

# EXPEDITED SHORELAND ALTERATION PERMIT APPLICATION

## WHO MAY USE THIS APPLICATION?

The Land Use Planning Commission (“LUPC” or “Commission”) has qualified certain shoreland alteration activities for expedited permitting. This application form may be used for a new Expedited Shoreland Alteration Permit for the activities listed below, as limited in the ACTIVITY ATTACHMENT for that activity and the CONDITIONS OF APPROVAL. Review the ACTIVITY ATTACHMENT to be sure that the Expedited Shoreland Alteration Permit Application form may be used for your project. (Note: *Your Expedited Shoreland Alteration Permit will be designated by your regional representative as a Great Ponds permit – GP, Stream Alteration permit – SA, or Wetland Alteration Permit – WL. All of these permit types are included in the Expedited Shoreland Alteration Permit application form.*)

- Dock Reconstruction
- Shoreline Stabilization
- Rock Relocation
- Water Intake Pipe (private residential serving one or two homes) or Dry Hydrant (public)
- Time Extension of a previously issued Expedited Shoreland Alteration permit
- Other Amendment of a previously issued Expedited Shoreland Alteration permit

## PRE-APPLICATION AND POST-PERMIT SERVICES

If you would like to schedule a pre-application meeting or site visit, call the LUPC office that serves your area. 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 for submitting a proposal for 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 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.

### Please note:

**Pre-application meetings are RECOMMENDED prior to submission of a permit application.**

#### Suggested materials to bring to the pre-application meeting:

- This application form and supplements (even if not yet completed)
- Recent photos of the property and the development location
- Plan(s) with dimensions and setbacks of existing and proposed structures and activities

#### Suggested discussion points during the pre-application meeting:

- Is the intended use allowed within the subdistrict in which your project is proposed?
- Does the proposal appear to meet the general requirements?
- 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 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 may often be 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?

The Expedited Shoreland Alteration permit will be issued within 10 working days of a complete application being received and accepted by the LUPC staff. In many cases a permit decision will be made sooner, in some cases on the same day if the application is submitted at one of the LUPC offices. The 10 working day time period will not start until a complete application with all required exhibits is submitted, including a flowed lands lease where applicable. The LUPC staff will contact you if the application is not complete and let you know what is still required to make it complete.

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

The LUPC staff will contact you prior to the 10 day deadline if it is determined that your project is not approvable, or if your project requires using the standard application form.

The Expedited Shoreland Alteration permit application form may only be used for the activities listed above. If the expedited form cannot be used, your project may be approvable, but may require a standard shoreline alteration permit, a permit by special exception, or a variance.

If your project is not approvable using the standard shoreline alteration application form, Commission staff will then work with you to determine your options and recommend modifications to your project 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 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. Decisions made by the Commission on an appeal maybe further appealed to Superior Court.


## ACCESSING THE PROJECT SITE FOR SITE EVALUATION AND INSPECTION

Under 12 M.R.S., 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".

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. The first page of the application form 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.

## WHERE CAN I GET HELP TO COMPLETE THIS FORM?

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

 Avoid delays by making sure your application is complete! Contact the LUPC office that serves your area if you need help with this application.

## MAILING YOUR APPLICATION

Once you have filled out the (1) application form, (2) activity attachment, and (3) prepared all required exhibits, mail them and the required application fee to the LUPC office that serves your area. (see the LUPC website at [www.maine.gov/dacf/lupc/about/AgencyContactSheet.pdf](http://www.maine.gov/dacf/lupc/about/AgencyContactSheet.pdf))

**TO BECOME A VALID PERMIT, THIS APPLICATION FORM MUST BE SUBMITTED TO THE LUPC, REVIEWED, AND SIGNED BY AN AUTHORIZED LUPC REPRESENTATIVE.**

**NO CONSTRUCTION ACTIVITIES MAY BEGIN PRIOR TO YOUR RECEIPT OF A PERMIT.  
THE COMMISSION MAY REQUIRE ADDITIONAL INFORMATION NOT LISTED IN THIS APPLICATION.**

	<b>GP/SA/WL/WQC</b>		<b>\$</b>	
Tracking No.		Permit No.	Fee Received	

## Applicant & Agent Information - LUPC Expedited Shoreland Alteration

*Contact information and signatures will not be published*

**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. I certify that the project will be completed in accordance with the **CONDITIONS OF APPROVAL**, and the attached Standard Conditions for Shoreland Alterations, and any other applicable Commission requirements and laws. I certify that I will give a copy of this permit and the associated **CONDITIONS OF APPROVAL** to any contractors working on my project. If this is a permit amendment, then all conditions in prior permits issued for this activity will continue to apply unless specifically amended herein.

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:** \_\_\_\_\_

For office use:

GP/SA/WL/WQC   
 Tracking No. Permit No.

# Expedited Shoreland Alteration Permit Application

Permit for Alteration of a P-WL1 Subdistrict and Water Quality Certification

\$   
 Fee Received

## 1. APPLICANT INFORMATION

Applicant Name(s)

## 2. PROJECT LOCATION AND PROPERTY DETAILS

(See Instructions)

Township, Town or Plantation	County
Tax Information (check your tax bill) Map: _____ Plan: _____ Lot: _____	Deed or Lease Information (check your deed or lease) Book: _____ Page: _____ Lease #: _____
Lot size (in acres, or in square feet if less than 1 acre)	Zoning at Development Site

**Water Frontage.** List the name and frontage (in feet) for any lakes, ponds, rivers, streams, or other waters on or adjacent to your lot. Measure water frontage in a straight line between the points of intersection of side property lines and the normal high water mark of the shoreline.

Waterbody: \_\_\_\_\_ Frontage \_\_\_\_\_

**LUPC Approved Permit.** List any permit numbers you are aware of for projects on your property previously approved by the Commission. If your lot is part of an approved subdivision, provide both the subdivision permit number and your lot number. This information is usually included in your deed description. \_\_\_\_\_

**Land Division History.** Using your deed as a starting point, trace the ownership history and configuration changes of your property back 20 years from today. List any division of those lots from which your property originated (use an additional sheet of paper or page 3 of the application, if needed).

Grantor and grantee (example - Amy Adams to Rob Roberts)	Date of sale or lease 1/12/97	Lot size 10 acres

If your property is part of subdivision approved by the Commission, continue to Question 3. If your property is not part of an approved subdivision, please complete the Land Division History. (Check deed or contact the LUPC office that serves your area.)

## 3. PROPOSED ACTIVITY

(check all that apply)

- Dock Reconstruction                       Shoreline Stabilization                       Rock Relocation  
 Water Intake Pipe (private residential) or Dry Hydrant (public) **(NOTE: An application for a dry hydrant may only be made by a public entity or representative, for example a town or fire department.)**

If this application is for a Dock Reconstruction, Shoreline Stabilization, Rock Relocation and/o Water Intake Pipe or Dry Hydrant you must complete and attach the appropriate Activity Attachment form.

- Time extension of previously issued Expedited Shoreland Alteration permit (write permit number) \_\_\_\_\_  
 Other amendment of previously issued Expedited Shoreland Alteration permit (write permit number) \_\_\_\_\_

If this is a permit amendment or a time extension of a previously issued Expedited Shoreland Alteration permit, contact the LUPC office that serves your area to determine which parts of this application form you must complete.

**4. DEVELOPMENT IN FLOOD PRONE AREAS**

(Note: There are questions in the Conditions of Approval activity attachment relevant to work in a FEMA zone, P-FP zone, or an area prone to flooding.)

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?	P-FP Subdistrict.....	<input type="checkbox"/> YES	<input type="checkbox"/> NO
	FEMA Flood Zone.....	<input type="checkbox"/> YES	<input type="checkbox"/> NO
	Unmapped Area Prone to Flooding .....	<input type="checkbox"/> YES	<input type="checkbox"/> NO

**IMPORTANT**

- This application, once signed by Commission staff and then returned to you, is your permit and authorization to proceed with your project as you have described it and have shown on the Site Plan.
- Your project must be done in compliance with all of the CONDITIONS OF APPROVAL, as you have described in this application and the Activity Attachment.
- The Permit Certificate that will be included with the signed permit must be displayed at the construction site.
- In order to comply with the Conditions of this LUPC Permit and be eligible for authorization under the Corps of Engineers Maine General Permit for work being done in a water of the United States under Federal Jurisdiction, LUPC permittees must submit to the Corps the **U.S. Army Corps of Engineers, Category 1 Notification Form** that will be attached to the signed LUPC permit. (See COMPLIANCE, on the last page of the Instructions)

**5. APPLICATION FEE**

Check one of the following:

- I have enclosed a check or money order for my application fee;
- I would like to pay my application fee online, please contact me with the necessary information.

**LUPC AUTHORIZATION (for office use)**

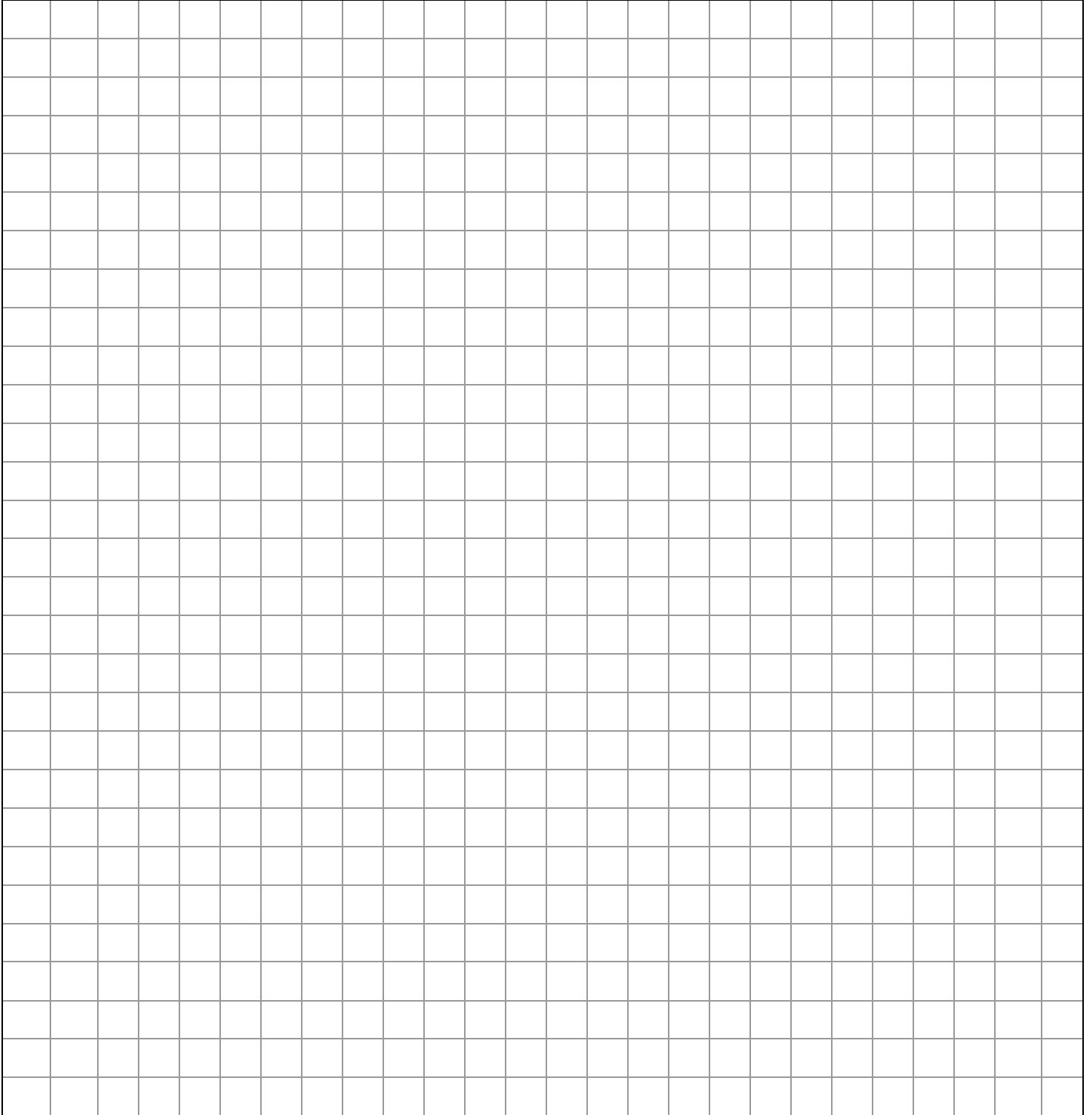
Based on the information you have submitted in the attached application and supporting documents, the staff of the Land Use Planning Commission concludes that, if carried out in compliance with the CONDITIONS OF APPROVAL and Standard Conditions (attached), the project you propose will not affect the water quality classification of the affected waterbody and meets the provisions of the General Land Use Standards for Wetland Alterations, Section 10.25,P of the Commission's *Land Use Districts and Standards*. Further, the project you propose meets the Criteria for Approval, 12 M.R.S. §685-B(4) of the Commission's statutes. Any variation from the project as described in this application and the CONDITIONS OF APPROVAL is subject to the LUPC staff review and approval prior to construction. Any variation undertaken without approval by Commission staff constitutes a violation of Land Use Planning Commission law. In addition, any person aggrieved by this decision of the staff may, within 30 days, request that the Commission review the decision.

\_\_\_\_\_ **LUPC Authorized Signature**

\_\_\_\_\_ **Effective Date**



# EXHIBIT D: SITE PLAN



Notes/Legend:

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# INSTRUCTIONS


## SECTION 2 OF THE APPLICATION FORM - PROJECT LOCATION AND PROPERTY DETAILS

- **Deed or Lease Information:** If you have a lease, check your lease or ask your lessor whether a unique lease lot number has been assigned to your property. Contact your lease company for information on the lease history of your lot.

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 you some helpful information.

- **Zoning:** Locate your property on a copy of a Commission Land Use Guidance Map and identify all the zones (subdistricts) where your project will be located, and all zones covering your lot. The zones for your property can also be found at the LUPC website by viewing the LUPC Zoning Maps [www.maine.gov/dacf/lupc/plans\\_maps\\_data/zoning\\_maps/index.shtml](http://www.maine.gov/dacf/lupc/plans_maps_data/zoning_maps/index.shtml) or the LUPC Zoning & Parcel Viewer [http://mapserver.maine.gov/conservation/lupc\\_master.php](http://mapserver.maine.gov/conservation/lupc_master.php).

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](http://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](#).

 *P-FP FLOOD PRONE AREA PROTECTION SUBDISTRICTS are also referred to elsewhere in this application as "FEMA zones", "P-FP zones", "flood prone areas", or "special flood hazard areas".*


## SECTION 3 OF THE APPLICATION FORM - PROPOSED ACTIVITY

If your project is a time extension of, or other amendment to, a previously issued Expedited Shoreland Alteration Permit, you must complete this form and the required exhibits and Activity Attachment. Your project will be subject to the standards in effect at the time of your request for the time extension or permit amendment. Contact your regional representative for additional guidance, if needed.

## SECTION 4 OF THE APPLICATION FORM - DEVELOPMENT IN FEMA OR P-FP ZONES

If your project is a Dock Reconstruction, Shoreline Stabilization, or Water Intake Pipe or Dry Hydrant in a FEMA or P-FP zone, then the National Flood Insurance Program requires that you complete certain questions in the Conditions of Approval and Activity Attachment marked with "P-FP". There are no questions in the Conditions of Approval activity attachment for Rock Relocation required for projects where there is FEMA or P-FP zone. If your project is located within a FEMA or P-FP zone, then it is required that you submit a copy of your completed Corps Category One Notification Form, or other Corps permit if applicable, to the LUPC. **(See COMPLIANCE, US Army Corps of Engineers, on last page of the Application Form)**

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](http://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](#).

 *P-FP FLOOD PRONE AREA PROTECTION SUBDISTRICTS are also referred to elsewhere in this application as "FEMA zones", "P-FP zones", "flood prone areas", or "special flood hazard areas".*




## REQUIRED FEES, EXHIBITS, AND COMPLIANCE

**APPLICATION FEE (nonrefundable)** The application fee for an Expedited Shoreline Alteration Permit is \$100, plus \$0.20 per square foot of alteration to the area below the normal high water mark (See the *Activity Attachment, Project Details, question 1* for the size of the alteration area to be used for this calculation). Effective 1/1/2022 the LUPC is accepting digital payments. The following third-party surcharges apply to digital payment transactions: \$0.25 for debit payments and 3% of the transaction amount for credit card payments; these additional fees can be avoided if the application fee is paid by check or money order. If you intend to pay the application fee online, please indicate that point on your application (see item #5). Our staff will provide you with the applicable permit fee, a tracking number, and a link to the online payment option

**EXHIBIT A: LOCATION MAP** Submit a copy of the LUPC Land Use Guidance Map or another equivalent map (such as a U.S.G.S. topographic map or a tax parcel map) on which you have clearly marked the boundaries of your property. Label the map as Exhibit A in the upper right hand corner.


### EXHIBIT B: TITLE, RIGHT OR INTEREST

- **Deed, Lease or Sales Contract.** Unless already on file with the LUPC, submit complete, signed copies of all deeds or leases that demonstrate the applicant's title, right or interest in all of the land addressed in this application. 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 are also acceptable. 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 submitting a lease that requires the lessor's approval, also submit written approval signed by the lessor.

 *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 for your proposal from the lessor first.*

- **Submerged Land.** Many activities below the natural low water line on lakes or ponds must be approved by the Maine Bureau of Parks and Lands (BPL). Contact BPL (207) 287-3061 to determine if your activity requires a submerged lands approval. [www.maine.gov/dacf/parks/about/submerged\\_land.shtml](http://www.maine.gov/dacf/parks/about/submerged_land.shtml). If so, include the BPL approval with this application. If not, indicate by "n/a".

- **Flowed Land.** Activities conducted on flowed land must be approved by the owner of the flowed land, if the owner can be identified. If applicable, include a letter of permission from the owner with this application. If not applicable, indicated by "n/a".

 *Flowed land is the area between the normal high water mark and the natural low water line for lakes where the water level is controlled by a dam. For general information on flowed land, contact BPL or your LUPC regional representative*

- Label your deed, lease, or other demonstration of title, right, or interest as **Exhibit B** in the upper right hand corner of the first page of each document.

**EXHIBIT C: SITE PHOTOGRAPHS** Attach photographs taken within the past two years that show the project location and shoreline features on your property as they currently exist. For a dock reconstruction, the photos must be taken within the two years prior to submittal of this application showing that the dock has been in usable condition within the past two years. For shoreline stabilization, the photos must show evidence of erosion. If needed, include an explanation on page 3 of the application, which is provided for this purpose. Mount the photos on 8½ x 11 inch paper and include an explanatory caption and date for each photo. Label each page of photos as Exhibit C in the upper right hand corner. Please note, your photos cannot be returned. (*Also see the **COMPLIANCE, Self-certification** section on the last page of this form.*)

**EXHIBIT D: SITE PLAN** Prepare a bird's-eye view site plan that shows your entire property with the location of the proposed activity as it will look after you have completed your project, both below and above the normal high water mark of the affected water body. Also include a cross-sectional view. Draw the plan to scale on an 8½ x 11 inch sheet of paper or on the grid page provided with this application. Do not use colors as they do not photocopy. Include the following:

- The dimensions of all existing and proposed structures
- Proposed erosion and sedimentation control measures
- Areas to be cleared or disturbed
- The distance to the nearest property line
- The normal high water and the low water marks
- Other natural features (such as wooded areas, open fields, or wetlands)
- If the activity is a dock reconstruction and the dock will be relocated to meet the property line setback, also indicate this on the Site Plan
- Identify the proposed structure by shading it in

Although helpful, it is not necessary to have the Site Plan professionally prepared.

## COMPLIANCE

**U.S. ARMY CORPS OF ENGINEERS (CORPS) PERMIT** Because your project will involve work in a waterbody, a federal Category 1 Notification to the Corps is required (or permit, as described in the next paragraph). This notification to the Corps, or other Corps permit, is required for your LUPC permit to be valid. The required Category 1 Notification Form that you must complete and submit to the Corps will be attached to your LUPC permit when it is signed and returned to you.

To determine if your project qualifies for the Corps' Category 1 Notification Form, go to this link to check the maps and see if your project is within the area referred to as Atlantic Salmon Distinct Population Segment (DPS) without or without critical habitat: [www.nero.noaa.gov/prot\\_res/altsalmon/dpsmaps.html](http://www.nero.noaa.gov/prot_res/altsalmon/dpsmaps.html) If your project is in only the DPS but not also in critical habitat, then you can use the Category 1 Notification form if you would do the work between JULY 15 and OCTOBER 1. If the project is in the DPS with critical habitat, you can only use the Category 1 form if your project is located on an intermittent stream. If the stream is perennial, then you cannot use this form and will need to contact the Corps for a permit.

You are advised to contact the Corps directly if you have questions regarding their permitting requirements. The Category 1 form may also be found by going to: [www.nae.usace.army.mil/reg](http://www.nae.usace.army.mil/reg) The Corps' Maine regional office is located at 675 Western Ave., Suite #3, Manchester, Maine 04351; Tel. (207) 623-8367.

**!** If your project will be located in a FEMA or P-FP zone, then a copy of the completed Category 1 Notification must be submitted to the LUPC before any work begins. If your project does not qualify for the Category 1 Notification, then a copy of the Corps permit once granted must be submitted to the LUPC before any work begins. (Contact the LUPC regional representative if you have questions about this submittal requirement).

**LUPC SELF-CERTIFICATION FORM AND PHOTOS** Within 20 days of project completion, submit the attached completed self-certification form and along with photos of the completed project to the LUPC. Write the LUPC permit number on each photo, and mount the photos on 8½ x 11 paper. The permit number can be found in the upper right hand corner of page 1 of the approved permit.

## APPLICATION SUBMITTAL AND COMPLIANCE CHECKLIST

### APPLICATION

- Expedited Shoreland Alteration Permit Application – *Remember to sign the form*
- Required Exhibits A through D (Location Map; Title, Right or Interest; Site Photographs; and Site Plan)
- Conditions of Approval Activity Attachment (Submit as applicable - Dock Reconstruction, Shoreline Stabilization, Intake Pipe/Dry Hydrant, or Rock Relocation)
- Application Fee

### COMPLIANCE REQUIREMENTS

- If your project is located in a FEMA or P-FP zone, then submit to the LUPC a copy of your completed Corps' Category 1 notification form, or signed Corps permit if applicable. Do not start your project until this is completed.
- Within 20 days of completing your project, submit to the LUPC the attached self-certification form and photos of the project.