

APPLICATION FOR A ROAD CONSTRUCTION PERMIT

WHO NEEDS TO SUBMIT THIS APPLICATION?

Anyone constructing roads (including certain driveways) and/or trails in the plantations, unorganized townships and certain towns which remain under the Maine Land Use Planning Commission ("LUPC" or "Commission") jurisdiction which:

- Require a permit in the applicable subdistrict (see **Definitions and Requirements by Subdistricts** page for details); and/or
- Do not otherwise conform with Standards of Section 10.27,D or other applicable standards of the Commission's Chapter 10, *Land Use Districts and Standards*, or the Chapter 15, *Guidelines for Private Roads or Ways in the Land Use Planning Commission's Management Districts*.

 Note: A driveway which is greater than 1,000 feet in length or which serves more than two lots or dwelling units is considered a *Road*.

EXCEPTION: In accordance with the Memorandum of Agreement (MOA) between the LUPC and the Maine Department of Transportation (MaineDOT), signed in June of 2009, MaineDOT is to utilize the **Expedited Permit Application** attached to that MOA for all non-exempt Level A and B Road Projects, all Level C Road Projects, and other MaineDOT state transportation infrastructure projects providing a bona fide public purpose instead of this application form.

WHERE CAN I GET HELP TO COMPLETE THIS APPLICATION?

Call the LUPC office that serves your area and ask to speak to one of our regional representatives (see below for office locations and contact information). Also, go to the LUPC web site at www.maine.gov/dacf/lupc/ to browse through our rules and regulations, recent publications and newsletters, Commission meeting agendas, and other valuable information.

MAILING YOUR APPLICATION

Submit your completed application and all required attachments, including the appropriate application fee, exhibits and supplements (see instructions for details) to the LUPC office serving your area.

<u>AUGUSTA OFFICE</u>	<u>ASHLAND OFFICE</u>
18 Elkins Lane - Harlow Bldg. 22 State House Station Augusta, ME 04333-0022	<i>Serving most of Aroostook County and northern Penobscot County</i> 45 Radar Road Ashland, ME 04732-3600
Tel. (207) 287-2631 TTY (888) 577-6690 FAX (207) 287-7439	Tel. (207) 435-7970 Tel. (207) 435-7969 FAX (207) 435-7184
<u>BANGOR OFFICE</u>	<u>EAST MILLINOCKET OFFICE</u>
<i>Serving Hancock, Knox, Lincoln, and Sagadahoc Counties, and portions of Washington, Kennebec, Penobscot and Piscataquis counties; and the coastal islands in the LUPC service area</i> 106 Hogan Rd, Suite 8 Bangor, ME 04401	<i>Serving southern Penobscot County, southern Aroostook County, and portions of Piscataquis County</i> 191 Main Street East Millinocket, ME 04430
Tel. (207) 215-4685 Tel. (207) 592-4448 FAX (207) 941-4222	Tel. (207) 485-8354 Tel. (207) 399-2176 FAX (207) 746-2243
<u>GREENVILLE OFFICE</u>	<u>WILTON OFFICE</u>
<i>Serving Somerset County and most of Piscataquis County</i> 43 Lakeview Street P.O. Box 1107 Greenville, ME 04441	<i>Serving Franklin County and Oxford County</i> 932 US Route 2 East Wilton, ME 04294
Tel. (207) 695-2466 Tel. (207) 731-4398 FAX (207) 695-2380	Tel. (207) 670-7492 OX Tel. (207) 670-7493 FR

THIS FORM IS NOT A VALID PERMIT.

NO CONSTRUCTION ACTIVITIES MAY BEGIN PRIOR TO YOUR RECEIPT OF A PERMIT.

THE COMMISSION MAY REQUIRE ADDITIONAL INFORMATION NOT ENCOMPASSED IN THIS APPLICATION.

 Before going through the time and expense of filing this application, it is strongly recommended that you schedule a meeting with the Commission's staff. Our staff can assist you with understanding the requirements of submitting a road construction permit application proposal for the Commission's review. A pre-application meeting and/or site visit may also reveal potential issues unique to your proposal that will need to be addressed as part of your application. Call the LUPC office that serves your area to schedule an appointment.

ADDITIONAL INFORMATION ABOUT THE APPLICATION PROCESS

PRE-APPLICATION AND POST-PERMIT SERVICES

The LUPC staff encourages, and is available for, meetings and site visits before you submit your application, after you receive your permit, and/or after your project is complete. Our staff can assist you with understanding the applicable requirements of submitting a proposal for the Commission's review and determining how your project best fits your site and therefore help ensure your project can be permitted.

Pre-application meetings:

- Encourage information exchange about the proposed project early in the planning stages;
- Help the applicant understand the application process and responsibilities in that process;
- Help to identify any environmental or other issues that may need to be addressed as part of the permit process; and
- Provide an opportunity to identify aspects of the proposal that may make the application unique or difficult to approve.

Suggested materials to bring to the pre-application meeting:

- This application form (even if not yet completed)
- Recent photos of the property
- Plan(s) with dimensions and setbacks of existing and proposed roads, trails and other structures.

Suggested discussion points during the pre-application meeting:

- What is the propose use of the proposed road or trail?
- Will the proposal involve any wetland or water crossings?
- Are there other questions you may have regarding this application form or process?

Pre- and post-construction site visits:

- Help highlight specific permit conditions;
- Enable the applicant and Commission staff to discuss any issues or new concerns which have arisen; and
- Assist the applicant in identifying the various physical features on the lot that are related to the Commission's development standards.

Note: While the pre-application meeting is extremely valuable for identifying issues or concerns early on, no decisions are made at these meetings and the thoughts expressed are not binding on the Commission or the applicant. The information presented at these meetings is very general, and the review is not substantive.

Call the LUPC office that serves your area to schedule an appointment.

HOW LONG WILL IT TAKE TO OBTAIN A PERMIT?

A permit decision will be issued within 90 days of a complete application being received and accepted by the LUPC Staff. In many cases a permit decision will be made sooner, particularly on smaller projects that meet all the applicable standards. The 90 day time period will not start until a complete application with all required exhibits is submitted. The LUPC staff will contact you if the application is not complete and let you know what is still required to make it complete. Occasionally, more information is requested by a review agency, in which case, the application may need to be placed on hold until that information is provided.

WHAT IF MY PROPOSAL DOES NOT MEET THE CRITERIA FOR APPROVAL?

The LUPC staff will contact you prior to the 90 day deadline if it is determined that the proposal is not approvable. The LUPC staff will then work with you to determine your options and to recommend modifications to your application in order to make your project approvable. If you choose to make modifications to obtain approval, your application will be placed on-hold until an updated and complete application is submitted. If you choose to have your application denied by the Staff, you will have an opportunity to appeal that decision to the Commission at one of its regular monthly meetings; or to Superior Court, if the decision is made by the Commission.

ACCESSING THE PROJECT SITE FOR SITE EVALUATION AND INSPECTION

Under 12 M.R.S.A, Section 685-C,8: "For the purposes of inspection and to ensure compliance with standards, orders and permits issued or adopted by the commission, authorized commission staff...may conduct investigations, examinations, tests, and site evaluations necessary to verify information presented to it and may obtain access to any lands and structures regulated pursuant to this chapter".

For some development projects, an application cannot be deemed complete until a site visit has been conducted by staff to verify information about a project. Further, in some cases staff will need the applicant or their designated agent to be present on site to provide information. As a general policy, when reasonably practicable, staff will notify property owners or their agent prior to visiting the property. Section 7 of the application, however, provides an opportunity to authorize staff, at the time you file your application, to fully access a project site. Due to our limited resources, this may increase the efficiency of the review of your application.

DEFINITIONS AND REQUIREMENTS BY SUBDISTRICT

The following terms, definitions and requirements are excerpts from the Commission's Chapter 10, *Land Use Districts and Standards* that are referenced in this application. Chapter 10 can be found in its entirety online at www.maine.gov/dacf/lupc/.

LAND MANAGEMENT ROAD

A land management road is a route or track consisting of a bed of exposed mineral soil, gravel, or other surfacing material constructed for, or created by, the repeated passage of motorized vehicles and used primarily for agricultural or forest management activities, including associated log yards but not including skid trails, skid roads, and winter haul roads.

NO PERMIT REQUIRED

P-WL3

NO PERMIT REQUIRED subject to standards (or in accordance with Chapter 15 in Management Districts).

M-GN, M-HP, M-NC, P-AL, P-FW (with FONS supplement), P-GP, P-GP2, P-RR, P-SL, P-WL1, P-WL2

PERMIT REQUIRED subject to the applicable requirements in Chapter 10, Sub-Chapter III.

D-CI, D-ES, D-GN, D-RS, D-RS2, D-RS3, P-AR, P-FP, P-MA P-RT, P-SG, P-UA

PROHIBITED

D-MT, D-GN2, D-GN3

LEVEL A ROAD PROJECTS

A Level A road project is reconstruction within existing rights-of-way of public or private roads other than land management roads, and of railroads, excepting bridge replacements. Examples of such activities include, without limitation, culvert replacements, resurfacing, ditching, and bridge repair. When there is no existing layout of right-of-way, the right-of-way should be assumed to extend 33 feet on either side of the existing centerline.

NO PERMIT REQUIRED subject to standards.

D-CI, D-ES, D-GN, D-GN2, D-GN3, D-RS, D-RS2, D-RS3, M-GN, M-HP, M-NC, P-AL, P-AR, P-FW, P-GP, P-RR, P-RT, P-SG, P-SL, P-UA, P-WL1, P-WL2, P-WL3

PERMIT REQUIRED subject to the applicable requirements in Chapter 10, Sub-Chapter III.

P-FP

PROHIBITED

D-MT

LEVEL B ROAD PROJECTS

A Level B road project is a minor relocations, and reconstructions, involving limited work outside of the existing right-of-way of public roads or private roads other than land management roads and of railroads; bridge reconstruction and minor relocations whether within or outside of existing right-of-way of such roads; "Minor relocations" as used herein may not exceed 300 feet in horizontal displacement of centerline. "Reconstruction" as used herein may involve widening of existing rights-of-way not to exceed 50 feet on either side.

NO PERMIT REQUIRED subject to standards.

M-GN, M-NC

PERMIT REQUIRED subject to the applicable requirements in Chapter 10, Sub-Chapter III.

D-CI, D-ES, D-GN, D-GN2, D-GN3, D-RS, D-RS2, D-RS3, M-HP, P-FP, P-AL, P-AR, P-FW, P-GP, P-RR, P-RT*, P-SG, P-SL, P-UA, P-WL1, P-WL2, P-WL3

(*provided that such roads are set back as far as practicable from the normal high water mark and screened from the river by existing vegetation.)

PROHIBITED

D-MT

LEVEL C ROAD PROJECTS

A Level C road project is construction of new roads, and relocations or reconstruction of existing roads, other than that involved in Level A or Level B road projects; such roads shall include both public and private roadways excluding land management roads.

PERMIT REQUIRED subject to the applicable requirements in Chapter 10, Sub-Chapter III.

D-CI, D-ES, D-GN, D-GN2, D-GN3, D-RS, D-RS2, D-RS3, M-GN, P-AL, P-FP, P-GP, P-SG, P-SL

PERMIT REQUIRED BY SPECIAL EXCEPTION (see specific requirements for that subdistrict in Chapter 10).

M-HP M-NC, P-AR, P-FW, P-MA, P-RR, P-RT, P-UA, P-WL1, P-WL2, P-WL3

PROHIBITED

D-MT, M-HP

TRAILS

A trail is route or path other than a roadway, and related facilities, developed and used primarily for recreational activities including but not limited to hiking, backpacking, cross-country skiing and snowmobiling, which passes through or occurs in a natural environment. Related facilities may include but not be limited to subsidiary paths, springs, view points, and unusual or exemplary natural features in the immediate proximity of the trail which are commonly used or enjoyed by the users of the trail.

NO PERMIT REQUIRED provided they are constructed and maintained so as to reasonably avoid sedimentation of water bodies.

D-ES, D-GN, D-GN2, D-GN3, D-RS, D-RS2, D-RS3, M-GN, M-HP, P-AR, P-FW, P-UA.

NO PERMIT REQUIRED provided that any associated vegetation clearing or filling and grading are in conformance with the standards of 10.27,B,1,b and c,2, and 4 and 10.27,F, and provided the trails are constructed and maintained so as to reasonably avoid sedimentation of water bodies.

P-AL, P-GP, P-RR, P-RT, P-SL, P-WL1, P-WL2, P-WL3.

PERMIT REQUIRED subject to the applicable requirements in Chapter 10, Sub-Chapter III.

P-FP, P-MA, P-SG

PROHIBITED

D-CI, D-MT

WATER CROSSINGS

A water crossing is a roadway or trail crossing of any body of standing or flowing water (including in its frozen state) by means of a bridge, culvert, or other means.

Crossings of Minor Flowing Waters (mapped or unmapped P-SL2) Not applicable in the Management Districts

NO PERMIT REQUIRED subject to standards.

D-CI, D-ES, D-GN, D-GN2, D-GN3, D-RS, D-RS2, D-RS3, P-AL, P-FW, P-GP, P-RR*, P-RT*, P-SL2, P-WL1, P-WL2, P-WL3.

(*UNLESS surrounded by a P-RR or P-RT subdistrict established to protect such waters)

PERMIT REQUIRED subject to the applicable requirements in Chapter 10, Sub-Chapter III.

P-AR, P-FP, P-MA, P-SG, P-UA, P-RR*, P-RT*

(*Where surrounded by a P-RR or P-RT subdistrict established to protect such waters.)

PROHIBITED

D-MT

Other Water Crossings (coastal wetlands, bodies of standing water, and major flowing waters) Not applicable in the Management Districts

PERMIT REQUIRED subject to the applicable requirements in Chapter 10, Sub-Chapter III.

D-CI, D-ES, D-GN, D-GN2, D-GN3, D-RS, D-RS2, D-RS3, P-AL, P-AR, P-FP, P-FW, P-GP, P-MA, P-RR, P-RT, P-SG, P-SL1, P-UA, P-WL1, P-WL2, P-WL3

PROHIBITED

D-MT

For office use:

	RP		
Tracking No.		Permit No.	Fee Received

Road Permit Application

For Roads and Trails

1. APPLICANT AND LANDOWNER INFORMATION Print the names and contact information of all persons or companies with right, title or interest in the property associated with this application OR the persons or companies with prior legal authority to represent the landowners in land use matters. Persons with "right, title or interest" are those listed on any deed, lease or sales contract for the property. If a designated agent without prior legal authority will be representing the applicant, see Question 14.

Applicant Name(s)*	Daytime Phone	FAX (if applicable)	
Name of Representative (if applicable)		Email (if applicable)	
Address	Town	State	Zip Code
*If the applicant(s) listed above is NOT the landowner, please complete the landowner information below and then explain on what legal authority you are able to apply for permits on the landowner's behalf: _____ Submit as part of Exhibit B , authority from the landowner to represent them in all land use matters.			
Landowner Name(s)	Daytime Phone	FAX or Email (if applicable)	
Address	Town	State	Zip Code

2. PROPERTY LOCATION AND PROPERTY DETAILS

Township, Town or Plantation(s)	County		
Tax Information (check tax bill) Map: _____ Plan: _____ Lot: _____ Map: _____ Plan: _____ Lot: _____ Map: _____ Plan: _____ Lot: _____	Type of Ownership <input type="checkbox"/> Owned <input type="checkbox"/> Easement <input type="checkbox"/> Lease <input type="checkbox"/> Right-of-way (ROW) <input type="checkbox"/> Other _____	Lot Size (in acres, or in square feet if less than 1 acre)	
All Zoning within 500 feet of the Project Site (check the LUPC map)	Zoning at Project Site		
Nearest Roadway	Nearest Waterbody		

3. ACCESS TO THE PROJECT SITE

a. Is existing access to the project site limited in any way (i.e., seasonal road closures or temporary access only) <input type="checkbox"/> YES <input type="checkbox"/> NO If YES, attach any legal restrictions as part of Exhibit B and explain the limitations below:
b. Are you constructing a road or trail entrance or changing a current entrance in a way that will increase traffic volume, or create a safety or drainage concern regarding a State or State-Aid Highway? <input type="checkbox"/> YES <input type="checkbox"/> NO If YES, you must submit Exhibit S2-N: Entrance Permit as part of the S-2 Supplement Form. Note: If your property is located along a County or Town/Plantation Road, you should check with that office before submitting this application to see what is required.

4. EXISTING USES AND DEVELOPMENT

Previous permit(s) (if applicable) _____

a. What is the current use of the project site? <input type="checkbox"/> Residential <input type="checkbox"/> Commercial /Industrial <input type="checkbox"/> Undeveloped/Forested <input type="checkbox"/> Other _____
b. If the project site currently developed, please briefly describe the existing development.

5. PROJECT DESCRIPTION

Explain, in detail, the activity which you are proposing, the purpose of the project, and why the project is needed. *Example: Construct 2 miles of 14 ft. wide logging road with gravel travel surface to access timber harvest area within a P-RR subdistrict; or construct 4 miles of 20 foot wide road with bituminous travel surface for public access to subdivision and recreation area. (Attach additional 8 1/2" by 11" paper if necessary.)*

6. PROPOSAL DETAILS

a. Project Type - See Instructions page i for definitions (check all that apply)

Land Management Road Private Driveway(>1,000' long) Common Driveway (serving more than 2 lots)
 Recreational Trail Level A Road Construction Level B Road Construction
 Level C Road Construction Subdivision or Development Access Road
 Change of Use (Explain): _____
 Other (Explain): _____

Type of Use: Public Private Otherwise Restricted (Explain) _____

Road Name (if applicable): _____ Date of Original Construction (if applicable) _____

Total Length (feet/miles)	Travel width (feet)	Right-of-way width (feet)	Average sustained grade (%)	Maximum sustained grade (%)
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Type of wearing surface	Depth of wearing surface (inches)	Type of Base Material	Depth of Base (feet/inches)
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b. Road Setbacks & Slope (for nearest, non-crossings)	Distance (feet)	Average slope(%) between road and nearest waterbody	c. Other Road Features	Number of	Average width x length
Lake or Pond			Turnouts		
River or Stream			Turnarounds		
Wetland			Parking Areas*		
Ocean / Coastal Wetlands			Other Cleared Areas		

* Setbacks for Parking Area(s) from Nearest: Lake or Pond _____ River or Stream _____ Wetland _____ Road _____ Property Line _____

d. General Road Standards: (for all roads)
Will the road be constructed in accordance with the standards of Section 10.27,D? YES NO
If NO, identify which standard(s) would not be met, briefly explain why, and explain how the road will be constructed in a manner which produces no undue adverse impact upon the resources and uses in the area.

e. Subdivision/Development Roadway Design Standards: (for Subdivision and Development Access Roads only)
Will the road be constructed in accordance with the applicable standards of Section 10.27,D? NA YES NO
If NO, identify which standard(s) would not be met, briefly explain why, and explain how the road will be constructed in a manner which will meet the development needs and will not cause erosion or safety problems.

7. WATER AND WETLAND CROSSINGS

Will the proposed road and/or trail cross any rivers, streams, brooks, wetlands or other waterbodies? YES NO
If NO, continue to Question 8; If YES, please answer the following questions.

a. What type of water crossing(s) will you install? Round Culvert Box Culvert Arch Culvert Bridge
 Other (Explain) _____

b. Will any water crossings include crossings of Atlantic salmon habitat watersheds? YES NO
If YES, you should contact the Department of Marine Resources, Bureau of Sea-Run Fisheries and Habitat by phone at (207) 287-9972 or by mail at Department of Marine Resources 172 State House Station, Augusta, ME 04333-0021 to prior to finalizing your plans for the crossing.

Question 7 is continued on the next page...

7. WATER AND WETLAND CROSSINGS *(continued from previous page)*

- c. Will all water and wetland crossings be constructed in accordance with the standards of Section 10.27,D? YES NO
 If NO, explain how the crossing will be constructed in a manner which produces no undue adverse impact upon the resources and uses in the area.

 For crossings of major flowing waters, water crossing that do not meet standards of Section 10.27,D of the Commission's *Land Use Districts and Standards*, and other water crossings which require a permit in the Subdistrict (*i.e.*, P-RR or P-FP), you should also complete a Bridge Construction Permit Application and submit it with this application. The Commission will review both as one Road Construction Permit Application. You need only submit one application fee.

8. PROPOSED TEMPORARY BUILDINGS AND/OR OFFICES

- a. Are you proposing to construct or install any temporary buildings and/or offices during construction of your proposed road or trail? (Note: Permanent structures may require a separate Development Permit)..... YES NO
 If NO, continue to Question 9; If YES, please answer the following questions.

b. Describe the proposed buildings by completing the following table. (Fill in a line for each proposed buildings and/or offices).

Type of temporary building	Duration <i>(length of time buildings to remain at the site)</i>	Dimensions (in feet) of building (LxWxH)	Type of foundation (wheels, skids, slab, post, etc.)	Distance (in feet) of building from nearest:					
				Property line	Pond	Lake or stream	River or stream	Wetland	Ocean

- c. Will any of the above structures include wastewater disposal facilities or will you be installing any temporary port-a-potties YES NO
 If YES, you may need to submit **EXHIBIT S2-E: Subsurface Wastewater Disposal** as part of the S-2 Supplement Form.

d. Describe any site preparation that will be required, including alterations in order to provide access for materials and equipment.

e. Describe how solid waste, including demolition debris, stumps, or construction debris, will be disposed of properly in accordance with State Laws.

9. ALTERING LAND AND WETLAND ALTERATION *(Note: Supplement or Exhibit may be required. See Instructions.)*

- a. Will your proposal alter a total of one acre or more of land area, whether upland or wetland?..... YES NO
 If YES, you must also complete **Exhibit S2-M: Erosion and Sedimentation Control Plan** as part of the S-2 Supplement Form **AND Supplement S-3: Requirements for Wetland Alterations.**

- b. Will your proposal alter any amount of land that is mapped P-WL Subdistrict, or any ground below the normal high water mark of any lake, pond, river, stream, or intertidal area? YES NO

If YES, you must also complete **Supplement S-3: Requirements for Wetland Alterations.** Contact the LUPC office that serves your area or download at www.maine.gov/dacf/lupc/application_forms/index.shtml.

10. DEVELOPMENT IN FLOOD PRONE AREAS (Note: Supplement may be required. See Instructions.)

Is your proposed activity located within a mapped P-FP (Flood Prone Area Protection) Subdistrict, a mapped FEMA (Federal Emergency Management Agency) flood zone, or an unmapped area prone to flooding?	FEMA Flood Zone <input type="checkbox"/> YES <input type="checkbox"/> NO P-FP Subdistrict <input type="checkbox"/> YES <input type="checkbox"/> NO Unmapped Area Prone to Flooding <input type="checkbox"/> YES <input type="checkbox"/> NO
If you are unsure whether your property is in a mapped Flood Prone Area Protection Subdistrict or a mapped FEMA flood zone, check Appendix E of the Commission's Land Use Districts and Standards (www.maine.gov/dacf/lupc/laws_rules/rule_chapters/Ch10_Appendix.pdf); check FEMA's map service center (https://msc.fema.gov/portal); or contact the LUPC office that serves your area .	
If YES , you must complete Supplement S-4: Development in Flood Prone Areas . Contact the LUPC office that serves your area or download at www.maine.gov/dacf/lupc/application_forms/index.shtml .	

11. IMPACTS ON EXISTING USES AND RESOURCES

a. What are the existing uses and resources (e.g., commercial forest, deer wintering area, farm land, seasonal residential use, year round residential use, commercial uses, public trails, etc.) of the area surrounding your proposed project site? Please be as specific as possible.

b. Describe the anticipated impact of the proposed project on existing uses and resources in the vicinity of the project. Consideration should be given particularly to impacts on existing recreational uses, visibility from residential uses, populated or developed areas, water bodies and roads used by the public. (Attach additional 8 1/2" by 11" paper if necessary)

c. Will the roadway be visible from any public roads, trails or waterbodies? If so, how will the roadways be designed to minimize its visible and protect scenic vistas?

d. How will the roadway be designed, constructed and maintained so as to protect any existing wells, sewage disposal systems, and structures in the vicinity of the project? (For example, chemicals for dust control or de-icing will not be used near wells; Road runoff and drainage will be diverted away from wells, sewage disposal systems and structures to avoid contamination and damage; the road will be set back more than 100 feet from any existing wells).

e. Will explosives be used as part of the road construction project? YES NO
 If **YES**, submit **Exhibit E, Blasting Plan** in accordance with M.R.S.A. 38 Chapter 3, Subsection 490-Z. (Note: Use of explosives to blast bedrock or boulders should also be avoided near wells, sewage disposal systems and structures). Also, be sure to address this blasting activity in responding to **Exhibit S2-H: Entrance Permit** as part of the S-2 Supplement Form.

f. Describe what type(s) and volume of traffic your proposed project is anticipated to generate and/or serve both during and upon completion of proposed construction activities?
 During Construction:

 After Construction:

g. State the anticipated weekly hours of construction and the anticipated noise levels at the nearest property line.

12. SEDIMENTATION AND EROSION CONTROL

 If responses to any part of Question 12 are provided as part of your site plans, please indicate "see site plans" as and where applicable. However, please be sure that answers are provided in either location to all parts of these questions.

- a. What is the anticipated starting date of the project? _____ and estimated completion date _____
- b. Describe any site preparation that will be required, including access for materials and equipment.
- c. Provide a detailed description of temporary and permanent sedimentation and erosion control measures you propose to protect the project site and the area surrounding your project, both during and after construction. *(Attach additional 8 1/2" by 11" paper if necessary.)*
- d. Provide a detailed description of all temporary and permanent provisions for drainage including culverts, water bars, drainage ditches, settling basins, etc., and provisions for the continued maintenance of these structures. *(Attach additional 8 1/2" by 11" paper if necessary.)*
Note: calculations, formulas and factors used to determine the sizing of drainage structures may be requested if needed.
- e. How will the roadways be designed to minimize the use of ditching, cuts and fills.
- f. What site-specific best management practices will be used to ensure that existing and proposed roadways do not create erosion or safety problems? Include a description of any measures proposed to be used if road construction will be conducted during saturated or frozen conditions.
- g. 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.
- h. Will the road or trail will be dedicated to, or maintenance otherwise assumed by, a town, plantation, county or other government entity?..... YES NO
If NO, continue to Question 12,i.; **If YES**, submit, as **EXHIBIT F**, a letter from that entity confirming that the proposed development is designed in compliance with their construction standards (if applicable) and confirming the entity's capacity to provide the necessary maintenance, then continue to Question 13.
- i. What provisions will be made for continued maintenance of any proposed roadways and/or trails?

13. ADDITIONAL INFORMATION

State any additional facts regarding this application that you feel may further explain your proposal or assist the Commission in its review of your application. *(Attach additional 8 1/2" by 11" paper if necessary.)*

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

If you have a designated agent, print his/her legal name and contact information below. Agents are persons acting on the applicant's behalf (such as realtors, attorneys, or contractors). If you have a designated agent, provide the requested information.

Agent Name	Daytime Phone	FAX <i>(if applicable)</i>	
Mailing Address		Email <i>(if applicable)</i>	
Town	State	Zip Code	

I have personally examined and am familiar with the information submitted in this application, including the accompanying exhibits and supplements, and to the best of my knowledge and belief, this application is complete with all necessary exhibits. I understand that if the application is incomplete or without any required exhibits that it will result in delays in processing my permit decision. The information in this application is a true and adequate narrative and depiction of what currently exists on and what is proposed at the property. I certify that I will give a copy of this permit and associated conditions to any contractors working on my project. I understand that I am ultimately responsible for complying with all applicable regulations and with all conditions and limitations of any permits issued to me by the LUPC. If there is an Agent listed above, I hereby authorize that individual or business to act as my legal agent in all matters relating to this permit application.

Please check **one** of the boxes below: *(see "Accessing the Project Site for Site Evaluation and Inspection" just prior to the application form)*

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

Caution: The person(s) signing below must demonstrate that they have a legal right to apply for this permit, either as the landowner, lease holder, or via a legal agreement or other written contract with the landowner (See Exhibit B).

Signature(s) _____ Date _____
 _____ Date _____

CHECKLIST OF REQUIRED FEES, EXHIBITS, AND SUPPLEMENTS

Please check off the following for the application fee, exhibits, and supplements. To determine which exhibits are required for your application, use the highlighted notes (👉) contained in certain questions and the instructions in Required Fees, Exhibits and Supplements. Please check if the exhibit is required and if it has been provided, and note that the supplements may also require additional exhibits. Please check with Commission staff if you have any questions.

Required*		Provided		Exhibit	*Required
YES	NO	YES	NO		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Application Fee.....	Required unless a waiver is granted by the LUPC Director in very specific and limited circumstances.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Exhibit A – Location Map and Directions to Site	Required.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Exhibit B – Deed, Lease or Sales Contract for landowner , any legal restrictions on the property and a Legal Agreement with Landowner(s) if applicant is not the landowner	Required, if not already on file with the Commission
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Exhibit C – Corporate Good Standing.....	Required if landowner is a Corporation.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Exhibit D-1 – Proposed Site Plan.....	Required. Show all existing structures and features.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Exhibit D-2 – Cross Section	Required.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Exhibit D-3 – Road Profile	Required.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Exhibit E – Blasting Plan	Required, if you answer YES to Question 11.d.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Exhibit F – Contract for Road or Trail Maintenance.....	Required, if you answer YES to Question 12.h.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Bridge Construction Permit Application	Required, if also constructing a water crossing over a Major Flowing Water or a within subdistrict which requires a permit for other water crossings (such as a P-RR or P-FP).
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Supplement S-2: Requirements for Non-Residential Development.....	Required. Also, depending on your answers to Questions 9 and 11, certain exhibits to the S-2 form may be required.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Supplement S-5: Agent Authorization.....	Required, if the applicant wishes to authorize an agent to act on your behalf.

REQUIRED FEES AND EXHIBITS

Because your Road Construction Permit Application cannot be considered complete until all necessary exhibits have been submitted and found to be complete, please read the description of what is required for each of the exhibits carefully. **Incomplete or inadequate applications and exhibits may be returned.** If you do not fully understand what is being asked in a question or exhibit, or you have questions, please contact the LUPC staff for assistance.

Each exhibit must be clearly identified with the applicant's name and the exhibit letter and/or identification (*i.e.*, EXHIBIT D, SITE PLANS) included on each page. **All plans must be drawn to scale and that scale clearly identified.** All exhibits must be clear and in ink. Pencil notes and drawings, very light copies of materials, and drawings and notes on onion skin paper are not acceptable and may be returned. Plans must not exceed 24" by 36" in size. If more than one sheet is required, match lines must be included on each sheet.

Any exhibits larger than 8 1/2" by 11", exclusive of Land Use Guidance Maps and deeds, must be submitted in eight copies, each folded to 8 1/2" by 11". In some instances, the LUPC staff may request that you provide additional copies of the entire application. It is also recommended that you submit electronic copies of the application on Compact Disk, which may reduce the number of required paper copies. It may save time if you discuss your application with the staff prior to formal submission. They should be able to advise how many extra copies should be included.

APPLICATION FEE (nonrefundable). Submit a check or money order payable to "Treasurer, State of Maine" for the appropriate fee:

Base Fee of \$200, PLUS:

- \$0.10 per linear foot for Level A Projects; \$1,000.00 Maximum Fee for Level A Projects
- \$0.15 per linear foot for Level B Projects; \$2,500.00 Maximum Fee for Level B Projects
- \$0.30 per linear foot for Level C Projects; \$5,000.00 Maximum Fee for Level C Projects
- \$0.15 per linear foot for Land Management Roads; \$1,000.00 Maximum Fee for Land Management Roads

After-the-fact Permit Fees are triple the standard fee.

EXHIBIT A: LOCATION MAP AND DIRECTIONS TO SITE

Submit, as EXHIBIT A, a copy of a Land Use Guidance Map, a U.S.G.S. Topographic, or equivalent map on which you have clearly marked the location of the project site. Mark the project site location with an X, then draw a circle around the X and then an arrow which points to your lot.

Land Use Guidance Maps are available for all towns, townships and plantations under the Commission's jurisdiction. If you did not receive one of these maps with your application, copies are available, upon request, from the Commission's offices. There is no charge for these maps when associated with an application.

You must also provide specific directions to the proposed development site. These directions should be typed or printed on a separate 8 1/2" by 11" sheet of paper and attached to the location map. The directions should provide enough detail so that someone from the Commission can locate the site.

EXHIBIT B: RIGHT, TITLE OR INTEREST

Submit complete, signed copies of all deeds, leases, and other covenants, restrictions or easements that demonstrate the applicant's title, right or interest in all of the land addressed in this application. Or submit a current binding option to purchase all necessary interest in the land, or a similar contractual agreement that establishes terms for future title and provides a description of the property. If you are submitting a contractual agreement, you must also submit complete, signed copies of all deeds or leases that demonstrate the current land owner's title, right or interest in all of the land addressed in this application.

 If you are leasing your property, read your lease carefully and contact the lessor before submitting this application to the LUPC. You may need to get written permission from the lessor for your proposal first.

EXHIBIT C: CORPORATE GOOD STANDING

If the applicant is a corporation, submit, as EXHIBIT C, a certification of corporate good standing from the Secretary of State, State of Maine. Certification of good standing can be requested at: <https://icrs.informe.org/nei-sos-icrs/ICRS?MainPage=x> or by contacting the Bureau's Reporting and Information Section at (207) 624-7752.

EXHIBIT D: SITE PLANS

Submit, as EXHIBIT D, **three** separate site plans showing what the site will look like when the project is completed. These drawings must each be drawn to the same scale, and must include an accurate overhead view of the entire project area, a typical road profile and a typical cross section of the proposed road or trail. The overhead view must also include the locations of any associated structures and facilities.

The **overhead view** (EXHIBIT D-1) should clearly show the proposed travel width of the road or trail, width of road shoulders, width of ditches, right of way width and center line of the road or trail.

The **cross section view** (EXHIBIT D-2) should show the road or trail travel surface, location and materials of original ground surface, depth and type of fill to be used, slopes, drainage ditches, and any other water control devices, and boundaries of the travel surface, shoulders and rights of ways.

The **road profile** (EXHIBIT D-3) should show the road or trail elevation, the elevation of the original ground surface, and the percent grade of slope of the final road from the center line of the entire length of road or trail.

All site plans should clearly identify the applicable scale and should include the applicant's name and mailing address. Do not use colors as they do not photocopy. If symbols are used in preparing your site plans, such plans must include a key to all symbols with such key located in the lower left corner of each plan.

EXHIBIT E: BLASTING PLAN

If explosive devices will be used as part of the road construction project, you must submit, as EXHIBIT E, a blasting plan that meets the requirements under 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.

EXHIBIT F: CONTRACT FOR ROAD OR TRAIL MAINTENANCE

If the road or trail will be dedicated to, or maintenance otherwise assumed by a government entity, you must submit, as EXHIBIT F, a letter from that entity confirming that the proposed development is designed in compliance with their standards (if applicable) and confirming the entity's capacity to provide the necessary maintenance.

SUPPLEMENT S-2: REQUIREMENTS FOR NON-RESIDENTIAL DEVELOPMENT.

You must submit this supplement with this LUPC permit application. A pre-application conference with LUPC is strongly encouraged for first-time or large-scale non-residential development proposals. Contact the [LUPC office that serves your area](#) to make an appointment for a pre-application meeting or to obtain a copy of this supplement.

SUPPLEMENT S-5: AGENT AUTHORIZATION.

In applying for this permit you wish to authorize an agent to act on your behalf in this permit process, please provide a completed S-5 supplement form for each agent. Contact the [LUPC office that serves your area](#) for additional information and to obtain a copy of this supplement or go to www.maine.gov/dacf/lupc/application_forms/index.shtml.