

UTILITY LINE PERMIT APPLICATION

WHO MAY USE THIS APPLICATION FORM?

See next page.

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 website 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 page i of the instructions for details) to the LUPC office serving your area. (see the LUPC website at 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 A PERMIT.
THE LUPC 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 utility line 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.

INSTRUCTIONS FOR YOUR UTILITY PERMIT APPLICATION

WHO NEEDS A UTILITY PERMIT?

Anyone who proposes the installation of any utility facilities, including structures normally associated with public utilities, including without limitation: radar, radio, television or other communication facilities; electric power transmission or distribution lines, poles, towers and related equipment; telephone cables or lines, poles, towers, switching stations and related equipment; municipal sewage lines; gas, oil, water, slurry or other similar pipe lines or above ground storage tanks, in plantations, unorganized townships and certain towns which remain under the Maine Land Use Planning Commission jurisdiction must obtain an approved Utility Permit prior to such installation.

Service drops do not require a Maine Land Use Planning Commission Permit approval. A service drop is defined as: Any utility service line extension from the main line, used for individual electric or telephone service, which does not cross over or run beneath any portion of a body of standing water provided that:

In the case of electric service:

The placement of wires and/or the installation of utility poles is located entirely upon the premises of the customer requesting service or upon a roadway right-of-way, **and**

The total length of the extension within any five (5) year period is less than 2,000 feet.

In the case of telephone service:

The extension, regardless of length, will be made by the installation of telephone wires to existing utility poles, **or**

The total length of the extension within any five (5) year period, requiring the installation of new utility poles or placed underground, is less than 2,000 feet in length.

Utility companies are not authorized to provide service to a private residence unless the occupants can provide the company with a valid Maine Land Use Planning Commission approved Building Permit or Letter of Exemption.

Utility companies may provide service to nonresidential structures and uses only after the owner provides a copy of the appropriate valid Maine Land Use Planning Commission approved permit.

Satellite dishes are considered to be utility facilities. All commercial satellite dishes require prior Utility Permit approval. Satellite dishes installed on individual, privately owned or leased lots to serve private residential dwellings also require prior Maine Land Use Planning Commission permit approval, but can be reviewed as part of a Building Permit Application or subsequent amendment as an accessory structure to the private dwelling.

Larger scale projects including, but not limited to, wind generation, hydroelectric, biomass and similar facilities are not utility facilities for purposes of this application form. A Maine Land Use Planning Commission Development Permit is required prior to commencement of such projects. In some instances, a Petition for Rezoning may also be required before a permit application can be considered. For such larger scale projects, you should discuss with the LUPC staff early in the planning process to determine whether a zoning change will be necessary, and what application forms will be required.

For office use:

Tracking No.

ULP

Permit No.

Fee Received

Application for Utility Line Permit

Under Land Use Planning Commission Law
(12 M.R.S.A., SECTION 681 et seq)

ANSWER ALL QUESTIONS AND ATTACH ALL EXHIBITS. PLEASE TYPE OR PRINT CLEARLY

1. Name of Applicant: _____

Mailing Address: _____

Daytime Telephone Number: _____

Contact Person (if applicable): _____

2. If you have an agent, acting on your behalf regarding this application, please complete the following authorization:

"I hereby authorize: _____

Mailing Address: _____

Telephone Number: _____

To act as my legal agent in all matters relating to this Application. I understand that I am ultimately responsible for compliance with all conditions and limitation of any permit issued to me by the Maine Land Use Planning Commission."

Applicant(s) Signature: _____

Date: _____

3. Applicant's status is:

A. _____ Individual or Sole Owner (d/b/a): _____

B. _____ Partnership or Joint Ownership (Provide names of partners / joint owners):

C. _____ State, Federal or Government Agency

D. _____ Corporation (**ATTACH, as EXHIBIT E**, Certificate of Corporate Good Standing)

D. _____ Other Entity (Explain): _____

ATTACH, as EXHIBIT B, a copy of your right, title or interest in all of the land associated with your Utility Permit Application.

4. Where is the location of the proposed activity?

Name of Township or Plantation: _____

Name of County: _____

Name of Road: _____

Name of Waterbody: _____

ATTACH, as EXHIBIT A, a Maine Land Use Planning Commission Land Use Guidance Map, a U.S.G.S. Topographic or equivalent map on which you have clearly marked the location of your proposed activity.

5. What type(s) of utility installation are you proposing?
 _____ Telephone _____ Electric _____ Distribution _____ Transmission _____ Voltage
 _____ Other, including structures – Explain: _____

6. Who will own and maintain the utility structures and/or installation? _____

7. Who will construct the utility structures and/or installation? _____

8. If the project will include a utility line (including pipelines), what is the total length of the proposed line? _____ feet / miles

9. How will the proposed line be installed (check each method that applies):
 _____ Overhead _____ Overwater _____ Underground _____ Underwater
 If the installation will require more than one method, provide number of feet or miles for each method:
 _____ Feet / Miles Overhead _____ Feet / Miles Overwater
 _____ Feet / Miles Underground _____ Feet / Miles Underwater

10. What types of structures or land uses will the utility structures and/or installation serve?

11. Provide names of known customers to be served by the proposed utility structures and/or installation and Maine Land Use Planning Commission Permit or Letter of Exemption numbers if available. Attach additional 8 1/2" by 11" paper if necessary.

Customer Name	Permit or Exemption Number
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

ATTACH, as EXHIBIT D, three or more site plans, drawn to scale, which show what the entire utility installation will look like when completed. A full description of this exhibit is provided below.

12. Will the proposed utility line be installed _____ within or _____ outside of existing road rights-of-way?
 If within an existing road right-of-way, briefly describe:
 The type of road: _____
 Average travel width of road: _____
 Average distance, in feet, of utility from center line: _____
 Average distance, in feet, of utility from edge of traveled way: _____

13A. If the installation will include **OVERHEAD** lines, please provide the following information:

Average height of poles: _____ Feet Average spacing of poles: _____ Feet

Number of poles: Existing: _____ New: _____

Average height of poles: Existing: _____ Feet New: _____ Feet

B. If the installation will include **UNDERGROUND** lines, please provide the following information:

Average depth of burial: _____ Feet

Dimensions of trench: Width: _____ Feet Depth: _____ Feet

C. If the installation will include **OVERWATER** lines, please include the following information:

Clearance of lines above high waters: _____ Feet

How far will poles be installed from the normal high water line?: _____ Feet

Will any poles be installed below normal high water? _____ Yes _____ No

If **YES**, explain: _____

Is the waterbody navigable at the location of the installation? _____ Yes _____ No

If **YES**, explain safety measures to be taken: (Attach additional 8 ½" by 11" paper if necessary)

Utility facilities, including distribution and transmission lines, placed over lakes, ponds, tidal waters, zoned wetlands and P-SL1 rivers and streams require review by the Commission as Special Exceptions.

If you are proposing such overhead installations, you must also provide, the following information on a separate sheet of 8 ½" by 11" paper attached to this application:

1. Substantial evidence to show that there is no alternative site which is suitable for the proposed installation and reasonably available for that use; and

2. A detailed description of how the proposed installation will be buffered from other use and resources with which it is incompatible.

D. If the installation will include **UNDERWATER** lines, please provide the following information:

Will the line be buried for any of its length? _____ Yes _____ No

If **YES**, what is the proposed length of burial on each shore? _____ Feet

Dimensions of trench: Width: _____ Feet Depth: _____ Feet

If you are proposing the installation of utility lines under any waterbody or wetland, you must also complete a Shoreland Alteration Permit Application for the shoreland and underwater portion of your proposed installation. Contact the Commission for the appropriate application form and, when complete, submit both application forms. The Commission will review both as one Utility Permit Application. You need submit only one application fee.

14. What machinery will be used for the proposed utility installation and how will it be used?

15. Describe any site preparation that will be required, including access for materials and equipment:

16. Will blasting be necessary to complete the installation? _____ Yes _____ No

If YES, explain in detail, including all safety precautions: _____

17. Provide a detailed description of sedimentation and erosion control measures you propose to protect the project site and the area surrounding your project, both during and after installation. Plans should include specifications for any riprapping, sodding, seeding or other measures to be taken. (Attach additional 8 1/2" by 11" paper if necessary)_____

18. Will the proposed utility facility require the installation of any fill? _____ Yes _____ No

If YES, explain, including type of fill, anticipated amounts of fill (in cubic yards) and a description of how such fill would be used:

If your project includes underground installations, construction or installation of structures, and/or filling, grading or dredging, you will need to submit *Exhibit S2-C: Soil Suitability and Mapping* as part of completing the S-2 Supplement for Non-Residential Development.

19. Describe all proposed tree cutting, trimming or clearing of vegetative cover:

20. Describe the anticipated impact of the proposal on the scenic quality of the area. Consideration should be given particularly to visibility from roads used by the public, visibility from populated/developed areas and visibility from waterbodies:

21. Will the proposed utility installation include any structures (buildings, towers, switching stations, satellite dishes, etc)?
_____ Yes _____ No

If **YES**, what kind of structures do you propose? _____

22. Dimensions of all structures?

Structure: _____ Structure: _____
Length: _____ Length: _____
Width: _____ Width: _____
Height: _____ Height: _____

23. If you propose the construction and/or installation of structures, what is the size of the lot on which the structure(s) would be constructed or installed? (If less than two acres, provide size in square feet. If more than one separate lot, identify and provide the size of each individual lot.)

_____ Acres/square feet _____ Acres/square feet

Does the lot have frontage on any waterbody and/or wetland? _____ Yes _____ No

If **YES**, how many feet of shore frontage does the lot have? _____ Feet

What is the name of the waterbody or wetland? _____

Does the lot have any frontage on any access road? _____ Yes _____ No

If **YES**, how many feet of road frontage does the lot have? _____ Feet

What is the name of the access road? _____

24. Type of foundation(s)? _____

25. Distance each structure would be setback from access road? _____ Feet _____ Feet

26. Distance each structure would be setback from waterbodies? _____ Feet _____ Feet

27. Will the proposed utility facility require the construction of any access roads and/or rights-of-way?

_____ Yes _____ No _____ Road _____ Right-of-way

If **YES**, what is the length of the road or right-of-way? _____ Feet

What is the average width of the road or right-of-way? _____ Feet

If a road, what materials will be used for the travel surface? _____

If you are proposing to construct access roads, it may also be necessary that you complete a Maine Land Use Planning Commission Road Construction Permit Application. Contact the Commission for the appropriate application form and, when complete, submit both application forms. The Commission will review both as one Utility Permit Application. You need submit only one application fee.

28. What is the anticipated starting date of the project? _____ Completion date? _____

29. What is the estimated total cost of the proposed installation? \$ _____
30. State any additional facts regarding this application that you feel may further explain your proposal or assist the Commission in its view of your application. (If you need additional space, attach separate 8 ½" by 11" paper.)

TO MAKE SURE THAT YOUR APPLICATION IS COMPLETE, GO BACK THROUGH THE APPLICATION TO ASSURE THAT YOU HAVE ANSWERED ALL QUESTIONS AND HAVE ATTACHED ALL OF THE REQUIRED EXHIBITS AND THE APPLICATION FEE.

Note: The Maine Land Use Planning Commission may require, in certain cases, additional information not encompassed by this application.

I hereby declare that I have examined this application, including the accompanying exhibits, and to the best of my knowledge and belief, it is true, accurate and complete. I understand and acknowledge that I am responsible for compliance with all conditions and limitations of any permits issued to me by the Maine Land Use Planning Commission.

Applicant(s) Signature: _____

Date: _____

If you have any questions, please call (207) 287-2631.

REQUIRED FEES AND EXHIBITS

Because your Utility 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, please contact the Maine 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 D, OVERHEAD SITE PLAN) 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 inches by 36 inches 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 LUPC Land Use Guidance Maps and deeds, must be submitted in (12) twelve copies, each folded to 8 1/2" by 11". In some instances, the Land Use Planning Commission staff may request that you provide additional copies of the entire application. It may save time if you discuss your application with the staff prior to final 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:

- For Linear Utility Lines: Base Fee of \$500, PLUS: \$0.10 per linear foot of utility line; \$5,000 Maximum Fee.
- For Utility Towers or Structures: Base Fee of \$500, PLUS \$0.40 per square foot (footprint) structures.
- 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 Land Use Planning Commission jurisdiction. If you did not receive one of these maps with your application, copies are available, upon request, from the commission's office. 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: TITLE, RIGHT OR INTEREST

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.

- **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_lands.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.

EXHIBIT C: PHOTOGRAPHS OF THE PROJECT SITE

Submit, as EXHIBIT C, a series of recent photographs, which show the project site as it presently exists. Such photographs must have been taken within the past two years.

Photographs should be mounted on 8 1/2" by 11" paper, and each page clearly identified with the applicant's name and address. Each photograph should have a caption, which includes the date taken and be clearly identified (*i.e.*, north shoreline taken from the center of stream, upstream of proposed water crossing.) All photographs are considered part of the application and, as such, cannot be returned.

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 overhead, profile and cross section views of the proposed utility line.

The **overhead view** (EXHIBIT D-1) should clearly show the proposed width of the utility line, width of the right-of-way, and the location of existing and proposed roads, poles, towers, structures, and buildings.

The **cross section view** (EXHIBIT D-2) should show the utility line, location and existing ground surface, and the depth and type of fill to be used, slopes, drainage ditches, and any other water control devices, boundaries of the rights of ways, and activities and elements within any submerged locations.

The **profile view** (EXHIBIT D-3) should show the utility line elevation, the elevation of the original ground surface, the proposed final ground surface. If the proposal includes activities involving submerged lands, the profile view must also indicate the normal high water mark, normal low water mark, and the existing and proposed submerged ground surface.

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.

Site plans should be supplemented with any applicable engineering specifications, including but not limited to specifications for towers.

EXHIBIT E: CORPORATE GOOD STANDING

If the owner of the proposed development is a corporation, submit, as EXHIBIT E, 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 F: BLASTING PLAN

If explosive devices will be used as part of the proposed project, you must submit, as EXHIBIT J, 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.

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.