighting plan that explains how the exterior lighting standards will be met for all exterior light fixtures and lighted signs. The lighting plan must include the following information:

- An explanation of how exterior lighting, including externally or internally lighted signs, is designed and located to prevent production of strong, dazzling light or light reflection onto:
 - neighboring properties
 - water bodies
 - roadways

- A description of each lighted sign, including:
 - the function of the sign (advertising, traffic control, etc.)
 - whether the sign is externally or internally illuminated
 - whether the sign would include any flashing, intermittent, moving, or changing light, including from electronic message displays
 - background color if internally illuminated
- A description of how all non-essential lighting, including lighting for signs, will be turned off after business hours, leaving only the minimal necessary lighting for site security on
- For each existing and proposed exterior light fixture indicate:
 - location
 - type (wall, flood, canopy, etc.)
 - whether it is fully shielded or recessed
 - whether it is motion activated
 - the number of bulbs
 - the total bulb lumens
 - the correlated color temperature each bulb
- The total lumens for the project

Include a table like the example below to organize the information for each fixture.

Example table for exterior lighting plan:

<u>Fixture Location and Type</u>	<u>Fully Shielded or Recessed</u>	<u># of Bulbs and Total Lumens</u>	<u>Bulb Correlated Color Temp. (K)</u>	<u>Motion Activated and Duration Illuminated</u>	<u>On or Off After Business Hours</u>	<u>Existing or Proposed</u> <i>(include date installed if existing)</i>
Front Entrance Wall Light	No	1 bulb 500	2,700	No	Off	Existing (8/12/2010)
Parking Area Flood light	Fully Shielded	2 bulbs 2,400 (1,200 ea)	3,000	Yes 15 minutes	On (motion activated)	Proposed
Roadside Sign Canopy Light	Recessed	2 bulbs 2,000 (1,000 ea)	3,000	Yes 10 minutes	On (motion activated)	Proposed
Total Project Lumens:		4,900				



Different or additional standards apply for outdoor winter recreation facilities and non-residential greenhouses. Consult LUPC rule section 10.25,F if proposing one of these types of facilities.

19. Noise

Applicability: Required for all applications

Rule Section: 10.25,F

Describe the source and frequency of any continuous, regular, or frequent source of noise that will be generated by the development (except for construction activities occurring between 7 AM and 7 PM).

Explain how you will ensure that such noise will not exceed LUPC's maximum permissible sound pressure levels.

20. Harmonious Fit and Natural Character

Applicability: Required for all applications

Rule Sections: 10.24,A & 10.25,E

Describe the visibility of the proposed development from roadways, scenic byways, major waterbodies, coastal wetlands, permanent trails, or public property within three miles. If the development will not be visible, explain why not.

Describe how the proposed development will affect the character of the area and describe the plan to fit the development into the existing surroundings. Approaches for fitting development into the surroundings may involve siting, design, size, coloring and construction materials, vegetation and landscaping, driveway and roadway locations, lot sizes, or other factors that lessen the impact of the project on its surroundings.

For development on hillsides:

If the development site is located on a hillside and you are proposing to construct any new buildings or to expand any existing buildings, submit the following information:

- a plan showing how the peak of the roof will be oriented for each building
- drawings showing the facade of each building as they would appear to someone viewing the development, and
- a vegetation management plan that shows the location of trees, vegetation, or other screening features on the property. The plan should establish long-term maintenance of clearing limits that will minimize potential impacts to views of the development.



Hillside has a specific definition in LUPC regulations. To determine if your development site is located on a hillside, [contact](#) staff in the regional office that serves the area.

21. Archaeological and Historical Resources

Applicability: Required for all applications

Rule Section: 10.25,E

Submit a current letter from the Maine Historic Preservation Commission stating the location proposed for development and indicating whether or not further action (such as a site survey) is required to determine the potential effect of the proposed development on archaeologically or historically significant resources.



The Maine Historic Preservation Commission (MHPC) can be reached at (207) 287-2132. Information on MHPC project review, including contact and submission information, may be found at www.maine.gov/mhpc/programs/project-review.

If the Maine Historic Preservation Commission decides that further action is necessary, submit evidence that the specified action has been completed. For example, submit the results of a site survey by a qualified archaeologist.

Using information provided by the Maine Historic Preservation Committee, or collected as a result of further actions, explain how or why the project will result in no undue adverse impact to archaeological or historical resources. Be sure to explain how the values that qualify the site for special archaeological or historical designation will be maintained.

22. Protected Natural Resources

Applicability: Required for all applications

Rule Section: 10.25,P

- Submit letters from the Maine Natural Areas Program (“MNAP”) and the Maine Department of Inland Fisheries and Wildlife (“MDIFW”) confirming the presence or absence of rare or special plant communities or significant wildlife habitat in the area proposed for development and its surroundings. If MNAP or MDIFW recommends a more detailed inventory of the area by a qualified professional, submit the results of an on-site survey for these natural resources. Note that vernal pool surveys are recommended by MDIFW. Please contact staff for questions about the vernal pool survey requirement.
- If MNAP indicates that *critically imperiled (S1) or imperiled (S2) natural communities or plant species* are present, describe the resource and the designation. Explain why the proposed development will result in no undue adverse impact to the community or species.

- If MDIFW indicates that essential wildlife habitat, significant wildlife habitat, or other important wildlife habitat designated by U.S. Fish and Wildlife or by MDIFW is present, explain why the proposed development will result in no undue adverse impact on the habitat AND how the values that qualify the site for such designation will be maintained.



For information about natural communities and plant species, contact the Maine Natural Areas Program at (207) 287-8044 or maine.nap@maine.gov or go to the Program’s website at www.maine.gov/dacf/mnap/.

For information about wildlife habitat, contact the Maine Department of Inland Fisheries and Wildlife at (207) 287-8000 or IFWEnvironmentalreview@maine.gov or go to the department’s website at www.maine.gov/ifw/.

*****If the project is disturbing over 1 acre, a wetland delineation is required.*****

23. Soil Suitability and Mapping

Applicability: Required for all applications. Certain onsite soil survey requirements may be waived where there is existing information sufficient to complete the Commission’s review.

Rule Section: 10.25,G

Soil Surveying and Mapping

Submit a completed on-site soil survey conducted by a Maine Licensed Soil Scientist or Natural Resources Conservation Service (NRCS) Soil Scientist according to the “Guidelines for Maine Certified Soil Scientists for Soil Identification and Mapping” (Maine Association of Professional Soil Scientists, 2009) and Chapter 10, Section 10.25,G.

The soil survey must include a soil map based on the on-site survey (may be included on the Site Plan), a soil narrative report, and a soil profile log description.

All map units on the project site with hydric (frequently flooded or waterlogged) soils, or with a low or very low development potential rating for low density development must be clearly identified as such on the soil survey map.

Use the following guidelines to determine the type of soil survey required in different areas of the proposed project:

Class A High Intensity Soil Survey (for Nonresidential Development only) – use to identify soils within areas on your project site that will be disturbed. Disturbed areas include areas that are stripped, graded, grubbed or otherwise result in soil exposure at any time during the site preparation for, or construction of, a project.

Class B High Intensity Soil Survey (*for Residential/Subdivision Development only*) – use to identify soils within all subdivision lot building envelopes and other disturbed areas on your project site (except for proposed access roads, driveway locations, utility lines, and other linear development components which require a Class L Soil Survey; see below). Disturbed areas include areas that are stripped, graded, grubbed or otherwise result in soil exposure at any time during the site preparation for, or construction of, a project.

Class B soil surveys for subdivisions must be completed with a minimum delineation of one acre for similar soils and ¼ acre for dissimilar soils.

Class L Soil Survey - Use to identify soils for any linear components of the project that involve soil disturbance and have little, or no, adjacent development. Linear components that may qualify for a Class L soil survey include roads, driveways, utility lines, trails, and fairways.

Class C Soil Survey - Use to identify soils elsewhere within the project area. In lieu of a Class C Survey, the Commission may allow applicants to use USDA Natural Resources Conservation Service Soil Survey published maps in certain conditions:

- when the published mapping indicates the project area is rated with a medium or high potential for low density development
- in areas that will be preserved as open space
- in unusual instances in which the Commission finds that published mapping provides the necessary information.

Soil Suitability

With the results of your soil survey, identify the development potential rating for each soil type within your project area using the Natural Resources Conservation Service's (NRCS) soils potential ratings for low density development.

If any soils within your project area have a low or very low development potential rating, explain what measures will be used to overcome the limitations that resulted the rating.

24. Water and Air Quality

Applicability: Required for all applications

Rule Sections: 10.24, A & 10.25, K, N, & O

Water Quality

Explain the measures ensuring that each source of water pollution (shown in the Site Plans exhibit) will not contaminate:

- the project site and other properties
- adjacent lakes, ponds, rivers, streams, and ocean
- adjacent wetlands
- groundwater aquifers

In your explanation, discuss the best management practices that will be used, including those for spill prevention, control, and cleanup.

Air Quality

If your development will potentially generate air pollution or odors, describe the type, timing, amount of emissions, and plans for prevention and reduction.

Activities that generate airborne particulates (for example: dust, smoke), gases, or odors are potential sources of air pollution. Examples include solid waste disposal, wood products manufacturing, pulp and paper milling, rock crushing, asphalt batch plants, running diesel or non-diesel engines, marijuana facilities, and composting facilities.

Be sure to include potential sources of air pollution that will be present during construction in addition to those that will be present during normal operation.

25. Erosion, Sedimentation, and Drainage Control Measures

Applicability: Required for all applications

Rule Sections: 10.25,M & D;
10.27,D & H

Minor Soil Disturbance - less than one acre and ground not frozen or saturated

If the total area of soil disturbance will be less than one acre (43,560 sq. ft.) AND if soil disturbance will not occur when the ground is frozen or saturated, provide the following information:

- Provide a general timeline of construction activities at the development site, including clearing, grading, construction, maintenance of erosion control measures, and final landscaping.
- Describe how you will minimize and control soil disturbance, erosion, and sedimentation. The description should cover each phase of the project, including site preparation, construction, cleanup, and post-construction. Refer to your timeline of construction activities (#1 above) and your Site Plans exhibit in your description.

Include the following elements in your description:

- how you will minimize soil disturbance and the duration of soil exposure during each phase of construction
- how you will stabilize areas of disturbed soil and soil stockpiles and prevent sediment from entering water, wetlands, natural drainage systems, catch basins, culverts, or adjacent properties during each phase of construction

Pay special attention to:

- soil disturbance that will occur in, or adjacent to, water bodies, wetlands, natural drainage systems, or water crossings
 - soil disturbance that will occur on slopes exceeding 15%
 - distances of soil stockpiles from water bodies, flowing waters, wetlands, drainage systems, water crossings, property lines, etc.
 - scheduling and inspection of erosion/sedimentation control measures (for example: daily)
 - sources of fill and how you will ensure that fill is free of hazardous or toxic materials, debris, trash and rubbish
 - how and when disturbed areas will be seeded or stabilized at the end of the construction season and at the completion of the project
 - provisions you will make for the continued maintenance of all proposed erosion and sedimentation control measures during and after construction operations
- Describe all temporary and permanent provisions for drainage including culverts, water bars, drainage ditches, settling basins, etc., and your plan for the continued maintenance of these structures. Emphasize best management practices. Discuss how any roadways proposed are designed to minimize

the use of ditching, cuts, and fills. Refer to your timeline of construction activities and your Site Plans exhibit in your description.

Calculations, formulas and factors used to determine the sizing of drainage structures may be requested.

Significant Soil Disturbance: Erosion Control Plan – 1 acre or more or ground frozen or saturated

If the total area of soil disturbance shown in the Site Plans exhibit will be one acre (43,560 sq. ft.) or more OR if soil disturbance activities will occur when the ground is frozen or saturated, submit an erosion and sedimentation control plan that includes the information listed below. Emphasize best management practices and refer to the Site Plans exhibit in your plan. *Note that if soil disturbance is one acre or more, you must submit a Maine Construction General Permit (MCGP) Notice of Intent to the Maine Department of Environmental Protection (https://www.maine.gov/dep/land/stormwater/mcgp_noi.pdf).*

- A timeline identifying the sequence of construction events at the development site from site preparation to completion of the project. The timeline should include:
 - stripping and clearing
 - rough grading
 - construction of utilities, infrastructure and buildings
 - final grading and landscaping
 - the expected date on which clearing will begin
 - the estimated duration of exposure of cleared and disturbed areas
 - the sequence of installation of temporary erosion and sedimentation control measures, and
 - the planned date of establishment of permanent vegetation
- A detailed description of all temporary and permanent erosion and sedimentation control measures, including:
 - seeding mixtures and rates
 - types of sod
 - method of seedbed preparation
 - expected seeding dates
 - type and rate of lime and fertilizer application, and
 - kind and quality of mulching for both temporary and permanent vegetative stabilization measures
- Describe in detail all plans for temporary and permanent drainage including culverts, water bars, drainage ditches, settling basins, etc., including plans for their continued maintenance. Discuss how any roadways proposed are designed to minimize the use of ditching, cuts, and fills.

Calculations, formulas and factors used to determine the sizing of drainage structures may be requested.

- If any proposed road or trail is anticipated to be closed out or put to bed at a later date, explain when and how it will be closed out.

Exhibits Required for Certain Applications

26. Wildlife Passage

Applicability: Required for commercial businesses located in development subdistricts established in primary locations after June 17, 2019

Rule Section: 10.27,S

Describe where wildlife passage will be established (for example: along streams or wetlands, adjacent to conserved areas) and the reasons for choosing those areas. Include the width of the proposed wildlife passage and a description of the habitats connected by the proposed passage. Be sure that wildlife passage is shown on the Proposed Site Plan (Exhibit 9).

Include a plan for preventing the material alteration of wildlife passage due to future uses on the property.

27. Site Access

Applicability: Required when site access is off a private road or over water

Rule Sections: 10.24,A & 10.25,Q

Site Access

Roadway Access – Private Roads

- Provide the following information about each existing road used to access the project site from the nearest public road: name, the name of the owner or land manager, the length, the width of the travel surface, the right-of-way width, and the type of road surface.

A table like the one below may be helpful.

<u>Road Name</u>	<u>Owner or Land Manager Name</u>	<u>Road Length</u>	<u>Travel Surface Width</u>	<u>Right-of-Way Width</u>	<u>Road Surface</u>
<i>Example Road</i>	<i>Mr. Smith</i>	<i>1.35 miles</i>	<i>16 ft.</i>	<i>33 ft.</i>	<i>Gravel</i>

Describe any limitations on access/egress for the roads you listed (for example: seasonal road closures, granted temporary access only, etc.).

Exhibit continued on the next page

Access Over Water

If the development site can only be accessed by water during any part of the year, identify and describe the boat launch and parking facilities near the site and on the mainland. Also include, in response to the bulleted request above, information on how these facilities are accessed from a public road.

When addressing this question be sure to:

- provide a map or clear description of the locations of the launching and parking facilities
- identify their owner(s)
- describe the capacity and any use restrictions of the facilities
- describe how construction equipment and materials will access the site (for example: will barges be used; if so, provide information on the proposed loading and offloading areas)

28. Roadway Construction and Upgrades

Applicability: Required if upgrading existing roads or building new roads

Rule Sections: 10.25,D; 10.27,D & H

- Provide the following information about each road you propose to build or upgrade: length; width of the travel surface; type and depth of base; type and depth of wearing surface; average and maximum sustained grade; and number of culverts and/or water crossings.

Use road names/descriptors consistent with those used in the Site Plans and Structures, Uses, Features exhibits. For roads that will not have a consistent wearing surface or base, provide information separately for each road section.

A table like the one below may be helpful:

<u>Road Description/ Name</u>	<u>Length (ft)</u>	<u>Travel Surface Width (ft)</u>	<u>Base Depth (in) and Type</u>	<u>Wearing Surface Depth (in) and Type</u>	<u>Avg. Grade and Max. Sustained Grade (%)</u>	<u>Number of Culverts and/or Water Crossings</u>
Camp Road – Section 1	2,000 ft	14 ft	12 in, Gravel	3 in, Fine Gravel	5% and 12%	2
Camp Road – Section 2	230 ft	14 ft	20 in, Gravel, Geotextile	3 in, Fine Gravel	0% and 0%	0

- In addition to the information about roads shown on your Proposed Site Plan, submit plans (to scale) showing:

- A typical road cross-section including the travel surface, location and materials of original ground surface, depth and type of fill to be used, slopes, drainage ditches and other water control devices, and boundaries of the travel surface, shoulders, and rights of way
- A typical road profile showing elevations of the roadway and the original ground surface, and the percent slope of the entire length of the roadway from the center line
- Describe the best management practices that will be used to ensure that construction does not create safety problems.
- Describe the best management practices that will be used to ensure existing and proposed roadways do not create problems for wells, sewage disposal systems, structures, and other features in the vicinity.
- If the proposed road or trail is anticipated to be closed out or put to bed at a later date, explain when and how it will be closed out.

Blasting Plan

If explosive devices will be used as part of the road construction project, you must submit a blasting plan that meets the requirements of 38 M.R.S.A. Subsection 490-Z. This may include a pre-blast survey and will require that certain data be recorded for each blast.

Roads or Trails Dedicated to a Government Entity

If any road or trail will be dedicated to a town, plantation, county, or other government entity, you must submit a letter from that entity confirming that the proposed road or trail is designed in compliance with their applicable standards.



This letter may also confirm the entity's willingness and capacity to maintain the dedicated road(s); see Roadway Maintenance (Exhibit 29).

29. Roadway Maintenance

Applicability: Required when project is accessed by private road

Rule Sections: 4.05,A & 10.24,A

Roadways

Describe who will be responsible, and what provisions will be made, for continued maintenance of any private roadways. Include a list of road maintenance tasks.

If the maintenance of the road will be assumed by a government entity, submit a letter from that entity confirming its capacity to provide the maintenance. The letter must indicate that the public entity has

sufficient knowledge of the proposed development to make an accurate assessment of maintenance needs. If additional maintenance requirements would exceed current capacity, the letter should explain how additional needs will be met.

If the applicant will be responsible for maintenance of any private road(s) owned by another entity, provide evidence that the applicant has a legal right to conduct any future maintenance activities.

In responding to this question, be sure to describe the maintenance provisions that will protect wells, sewage disposal systems, structures, and other features in the vicinity of the road.

Water Crossings and Drainage Control

Describe who will be responsible, and what provisions will be made, for continued maintenance of any water crossings and drainage control structures. Include a list of water crossing and drainage control structure maintenance tasks.

30. Phosphorus Control

Applicability: Required if development is within the direct watershed of a lake or pond that is 10 acres or larger in size

Rule Section: 10.25,L

If your development (including current development on the site) creates disturbed and/or impervious area of one acre or more within the direct watershed of a lake or pond that is 10 acres or larger in size, you **must** submit a phosphorus control plan and, in most cases, a phosphorus impact analysis (see next page). The plan must use the methods and procedures described in the "Maine Stormwater Best Management Practices Manual, Volume II, Phosphorus Control in Lake Watersheds: A Technical Guide to Evaluating New Development" Maine Department of Environmental Protection, 2016.

i *Impervious areas are buildings and associated structures, as well as areas covered by pavement or concrete, or which will be compacted due to use. (Examples: rooftops, walkways, decks, porches, patios, driveways, parking lots or storage areas, concrete or asphalt paving, or packed earthen materials).*

i *The Technical Guide is available on the Department of Environmental Protection's website at: www.maine.gov/dep/land/stormwater/stormwaterbmps/. For assistance with the Technical Guide or with specific technical, engineering, or design questions related to phosphorus control, call the Department at (207) 287-7688 and ask for the Stormwater Program.*

This exhibit must include plans for protection and long term maintenance of any proposed phosphorus control measures, including vegetative buffers.



Before you conduct a phosphorus impact analysis, [contact](#) the LUPC office that serves your area for guidance on how to proceed. A pre-application phosphorus meeting may be required.

For specific technical, engineering, or design questions related to phosphorus control, call the Department of Environmental Protection at (207) 287-7688 and ask to speak with an environmental engineer from your region.

Projects with Less Than 3 Acres of Impervious Area and Less Than 5 Acres of Developed Area

Projects with less than 3 acres of impervious area and less than 5 acres of developed area that are designed to meet specific performance standards in the Department of Environmental Protection’s Technical Guide, or the LUPC’s alternative buffer standard (Chapter 10, Section 10.25,L), may not require a phosphorus impact analysis.

If your project qualifies for the alternative buffer standard, this exhibit must include the following information showing that the performance standards will be met:

- the location and size of the vegetated buffers on the Site Plan
- a description of the type of buffer(s) used
- an explanation of how the vegetated buffers were sized to treat the right amount of impervious and/or developed area (the explanation may reference technical guidance on phosphorus control)
- a description of how the buffers will be used and maintained
- evidence of deed restrictions protecting the buffers from alteration if they are not otherwise protected as open space

31. Additional Information

Applicability: As needed

Rule Section: 4.05,A

Provide any other information that further explains your proposal or may help in the review of your application.