

# PERMIT TRANSFER FORM


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## WHO MAY USE THIS FORM?

This form shall be used for the transfer of a permit for non-residential development and subdivisions in the plantations, unorganized townships and certain towns which remain under the Maine Land Use Planning Commission (“LUPC” or “Commission”) jurisdiction.

## WHERE TO GET HELP COMPLETING THIS FORM

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 web site at [www.maine.gov/dacf/lupc](http://www.maine.gov/dacf/lupc) to browse through our rules and regulations, other applications, publications, Commission meeting agendas, and other valuable information.

 *Your application may be returned if it is incomplete! Contact [the LUPC office that serves your area](#) if you need any help with this form.*

## MAILING YOUR APPLICATION

Fill out the application form. Mail the entire application form and the required attachments (including the appropriate exhibits – see instructions of page ii) 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))

**THIS FORM IS NOT A VALID PERMIT.  
NO CONSTRUCTION ACTIVITIES MAY BEGIN PRIOR TO YOUR RECEIPT OF THE TRANSFERRED PERMIT.  
THE LUPC MAY REQUIRE ADDITIONAL INFORMATION NOT ENCOMPASSED IN THIS APPLICATION.**

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For office use:

|              |            |
|--------------|------------|
|              |            |
| Tracking No. | Permit No. |

# Application to Transfer a LUPC Permit

*For the transfer of ownership and operations of certain projects*

## 1. APPLICANT INFORMATION

|                    |               |                                     |          |
|--------------------|---------------|-------------------------------------|----------|
| Applicant Name(s)* | Daytime Phone | FAX or Email <i>(if applicable)</i> |          |
| Mailing Address    | Town          | State                               | Zip Code |

## 2. AGENT AUTHORIZATION

|  |  |                                     |          |
|--|--|-------------------------------------|----------|
| <p>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.</p> | <p> All applicants utilizing an agent must sign and date the signature box below. Agents may not sign for the applicant!</p> |                                     |          |
| Agent Name   | Daytime Phone  | FAX or Email <i>(if applicable)</i> |          |
| Mailing Address  | Town   | State                               | Zip Code |

## 3. APPLICANT SIGNATURES

All persons listed on the deed, lease or sales contract as owners or lessees of the property must read the statement and sign below.

I have personally examined and am familiar with the information submitted in this application, including the accompanying exhibits, and to the best of my knowledge and belief, this application is true and accurate. I understand that if the application is incomplete or without any required exhibits that it will result in delays in processing my permit decision. I certify that I will give a copy of all applicable LUPC permits and associated conditions to any contractors working on my project. 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.

By signing this application, I certify that I am familiar with the Commission's project file and will comply with the permit being transferred, including all existing amendments and all attached conditions unless prior approval of a permit change or amendment is received.

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

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(s).

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 transfer (see Exhibit B).**

Signature(s) \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_ Date \_\_\_\_\_

## REQUIRED EXHIBITS

Because no application can 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, please contact the Land Use Planning Commission staff for assistance.

Each exhibit must be clearly identified with the applicant's name and the exhibit letter and/or identification (*i.e.*, Exhibit A, SITE INFORMATION). All exhibits must be clear and in ink. Pencil notes and drawings, very light copies of materials, and drawings and notes on onionskin 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.


### EXHIBIT A: SITE INFORMATION

To ensure that the Commission understands the request for transfer, submit, as EXHIBIT A, information that clearly identifies the project, location, and extent of transfer. Generally, this information should include the following:

- The name of the existing project or plan;
- The project location (town, township, or plantation);
- Identify each applicable tax map and lot; and
- Where only a portion of the lot, development, or operation is being transferred, provide a detailed explanation, map, and any other information that clearly explains the transfer.

### EXHIBIT B: TITLE, RIGHT OR INTEREST

Submit complete, signed copies of all deeds, leases, or other documents that demonstrate the applicant's title, right or interest in all of the land addressed in this application. Be sure to include documentation that addresses upland areas as well as any submerged or flowed land as appropriate. 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, also is acceptable. If you are submitting a contractual agreement, you also must 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.*

### EXHIBIT C: CORPORATE GOOD STANDING

If the owner of the proposed development 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: FINANCIAL CAPACITY

To demonstrate that you have adequate financial resources to complete any remaining authorized development and operate the project implement the proposed development, submit the following:

Exhibit D1: a breakdown of costs for any unfinished construction and for project operation. This must include costs resulting from construction, operations, maintenance, and compliance requirements.

Exhibit D2: at least one of the following:

- Submit a letter from a financial institution, government agency or other funding source indicating a commitment to provide a specified amount of funds and the uses for which those funds may be utilized. In cases where there can be no commitment of money until approvals have been received, submit a letter of Intent to Fund from the funding institution indicating the amount of funds and their specified uses;
- Submit the most recent corporate annual report indicating availability of sufficient funds to finance the development and operation of the project, along with explanatory materials to interpret the report; or
- If you will personally finance the development and operation of the project, copies of bank statements or other similar evidence indicating availability of funds necessary to complete the development, including all proposed improvements, structures and facilities.

#### **EXHIBIT E: TECHNICAL EXPERIENCE AND ABILITIES**

To demonstrate that you and/or your contractors have adequate technical experience and abilities to assume the responsibilities of the proposed transfer, carryout all approved development, and implement all compliance requirements, submit information that demonstrates such technical capacity including but not be limited to: a statement of the applicant's and/or the contractor's prior experience and appropriate training relating to the nature of the proposed development and a description of professional qualifications of personnel who will be employed to design, install and oversee the proposed development, including stabilization and erosion control measures.

#### **EXHIBIT F: CURRENT PERMITTEE SIGNATURE**

To demonstrate that the existing permittee is aware of, and agrees to, the proposed transfer, please submit a completed and signed copy of the attached Current Permittee Notice and Signature form.

#### **EXHIBIT G: NOTICE OF FILING**

Within the same week that this form is filed with the Commission, you must provide by mail a completed copy of the attached Notice of Filing Form to the following persons: (1) all persons owning or leasing property abutting or within 1,000 feet of the property involved in the proposal (as shown on the records of the Maine Revenue Service, or plantation or town tax assessors); (2) plantation assessors or town selectboard; and (3) county commissioners. The written notice must either be provided using the attached form or contain the information, exactly as stated on the attached form. **Note:** if the number of persons owning or leasing land within 1,000 feet of the affected land is more than 50, notice may instead be by publication in a newspaper(s) of general circulation in the area affected by the application as determined by the LUPC staff. In the event of a newspaper notice, the LUPC staff can assist with the notice content to minimize the size and therefore the cost.

Submit to the Commission a copy of the written notice that was sent, a complete listing of all persons to whom notice was provided (including names and mailing addresses), and the date such notice was provided.

**IMPORTANT:** Additional notice requirements will apply where the LUPC Director deems the application to be of general public interest due to the nature, location, or size of the project (Chapter 4, Section 4.05,(4)(c)). Contact the [LUPC office that serves your area](#) to determine whether these additional requirements apply to your application.

**Note:** Names and addresses of abutting property owners are available from town and plantation public officials or, in unorganized townships, from the Maine Revenue Service at (207) 624-5611 or at [www.maine.gov/revenue/](http://www.maine.gov/revenue/).

### CURRENT PERMITTEE NOTICE AND SIGNATURE

As part of the application for the transfer of a LUPC permit, the applicant must provide a completed and signed copy of this form.

#### A. APPLICANT INFORMATION

|                    |
|--------------------|
| Applicant Name(s): |
|--------------------|

#### B. PROJECT INFORMATION

|                              |                            |
|------------------------------|----------------------------|
| Project Location (Township): | Project Location (County): |
| Project Name:                |                            |
| LUPC Permit Numbers:         |                            |

#### C. CURRENT PERMITTEE INFORMATION

|                   |               |                              |          |
|-------------------|---------------|------------------------------|----------|
| Permittee Name(s) | Daytime Phone | FAX or Email (if applicable) |          |
| Mailing Address   | Town          | State                        | Zip Code |

#### D. CURRENT PERMITTEE SIGNATURES

I understand that the person or entity listed above is applying to transfer the LUPC permits listed above. I understand that, if the transfer is approved by the LUPC, that the permitting and compliance responsibilities for each of those permits will be transferred to the new applicant.

In accordance with my responsibilities for these permits, I have provided a copy of each permit approval, including the conditions of approval, to the applicant as part of the transfer of the property.

By signing below I certify that I agree to the transfer of the specified permit(s) to the new applicant listed above.

Signature(s) \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_ Date \_\_\_\_\_

