

DEPARTMENT OF AGRICULTURE, CONSERVATION AND FORESTRY
MAINE LAND USE PLANNING COMMISSION

PROPOSED MISCELLANEOUS RULE REVISIONS

7/6/2016 – Draft

The following revisions propose amendments to Chapter 10, Land Use Subdistricts and Standards for areas within the Jurisdiction of the Maine Land Use Planning Commission. This document only includes relevant sections of Chapter 10, indicates additions in underline, and deletions as ~~strikethroughs~~. Most revisions are self-evident. Where necessary, further explanations of some changes have been included in footnotes.

PREFACE

...The ~~LURC~~ LUPC Statute is entitled...

10.01 PURPOSE

The purpose of the Land Use Districts and Standards shall be to further the purposes of the ~~Land~~ Use Regulation Law as stated in 12 M.R.S.A. §681...

- G. Regulate, as necessary, motor vehicles as defined in ~~T~~title 29-A, section 101, subsection 42, on icebound inland lakes that are completely encompassed by unorganized territories during the hours from sunset to sunrise of the following day.

10.02 DEFINITIONS

90. Historic Structure:

Any structure that is:

- a. listed individually in the National Register of Historic Places (a listing maintained by the ~~U.S.~~ Department of Interior)...

102. Level C Mineral Exploration Activities:

Metallic mineral exploration activities involving the disturbance of a site, by excavation, of more than ~~two (2)~~ acres of surface area or the excavation or removal of more than ~~ten thousand (10,000)~~ cubic yards of soil, overburden, ore or other earthen materials from the site of exploration.

107. Lot Coverage:

The total footprint area of all structures, which includes, but is not limited to, buildings, driveways, sidewalks, parking lots, and ~~driveways~~other impervious surfaces.¹

¹ These proposed changes are intended to make Section 10.02,107 consistent with Section 10.26,E,2.

154. Personal Watercraft:

... 12 M.R.S.A. §13001, ~~sub-§(23)~~.

196. Sludge:

“Sludge means...subject to permits under Section 402 of the Federal Water Pollution Control Act, ~~as amended~~.” DEP Rules, Chapter 400, §1

205. Subsurface Waste Water Disposal System:...

b. Does not include:

(1) Any discharge system licensed under ~~Title-38~~ M.R.S.A §414;...

206. Subsurface Waste Water Disposal Rules:

...Maine Department of Health and Human Services...

225. Wildlife Management District (WMD):

...within ~~LURC-LUPC~~ jurisdiction.

228. Zones A, AE, A1-30, VE:

The areas identified by FEMA as areas of special flood hazard on Flood Insurance Rate Maps or Flood Hazard Boundary Maps for townships, plantations, or towns. The Commission adopts the FEMA maps and incorporates them by reference into the P-FP subdistrict. The maps are referenced for public information in Appendix E, and noted on the Official Land Use Guidance Maps.²

10.05 INTERPRETATION OF DISTRICT BOUNDARIES

...

In addition, in cases where ~~two (2)~~ or more major districts (protection, management or development) apparently apply to a single land area, the Commission will designate the land area for inclusion in that major district which best achieves the legislative purpose and intent as set forth in 12 M.R.S.A. §681 and §685-A(1)...

² Proposed clarification: FEMA maps are adopted by the Commission and included in Appendix F for public information.

10.06 INTERPRETATION OF LAND USE STANDARDS

...

- H. If a proposed activity other than timber harvesting requires a permit and will alter 15,000 or more square feet of a mapped wetland (P-WL1, P-WL2, or P-WL3 subdistrict), or 1 acre or more of overall land area, the applicant must delineate on the ground and in a site plan all wetlands within the general project area using methods described in the “Corps of Engineers Wetlands Delineation Manual”. U.S. Army Corps of Engineers. (1987) and the “Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region.” U.S. Army Corps of Engineers. (Version 2.0, January 2012).

10.07 EXEMPTIONS

...

- C. Real estate used or to be used by a public ~~service corporation~~utility, as defined in Title 35-A, section 102, subsection 13, or a person who is issued a certificate by the Public Utilities Commission under Title 35-A, section 122 may be wholly or partially exempted from regulation to the extent that the Commission may not prohibit such use but may impose terms and conditions for use consistent with the purpose of this chapter, when, upon timely petition ~~to the Public Utilities Commission and after a~~ notice and public hearing, the Public Utilities ~~said~~ Commission determines that such exemption is necessary or desirable for the public welfare or convenience.” 12 M.R.S.A. §685-A(11)³

10.10 VARIANCES

...

B. GRANTING OF A VARIANCE

...

1. ...The access and use needs of a person with a physical disability as defined in 5 M.R.S.A. §4553 ~~sub-§(7-B)~~ who resides in or regularly uses a structure; this provision shall be applicable only under the following circumstances:...

³ Changes reflect statutory revisions to 12 M.R.S. §685-A(11).

10.11 NONCONFORMING USES AND STRUCTURES

B. GENERAL

...

2. **Extent of Nonconformance with Respect to Setbacks...** Subject to the other requirements in ~~this section~~ [Section 10.11](#), a nonconforming structure...
8. **Conflicting Requirements.** In cases where two or more provisions of ~~this section~~ [Section 10.11](#) apply to a particular structure, use or lot, the more restrictive provision shall control.

C. NONCONFORMING STRUCTURES

1. Expansion. ...

b. Size of Structures Near Water Bodies Limited. ...

Legally existing, principal and accessory structures located within the areas described in Section C,1,b,(1) and (2) above may be expanded subject to the other requirements of [Section 10.11](#), ~~this section~~, provided...

2. Reconstruction or Replacement. ...

- d. **Boathouses.** Except in a D-MT subdistrict or in a DACSS listed in Appendix G, Section 2 of this chapter, boathouses shall not be reconstructed or replaced. Normal maintenance and repair or renovation, equaling or exceeding \$1,000 in cost, of a boathouse located in a P-FP subdistrict is allowed with a permit. In other subdistricts, Normal maintenance and repair or renovation of a boathouse is allowed without a permit.⁴

...

⁴ Clarification to ensure this provision accurately reflects permitting requirements within a FEMA flood zone and P-FP Subdistricts.

E. NONCONFORMING LOTS

...

6. Expansion of Septic Systems...Maine Department of Health and Human Services...

10.21 DEVELOPMENT SUBDISTRICTS

A. COMMERCIAL INDUSTRIAL DEVELOPMENT SUBDISTRICT (D-CI)

...

3. Land Uses

b. Uses Allowed Without a Permit Subject to Standards

- (1) Accessory structures: New ~~and~~or expanded structures accessory to...

c. Uses Requiring a Permit

- (25) Wind projects: Community-based offshore wind energy projects, as defined in ~~Title 12 M.R.S.A., § Section 682, Subsection (19)~~; offshore wind power projects, as defined in ~~Title 38 M.R.S.A., § Section 480-B, Subsection (6A)~~; and wind energy development in accordance with ~~Title 35-A, M.R.S.A., § Chapter 34-A~~ in areas identified in Appendix F herein;...

B. EXTENDED SETTLEMENT DEVELOPMENT SUBDISTRICT (D-ES)

3. Land Uses...

b. Uses Allowed Without a Permit Subject to Standards

- (1) Accessory structures: New ~~and/or~~ expanded structures accessory to...

c. Uses Requiring a Permit

- (23) Wind projects: Community-based offshore wind energy projects, as defined in ~~Title-12 M.R.S.A., §Section-682, Subsection-(19)~~; offshore wind power projects, as defined in ~~Title-38 M.R.S.A., §Section-480-B, Subsection-(6A),~~ and wind energy development in accordance with ~~Title-35-A, M.R.S.A., §Chapter-34-A~~ in areas identified in Appendix F herein;...

C. GENERAL DEVELOPMENT SUBDISTRICT (D-GN)

3. Land Uses...

b. Uses Allowed Without a Permit Subject to Standards

- (1) Accessory structures: New ~~and/or~~ expanded structures accessory to ...

c. Uses Requiring a Permit...

- (7) Draining, dredging, ~~and-or~~ alteration of the water table...
(27) Wind projects: Community-based offshore wind energy projects, as defined in ~~Title-12 M.R.S.A., §Section-682, Subsection-(19)~~; offshore wind power projects, as defined in ~~Title-38 M.R.S.A., §Section-480-B, Subsection-(6A),~~ and wind energy development in accordance with ~~Title-35-A, M.R.S.A., §Chapter-34-A~~ in areas identified in Appendix F herein;...

d. Special Exceptions...

- (7) Trailered ramps: Commercial and private trailered ramps, and public trailered ramps on Management Class 1 and 2 lakes; and...

D. COMMUNITY CENTER DEVELOPMENT SUBDISTRICT (D-GN2)

...

3. Land Uses...

b. Uses Allowed Without a Permit Subject to Standards

- (1) Accessory structures: New ~~and~~or expanded structures accessory to...

c. Uses Requiring a Permit

- (7) Draining, dredging, ~~and~~or alteration of the water table...
- (26) Wind projects: Community-based offshore wind energy projects, as defined in ~~Title~~-12 M.R.S.A.; ~~§Section~~ 682; ~~Subsection~~-(19); offshore wind power projects, as defined in ~~Title~~-38 M.R.S.A.; ~~§Section~~ 480-B; ~~Subsection~~-(6A); ~~and~~ and wind energy development in accordance with ~~Title~~ 35-A; M.R.S.A.; ~~§Chapter~~ 34-A in areas identified in Appendix F herein;...

E. RURAL SETTLEMENT DEVELOPMENT SUBDISTRICT (D-GN3)

...

3. Land Uses...

b. Uses Allowed Without a Permit Subject to Standards

- (1) Accessory structures: New ~~and~~or expanded structures accessory to ...

c. Uses Requiring a Permit...

- (7) Draining, dredging, ~~and~~or alteration of the water table...
- (22) Wind projects: Community-based offshore wind energy projects, as defined in ~~Title~~-12 M.R.S.A.; ~~§Section~~ 682; ~~Subsection~~-(19); offshore wind power projects, as defined in ~~Title~~-38 M.R.S.A.; ~~§Section~~ 480-B; ~~Subsection~~-(6A); ~~and~~ and wind energy development in accordance with ~~Title~~ 35-A; M.R.S.A.; ~~§Chapter~~ 34-A in areas identified in Appendix F herein;...

F. MARITIME DEVELOPMENT SUBDISTRICT (D-MT)

...

3. Land Uses...

c. Uses Requiring a Permit...

- (3) Draining, dredging, ~~and or~~ alteration of the water table...
- (14) Wind projects: Community-based offshore wind energy projects, as defined in ~~Title 12 M.R.S.A., §Section 682, Subsection (19)~~; offshore wind power projects, as defined in ~~Title 38 M.R.S.A., §Section 480-B, Subsection (6A)~~; and wind energy development in accordance with ~~Title 35-A, M.R.S.A., §Chapter 34-A~~ in areas identified in Appendix F herein;...

G. PLANNED DEVELOPMENT SUBDISTRICT (D-PD)

...

8. Preliminary Development Plan/Zoning Petition...

c. Approval or Denial of Preliminary Development Plan/Zoning Petition...

- (3) ...~~Maine~~ Department of Environmental Protection...
- (4) ...~~Maine~~ Department of Environmental Protection...

9. Final Development Plan...

a. Application...

- (2) ...
(c) ...~~Maine~~ Department of ~~Health and~~ Human Services...

H. PLANNED RECREATION FACILITY DEVELOPMENT SUBDISTRICT (D-PR)

...

7. Preapplication Conference

...The conference shall be held pursuant to the rules established in Chapter 5, [Section 5.07\(1\)](#) of the Commission's Rules and Regulations.⁵

8. Preliminary Development Plan...

d. Approval or Denial of Preliminary Development Plan...

(3) Within a maximum of 18 months following a Commission decision to designate an area as a D-PR subdistrict, the applicant shall file with the [Maine](#) Department of Environmental Protection a Final Development Plan containing the information required in Section 10.21,H,9 below. At its discretion, and for good cause shown, the Commission may extend the deadline for filing of the Site Law development application to the Maine Department of Environmental Protection, or of the Final Development Plan to the Commission, [and may exempt from the filing deadline those plan areas where the area designated as a D-PR subdistrict is already developed.](#)⁶

(4) ...[Maine](#) Department of [Health and](#) Human Services...

9. Final Development Plan...

a. Application...

(2) ...

(c) ...[Maine](#) Department of [Health and](#) Human Services...

⁵ The existing reference is too general. And if it refers to pre-hearing conferences, when no hearing is held for a D-PR, that section is less appropriate.

⁶ Clarification that the standard applies to previously undeveloped sites.

I. RURAL BUSINESS DEVELOPMENT SUBDISTRICT (D-RB)

...

3. Land Uses...

b. Uses Allowed Without a Permit Subject to Standards

- (2) Agricultural management activities, including cranberry cultivation; the construction, alteration or maintenance of farm or livestock ponds which are not fed or drained by a flowing water; and the operation of machinery and the erection of buildings including buildings to store equipment and materials for maintaining roads and other structures used primarily for agricultural management activities;...

c. Uses Requiring a Permit

- (8) Hand-carry launches: Private hand-carry launches and hand-carry launches addressed in Section 10.23, ~~§~~3,b which are not...
- (29) Wind projects: Community-based offshore wind energy projects, as defined in ~~Title-12 M.R.S.A.;~~ ~~§Section-682;~~ ~~Subsection-(19)~~; offshore wind power projects, as defined in ~~Title-38 M.R.S.A.;~~ ~~§Section-480-B;~~ ~~Subsection-(6A)~~; and wind energy development in accordance with ~~Title-35-A;~~ ~~M.R.S.A.;~~ ~~§Chapter-34-A~~ in areas identified in Appendix F herein;...

J. RECREATION FACILITY DEVELOPMENT SUBDISTRICT (D-RF)

...

3. Land Uses...

b. Uses Allowed Without a Permit Subject to Standards

- (1) Accessory structures: New ~~and~~ expanded structures accessory to...

c. Uses Requiring a Permit

- (3) Draining, dredging, ~~and~~ alteration of the water table...
- (19) Wind projects: Community-based offshore wind energy projects, as defined in ~~Title-12 M.R.S.A.;~~ ~~§Section-682;~~ ~~Subsection-(19)~~; offshore

wind power projects, as defined in ~~Title-38 M.R.S.A.;~~ ~~§Section-480-B;~~ ~~Subsection-(6A);~~ and wind energy development in accordance with ~~Title-35-A;~~ ~~M.R.S.A.;~~ ~~§Chapter-34-A~~ in areas identified in Appendix F herein;...

K. RESIDENTIAL DEVELOPMENT SUBDISTRICT (D-RS)

...

3. Land Uses...

b. Uses Allowed Without a Permit Subject to Standards

- (1) Accessory structures: New ~~and-or~~ expanded structures accessory to...

c. Uses Requiring a Permit

- (6) Draining, dredging, ~~and-or~~ alteration of the water table...
- (24) Wind projects: Community-based offshore wind energy projects, as defined in ~~Title-12 M.R.S.A.;~~ ~~§Section-682;~~ ~~Subsection-(19);~~ offshore wind power projects, as defined in ~~Title-38 M.R.S.A.;~~ ~~§Section-480-B;~~ ~~Subsection-(6A);~~ and wind energy development in accordance with ~~Title-35-A;~~ ~~M.R.S.A.;~~ ~~§Chapter-34-A~~ in areas identified in Appendix F herein;...

L. COMMUNITY RESIDENTIAL DEVELOPMENT SUBDISTRICT (D-RS2)

...

3. Land Uses...

b. Uses Allowed Without a Permit Subject to Standards

- (1) Accessory structures: New ~~and-or~~ expanded structures accessory to...

c. Uses Requiring a Permit...

- (8) Draining, dredging, ~~and-or~~ alteration of the water table...
- (26) Wind projects: Community-based offshore wind energy projects, as defined in ~~Title-12 M.R.S.A.;~~ ~~§Section-682;~~ ~~Subsection-(19);~~ offshore wind power projects, as defined in ~~Title-38 M.R.S.A.;~~ ~~§Section-480-B;~~ ~~Subsection-(6A);~~ and wind energy development in accordance with ~~Title-35-A;~~ ~~M.R.S.A.;~~ ~~§Chapter-34-A~~ in areas identified in Appendix F herein;...

M. RESIDENTIAL RECREATION DEVELOPMENT SUBDISTRICT (D-RS3)

...

3. Land Uses...

b. Uses Allowed Without a Permit Subject to Standards

- (1) Accessory structures: New ~~and~~or expanded structures accessory to...

c. Uses Requiring a Permit...

- (5) Draining, dredging, ~~and~~or alteration of the water table...
- (21) Wind projects: Community-based offshore wind energy projects, as defined in ~~Title~~12 M.R.S.A.; ~~§Section~~682, ~~Subsection~~(19); offshore wind power projects, as defined in ~~Title~~38 M.R.S.A.; ~~§Section~~480-B, ~~Subsection~~(6A); and wind energy development in accordance with ~~Title~~35-A, M.R.S.A.; ~~§Chapter~~34-A in areas identified in Appendix F herein;...

10.22 MANAGEMENT SUBDISTRICTS

...

A. GENERAL MANAGEMENT SUBDISTRICT (M-GN)

...

3. Land Uses...

b. Uses Without a Permit Subject to Standards

- (2) Agricultural management activities, including cranberry cultivation, ~~the~~the construction, alteration or maintenance of farm or livestock ponds which are not fed or drained by a flowing water, ~~and~~and the operation of machinery and the erection of buildings including buildings to store equipment and materials for maintaining roads and other structures used primarily for agricultural management activities;...
- (5) "Constructed ponds: Creation, alteration or maintenance of constructed ponds, other than those described in Section 10.22,A,3,b,(~~4~~2) above, less than 1 acre in size which are not fed or drained by flowing waters, in

conformance with the vegetative buffer strip requirements of Section 10.27,C,2,a;”

c. Uses Requiring a Permit

- (25) Wind projects: Community-based offshore wind energy projects, as defined in ~~Title-12 M.R.S.A.;~~ ~~§Section-682;~~ ~~Subsection (19)~~; offshore wind power projects, as defined in ~~Title-38 M.R.S.A.;~~ ~~§Section-480-B;~~ ~~Subsection (6A)~~; and wind energy development in accordance with ~~Title-35-A;~~ ~~M.R.S.A.;~~ ~~§Chapter-34-A~~ in areas identified in Appendix F herein;...

B. HIGHLY PRODUCTIVE MANAGEMENT SUBDISTRICT (M-HP)

...

3. Land Uses...

b. Uses Without a Permit Subject to Standards...

- (1) Agricultural management activities, including cranberry cultivation; the construction, alteration or maintenance of farm or livestock ponds which are not fed or drained by a flowing water; and the operation of machinery and the erection of buildings including buildings to store equipment and materials for maintaining roads and other structures used primarily for agricultural management activities;...

c. Uses Requiring a Permit

- (12) Wind projects: Community-based offshore wind energy projects, as defined in ~~Title-12 M.R.S.A.;~~ ~~§Section-682;~~ ~~Subsection (19)~~; offshore wind power projects, as defined in ~~Title-38 M.R.S.A.;~~ ~~§Section-480-B;~~ ~~Subsection (6A)~~; and wind energy development in accordance with ~~Title-35-A;~~ ~~M.R.S.A.;~~ ~~§Chapter-34-A~~ in areas identified in Appendix F herein;...

C. NATURAL CHARACTER MANAGEMENT SUBDISTRICT (M-NC)

...

3. Land Uses...

b. Uses Allowed Without a Permit Subject to Standards...

- (1) Agricultural management activities, including cranberry cultivation; the construction, alteration or maintenance of farm or livestock ponds which are not fed or drained by a flowing water; and the operation of machinery and the erection of buildings including buildings to store equipment and materials for maintaining roads and other structures used primarily for agricultural management activities;...

c. Uses Requiring a Permit

- (8) Wind projects: Community-based offshore wind energy projects, as defined in ~~Title 12 M.R.S.A., §Section 682, Subsection (19)~~; offshore wind power projects, as defined in ~~Title 38 M.R.S.A., §Section 480-B, Subsection (6A)~~; and wind energy development in accordance with ~~Title 35-A, M.R.S.A., §Chapter 34-A~~ in areas identified in Appendix F herein;...

10.23 PROTECTION SUBDISTRICTS

...

A. ACCESSIBLE LAKE PROTECTION SUBDISTRICT (P-AL)

...

3. Land Uses...

c. Uses Requiring a Permit

- (19) Wind projects: Community-based offshore wind energy projects, as defined in ~~Title 12 M.R.S.A., §Section 682, Subsection (19)~~; offshore wind power projects, as defined in ~~Title 38 M.R.S.A., §Section 480-B, Subsection (6A)~~; and wind energy development in accordance with ~~Title 35-A, M.R.S.A., §Chapter 34-A~~ in areas identified in Appendix F herein;...

B. AQUIFER PROTECTION SUBDISTRICT (P-AR)

...

3. Land Uses...**c. Uses Requiring a Permit**

- (20) Wind projects: Community-based offshore wind energy projects, as defined in ~~Title 12 M.R.S.A., §Section 682, Subsection (19)~~; offshore wind power projects, as defined in ~~Title 38 M.R.S.A., §Section 480-B, Subsection (6A),~~ and wind energy development in accordance with ~~Title 35-A, M.R.S.A., §Chapter 34-A~~ in areas identified in Appendix F herein;...

d. Special Exceptions

- (2) Draining, dredging, ~~and or~~ alteration of the water table...
- (3) Filling and grading, ~~except as provided in Section 10.23,B,3,b that is not in conformance with the standards of Section 10.27,F;~~

C. FLOOD PRONE AREA PROTECTION SUBDISTRICT (P-FP)

3. Land Uses...**c. Uses Requiring a Permit**

- (5) Draining, dredging, ~~and or~~ alteration of the water table...
- (22) Wind projects: Community-based offshore wind energy projects, as defined in ~~Title 12 M.R.S.A., §Section 682, Subsection (19)~~; offshore wind power projects, as defined in ~~Title 38 M.R.S.A., §Section 480-B, Subsection (6A),~~ and wind energy development in accordance with ~~Title 35-A, M.R.S.A., §Chapter 34-A~~ in areas identified in Appendix F herein;...

D. FISH AND WILDLIFE PROTECTION SUBDISTRICT (P-FW)

...

2. Description...

b. The shelter portions of deer wintering areas when the following conditions are met:

(1) The following must be shown for all shelter portions of deer wintering areas proposed for a P-FW subdistrict:

(a) ...Maine Department of Inland Fisheries and Wildlife... In this regard, the Commission may be guided by “Planning for Maine's Inland Fish and Wildlife Resources, 1986-1991”, of the Maine Department of Inland Fisheries and Wildlife, and associated documents, including the white-tailed deer assessment and strategic plan, ~~as they may be amended from time to time~~;...⁷

(4) ...Maine Department of Inland Fisheries and Wildlife...

(a) ...Maine Department of Inland Fisheries and Wildlife...

(b) ...Maine Department of Inland Fisheries and Wildlife...

e. ...Maine Department of Inland Fisheries and Wildlife...

3. Land Uses...

a. Uses Allowed Without a Permit

...Maine Department of Inland Fisheries and Wildlife...

b. Uses Allowed Without a Permit Subject to Standards

...Maine Department of Inland Fisheries and Wildlife...

⁷ Proposed revisions to conform to 5 M.R.S § 8056(1)(B)(2): “The reference in the agency rules must fully identify the incorporated matter by exact title, edition or version and date of publication.

c. Uses Requiring a Permit

- (14) Wind projects: Community-based offshore wind energy projects, as defined in ~~Title-12 M.R.S.A., §Section 682, Subsection (19)~~; offshore wind power projects, as defined in ~~Title-38 M.R.S.A., §Section 480-B, Subsection (6A)~~; and wind energy development in accordance with ~~Title 35-A, M.R.S.A., §Chapter 34-A~~ in areas identified in Appendix F herein;...

E. GREAT POND PROTECTION SUBDISTRICT (P-GP)

3. Land Uses...

c. Uses Requiring a Permit...

- (5) Draining, dredging, ~~and-or~~ alteration of the water table...
- (23) Wind projects: Community-based offshore wind energy projects, as defined in ~~Title-12 M.R.S.A., §Section 682, Subsection (19)~~; offshore wind power projects, as defined in ~~Title-38 M.R.S.A., §Section 480-B, Subsection (6A)~~; and wind energy development in accordance with ~~Title 35-A, M.R.S.A., §Chapter 34-A~~ in areas identified in Appendix F herein;...

F. SEMI-REMOTE LAKE PROTECTION SUBDISTRICT (P-GP2)

3. Land Uses...

c. Uses Requiring a Permit

- (5) Draining, dredging, ~~and-or~~ alteration of the water table or water level for other than mineral extraction;...
- (23) Wind projects: Community-based offshore wind energy projects, as defined in ~~Title-12 M.R.S.A., §Section 682, Subsection (19)~~; offshore wind power projects, as defined in ~~Title-38 M.R.S.A., §Section 480-B, Subsection (6A)~~; and wind energy development in accordance with ~~Title-35-A, M.R.S.A., §Chapter 34-A~~ in areas identified in Appendix F herein;...

g. Allowed Densities

- (3) Phosphorous control. All development shall be designed in accordance with ~~the most current version of~~ the Maine Department of Environmental Protection’s “Maine Stormwater Best Management Practices Manual, Volume II, Phosphorous Control in Lake Watersheds: A Technical Guide to Evaluating New Development.” ...⁸

G. MOUNTAIN AREA PROTECTION SUBDISTRICT (P-MA)

3. Land Uses...

c. Uses Requiring a Permit...

- (3) Draining ~~and or~~ altering the water table or water level for other than mineral extraction;...
- (12) Wind projects: Community-based offshore wind energy projects, as defined in ~~Title 12 M.R.S.A., §Section 682, Subsection (19)~~; offshore wind power projects, as defined in ~~Title 38 M.R.S.A., §Section 480-B, Subsection (6A)~~; and wind energy development in accordance with ~~Title 35-A, M.R.S.A., §Chapter 34-A~~ in areas identified in Appendix F herein;...

H. RECREATION PROTECTION SUBDISTRICT (P-RR)

3. Land Uses...

c. Uses Requiring a Permit

- (10) Wind projects: Community-based offshore wind energy projects, as defined in ~~Title 12 M.R.S.A., §Section 682, Subsection (19)~~; offshore wind power projects, as defined in ~~Title 38 M.R.S.A., §Section 480-B, Subsection (6A)~~; and wind energy development in accordance with ~~Title 35-A, M.R.S.A., §Chapter 34-A~~ in areas identified in Appendix F herein;...

⁸ Proposed revisions to conform to 5 M.R.S § 8056(1)(B)(2): “The reference in the agency rules must fully identify the incorporated matter by exact title, edition or version and date of publication.”

I. SPECIAL RIVER TRANSITION PROTECTION SUBDISTRICT (P-RT)

3. Land Uses...

c. Uses Requiring a Permit

- (14) Wind projects: Community-based offshore wind energy projects, as defined in ~~Title-12 M.R.S.A., §Section 682, Subsection (19)~~; offshore wind power projects, as defined in ~~Title-38 M.R.S.A., §Section 480-B, Subsection (6A)~~; and wind energy development in accordance with ~~Title-35-A, M.R.S.A., §Chapter 34-A~~ in areas identified in Appendix F herein;...

J. SOILS AND GEOLOGY PROTECTION SUBDISTRICT (P-SG)

3. Land Uses...

c. Uses Requiring a Permit

- (3) Draining, dredging, ~~and or~~-alteration of the water table...
- (14) Wind projects: Community-based offshore wind energy projects, as defined in ~~Title-12 M.R.S.A., §Section 682, Subsection (19)~~; offshore wind power projects, as defined in ~~Title-38 M.R.S.A., §Section 480-B, Subsection (6A)~~; and wind energy development in accordance with ~~Title-35-A, M.R.S.A., §Chapter 34-A~~ in areas identified in Appendix F herein;...

K. SHORELAND PROTECTION SUBDISTRICT (P-SL)

3. Land Uses...

c. Uses Requiring a Permit

- (5) Draining, dredging, ~~and or~~-alteration of the water table...
- (25) Wind projects: Community-based offshore wind energy projects, as defined in ~~Title-12 M.R.S.A., §Section 682, Subsection (19)~~; offshore wind power projects, as defined in ~~Title-38 M.R.S.A., §Section 480-B, Subsection (6A)~~;

and wind energy development in accordance with ~~Title 35-A, M.R.S.A.;~~
~~§Chapter 34-A~~ in areas identified in Appendix F herein;...

L. UNUSUAL AREA PROTECTION SUBDISTRICT (P-UA)

3. Land Uses

c. Uses Requiring a Permit

- (13) Wind projects: Community-based offshore wind energy projects, as defined in ~~Title 12 M.R.S.A.;~~ ~~§Section 682, Subsection (19);~~ offshore wind power projects, as defined in ~~Title 38 M.R.S.A.;~~ ~~§Section 480-B, Subsection (6A);~~ and wind energy development in accordance with ~~Title 35-A, M.R.S.A.;~~ ~~§Chapter 34-A~~ in areas identified in Appendix F herein;...

N. WETLAND PROTECTION SUBDISTRICT (P-WL)

2. Description

- b. ...Areas meriting protection as P-WL1, P-WL2, or P-WL3 subdistricts will be identified by the Commission after consideration of relevant data including, without limitation, identification of freshwater and coastal wetlands 15,000 square feet or larger by the National Wetlands Inventory and, when on-site delineation is required, identification of freshwater and coastal wetlands of any size by methods described in the “Corps of Engineers Wetlands Delineation Manual” U.S. Army Corps of Engineers. (1987) and the “Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region.” U.S. Army Corps of Engineers. (Version 2.0, January 2012).⁹

3. Land Uses...

c. Uses Requiring a Permit

- (17) Wind projects: Community-based offshore wind energy projects, as defined in ~~Title 12 M.R.S.A.;~~ ~~§Section 682, Subsection (19);~~ offshore wind power projects, as defined in ~~Title 38 M.R.S.A.;~~ ~~§Section 480-B, Subsection (6A);~~

⁹ Proposed revisions to conform to 5 M.R.S. §8056(1)(B)(2): “The reference in the agency rules must fully identify the incorporated matter by exact title, edition or version and date of publication.”

and wind energy development in accordance with ~~Title~~ 35-A, M.R.S.A.;
~~§Chapter~~ 34-A in areas identified in Appendix F herein;...

10.24 GENERAL CRITERIA FOR APPROVAL OF PERMIT APPLICATIONS

...

- C. ...Adequate provision has been made for fitting the proposal harmoniously into the existing natural environment in order to ~~assure~~ ensure there will be no undue adverse effect on existing uses, scenic character, and natural and historic resources in the area likely to be affected by the proposal...¹⁰

10.25 DEVELOPMENT STANDARDS

...

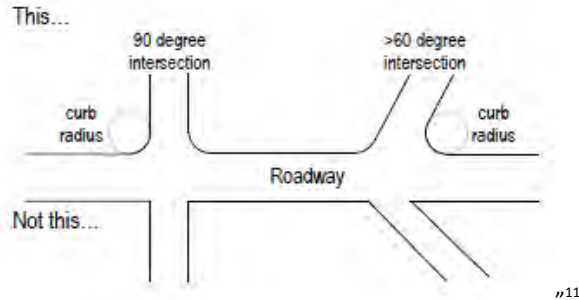
D. VEHICULAR CIRCULATION, ACCESS AND PARKING

...

2. Access Management...

- d. Access between the roadway and the property shall intersect the roadway at an angle as near to 90 degrees as site conditions allow, but in no case less than 60 degrees, and shall have a curb radius of between 10 feet and 15 feet, with a preferred radius of 10 feet.

¹⁰ Proposed revisions would make this section consistent with 12 M.R.S §685-B(4)(C).



F. NOISE AND LIGHTING

1. Noise.

a. ...

Subdistrict (<i>Category</i>)	7 AM – 7 PM	7 PM – 7 AM
D-CI, D-MT, <u>D-RB (<i>Category 3</i>)</u> , and D-ES	70 dB(A)	65 dB(A)
D-GN, D-GN2, and <u>D-RB (<i>Categories 1 & 2</i>)</u>	65 dB(A)	55 dB(A)
D-PD, <u>D-PR</u>	As determined by the Commission	
All other Subdistricts	55 dB(A)	45 dB(A)

Table 10.25,F-1. Sound pressure level limits.

c. ...Control of noise for a wind energy development as defined in Title M.R.S.A. 35-A M.R.S.A., §Section 3451, subsection (11), with a generating capacity greater than 100 kilowatts is not governed by ~~this section~~Section 10.25.F, and instead is governed solely by the provisions of 12 M.R.S.A. §685-B(4-B)(A).

¹¹ Add a graphic to better convey the standard.

H. SOLID WASTE DISPOSAL

...

2. ... asphalt and pavement products.

I. SUBSURFACE WASTEWATER DISPOSAL

...

2. ...Maine Department of Health and Human Services...

J. WATER SUPPLY

5. When a project is to be served by a public water system, the location and protection of the source, the design, construction and operation of the system shall conform to the standards of the Maine Department of Health and Human Services Rules Relating to Drinking Water (10-144A C.M.R. 231).

L. PHOSPHOROUS CONTROL

...

4. Design and Maintenance Standards**b. Structural Measures. ...**

- (1) ...demonstrated to be insufficient to allow the proposed development to meet the standards of Section 10.25, L~~this section~~...

M. EROSION AND SEDIMENTATION CONTROL

2. Design Standards.

- a. Permanent and temporary erosion and sedimentation control measures shall meet the standards and specifications of the “Maine Erosion and Sediment Control ~~Practices Field Guide for Contractors BMPs~~”. Maine Department of Environmental Protection, ~~(March 2003)~~2014...¹²

3. Erosion and Sedimentation Control Plan.

- a. For development that occurs when the ground is frozen or saturated or that creates a disturbed area of one acre or more, the applicant must submit an erosion and sedimentation control plan for Commission approval in accordance with the requirements of Section 10.25,M,3,b,~~(2)~~.¹³

P. PROTECTED NATURAL RESOURCES

2. Water Bodies and Wetlands.

The following requirements apply to wetland alterations for Uses Requiring a Permit and Special Exceptions in Section 10.23,N,3. Except as hereinafter provided, wetland alterations not in conformance with the standards of ~~this section~~Section 10.25,P are prohibited.

a. Procedural Requirements.

- (3) ~~Seasonal Factors.~~ ...

d. Mitigation Banking.

- (1) **Purpose**... The ratios set forth in Section 10.25,P,2,b,~~(3)~~,(e) will be used as guidance to...

...

¹² Proposed revisions to conform to 5 M.R.S §8056(1)(B)(2): “The reference in the agency rules must fully identify the incorporated matter by exact title, edition or version and date of publication.”

¹³ This proposed revision would make this section more accurate because both Section 10.25,M,3,b,(1), and Section 10.25,M,3,b,(2) apply. Section (1) applies for activities that create a disturbed area of less than one acre, while Section (2) applies for activities that create a disturbed area of one acre or more.

T. ACTIVITIES IN FLOOD PRONE AREAS

...

1. Procedural Requirements.

- b. Determinations of base flood elevations (bfe) in P-FP subdistricts and A zones and flood prone areas shall be made in a consistent manner, according to methods outlined in the document “Dealing with Unnumbered A Zones in Maine Floodplain Management, [Maine Floodplain Management Program, revised 09/17/09\(September 25, 2013\)](#).¹⁴

...

2. Development Standards.

k. Development in Floodways.

(2) ...

- (b) Is consistent with the technical criteria contained in Chapter 5 entitled "Hydraulic Analyses," Flood Insurance Study - Guidelines and Specifications for Study Contractors, ~~(FEMA, (37/ January 1995, as amended)~~.

p. Coastal Floodplains.

(2) ...

(a) ...

- (iii) Water loading values used shall be those associated with the base flood. Wind loading values used shall be those contained in the ~~FEMA~~ “Coastal Construction Manual” (FEMA P-55), ~~Federal Emergency Management Agency (August 2011) June 2000~~.¹⁵

(c) ...

- (i) Develop or review the structural design, specifications, and plans for the construction, which must meet or exceed the technical criteria contained in the ~~“Coastal Construction Manual”~~; (FEMA ~~P55~~)

¹⁴ Proposed revisions to conform to 5 M.R.S § 8056(1)(B)(2): “The reference in the agency rules must fully identify the incorporated matter by exact title, edition or version and date of publication.”

¹⁵ Proposed revisions to conform to 5 M.R.S § 8056(1)(B)(2): “The reference in the agency rules must fully identify the incorporated matter by exact title, edition or version and date of publication.”

Federal Emergency Management Agency (August 2011)/June 2000); and...¹⁶

U. AFFORDABLE HOUSING

2. **Income Restrictions.** Affordable housing lots or dwelling units allowed under ~~this section~~Section 10.25.U shall be sold or rented to lower or moderate income buyers or renters.

3. **Maintenance of Long-term Affordability.** ...

Affordable housing lots or dwelling units allowed under ~~this s~~Section 10.25.U shall be maintained as affordable housing by any of the following mechanisms or combinations thereof:

4. **Qualified Housing Entities.** A qualified housing entity acceptable to the Commission must oversee initial sales or rentals of affordable housing lots or dwelling units allowed under ~~this s~~Section 10.25.U in order to ensure...

a. The following housing entities, upon approval by the Commission, are qualified to hold and/or maintain affordable housing lots or units allowed under ~~this s~~Section 10.25.U:...

10.26 DIMENSIONAL REQUIREMENTS

E. MAXIMUM LOT COVERAGE

...

2. Coverage" shall be calculated by determining the percentage of lot area covered by all impervious surfaces, which include but are not limited to, structures including buildings, driveways, sidewalks, and parking lots ~~and other impervious surfaces.~~

¹⁶ Proposed revisions to conform to 5 M.R.S §8056(1)(B)(2): "The reference in the agency rules must fully identify the incorporated matter by exact title, edition or version and date of publication."

G. EXCEPTIONS TO DIMENSIONAL REQUIREMENTS

7. Where development is proposed in the vicinity of a water quality limiting lake, the Commission may vary the applicable dimensional requirements in accordance with Section 10.23, E, 3, ~~g~~f.

18. ...For purposes of this section, public recreational facilities are trailered ramps and hand-carry launches; trailheads; and associated facilities; that are owned, leased, or operated by a public entity and made available with or without a fee.

10.27 ACTIVITY-SPECIFIC STANDARDS

A. AGRICULTURAL MANAGEMENT ACTIVITIES

Agricultural management activities not in conformance with the standards of ~~this S~~Section 10.27.A may be allowed upon issuance of a permit from the Commission provided that such types of activities are allowed in the subdistrict involved. An applicant for such permit shall show by a preponderance of the evidence that the proposed activity, which is not in conformance with the standards of ~~this s~~Section 10.27.A, shall be conducted in a manner which produces no undue adverse impact upon the resources and uses in the area.

...

1. All agricultural management practices shall be accomplished in accordance with best management practices, described in the publication, "Manual of Best Management Practices for Maine Agriculture". Maine Department of Agriculture, Conservation and Forestry, Bureau of Agriculture, Food and Rural Resources. (January 2007).

B. VEGETATION CLEARING

Vegetation clearing activities not in conformance with the standards of ~~this~~ [Section 10.27.B](#) may be allowed upon issuance of a permit from the Commission provided that such types of activities are allowed in the subdistrict involved. An applicant for such permit shall show by a preponderance of the evidence that the proposed activity, which is not in conformance with the standards of ~~this~~ [Section 10.27.B](#), shall be conducted in a manner which produces no undue adverse impact upon the resources and uses in the area.

2. ...

- b. ...Near other water bodies, tributary streams and public roadways a “well-distributed stand of trees” shall be defined as maintaining a rating score of 16 or more per 25-foot by 50-foot (1,250 square feet) rectangular area as determined by the following rating system.

C. MINERAL EXPLORATION AND EXTRACTION

Mineral exploration and extraction activities not in conformance with the standards of ~~this~~ [Section 10.27.C](#) may be allowed upon issuance of a permit from the Commission provided that such types of activities are allowed in the subdistrict involved. An applicant for such permit shall show by a preponderance of the evidence that the proposed activity, which is not in conformance with the standards of ~~this section~~ [Section 10.27.C](#), shall be conducted in a manner which produces no undue adverse impact upon the resources and uses in the area.

D. ROADS AND WATER CROSSINGS

Roads and water crossings not in conformance with the standards of ~~this~~ [Section 10.27.D](#) may be allowed upon issuance of a permit from the Commission provided that such types of activities are allowed in the subdistrict involved. An applicant for such permit shall show by a preponderance of the evidence that the proposed activity, which is not in conformance with the standards of ~~this~~ [Section 10.27.D](#), shall be conducted in a manner which produces no undue adverse impact upon the resources and uses in the area.

6. ...

- a. The USDA Soil Conservation Service (SCS) Methods; specifically: "Urban Hydrology for Small Watersheds," ([Technical Release #55](#)), [June 1986-USDA Soil Conservation Service \(June 1986\), Technical Release #55](#).¹⁷
- b. The United States Geological Survey Series; specifically: [U.S.G.S. Maine Water Science Office, 1999](#), "Estimating the Magnitude of Peak Flows for Streams in Maine for Selected Recurrence Intervals." (WRI 99-4008). [United States Geological Survey, U.S.G.S. Maine Water Science Office \(1999\)](#).¹⁸

...

8. Publicly owned roads may be constructed in a fashion that is not in strict conformity with the provisions of ~~this s~~Section [10.27,D](#), provided that other measures are applied that are effective in reasonably avoiding sedimentation of surface waters.

...

11. Written notice of all road and water crossing construction activities, except level A road projects and exempt trail crossings as provided in Section 10.27,D,9 above, shall be given to the Commission prior to the commencement of such activities. Such notice shall conform to the requirements of Section 10.16 and shall state the manner in which the water crossing size requirements of ~~this s~~Section [10.27,D](#) will be satisfied.

E. TIMBER HARVESTING

Timber harvesting activities not in conformance with the standards of ~~this s~~Section [10.27,E](#) may be allowed upon issuance of a permit from the Commission provided that such types of activities are allowed in the subdistrict involved. An applicant for such permit shall show by a preponderance of the evidence that the proposed activity, which is not in conformance with the standards of ~~this s~~Section [10.27,E](#), shall be conducted in a manner which produces no undue adverse impact upon the resources and uses in the area.

¹⁷ Proposed revisions to conform to 5 M.R.S § 8056(1)(B)(2): "The reference in the agency rules must fully identify the incorporated matter by exact title, edition or version and date of publication."

¹⁸ Proposed revisions to conform to 5 M.R.S § 8056(1)(B)(2): "The reference in the agency rules must fully identify the incorporated matter by exact title, edition or version and date of publication."

F. FILLING AND GRADING

...

Filling and grading activities not in conformance with the standards of ~~this s~~Section 10.27.F may be allowed upon issuance of a permit from the Commission provided that such types of activities are allowed in the subdistrict involved. An applicant for such permit shall show by a preponderance of the evidence that the proposed activity, which is not in conformance with the standards of ~~this s~~Section 10.27.F, shall be conducted in a manner which produces no undue adverse impact upon the resources and uses in the area.

G. MOTORIZED RECREATIONAL GOLD PROSPECTING

...

...An applicant for such permit shall show by a preponderance of the evidence that the proposed activity, which is not in conformance with the standards of ~~this s~~Section 10.27.G, shall be conducted in a manner which produces no undue adverse impact upon the resources and uses in the area.

H. DRIVEWAYS ASSOCIATED WITH RESIDENTIAL STRUCTURES AND USES

Driveways not in conformance with the standards of ~~this s~~Section 10.27.H may be allowed upon issuance of a permit from the Commission provided that such types of activities are allowed in the subdistrict involved. An applicant for such permit shall show by a preponderance of the evidence that the proposed activity, which is not in conformance with the standards of ~~this s~~Section 10.27.H, shall be conducted in a manner which produces no undue adverse impact upon the resources and uses in the area.

J. SIGNS

Signs not in conformance with the standards of ~~this s~~Section 10.27.J may be allowed upon issuance of a permit from the Commission provided that such types of activities are allowed in the subdistrict involved. An applicant for such permit shall show by a preponderance of the evidence that the proposed sign, which is not in conformance with the standards of ~~this s~~Section 10.27.J, shall be erected and maintained in a manner which produces no undue adverse impact upon the resources and uses in the area.

1. Signs Not Requiring a Permit.

...

o. On-Premise Signs. ...

(1) On-premise signs shall not exceed in size the area limitations set forth below:

Subdistricts	Maximum Size for Each Individual Sign (square feet)	Maximum Aggregate Area of all Signs for Facility Being Advertised (square feet)
D-CI, D-ES, D-GN, D-GN2, D-GN3, D-MT, D-PD, <u>D-PR, D-RB, D-RF</u> , M-GN, M-HP	32	64
D-RS, D-RS2, D-RS3, M-NC and All Protection Subdistricts	8	16

Table 10.27.J-1. Size limitations for on-premise signs.¹⁹

L. TRAILERED RAMPS, HAND-CARRY LAUNCHES, AND WATER-ACCESS WAYS

Except as hereinafter provided, trailered ramps, hand-carry launches, and water-access ways not in conformance with the standards of ~~this s~~Section 10.27.L are may be allowed upon issuance of a permit from the Commission provided that such types of activities are allowed in the subdistrict involved. ~~prohibited.~~²⁰

...

¹⁹ Addition of new subdistricts (recently created through rulemaking) to the table.

²⁰ The proposed change reflects the Commission's intent to allow trailered ramps, hand carry launches, and waterways with a permit in certain subdistricts including: P-GP; P-GP2; P-SL; and P-WL.

4. Notification for Trailered Ramps and Hand-carry Launches.

Public trailered ramps and public hand-carry launches are allowed without a permit within the shoreland zone of all water bodies except those identified as P-AL, P-RR, P-WL, and as Management Class 1, 2, and 6 Lakes.²¹

5. Design and Construction Standards for Trailered Ramps and Hand-carry Launches.

g. Hand-carry Launch. A hand-carry launch must meet the following specifications:

- (3) ...The access path must have a maximum width of 6 feet and must have at least one bend to divert channelized runoff; ~~and~~
- (4) A landing area that is cleared of obstructions must be no wider than 20 feet and must extend no more than 20 horizontal feet below normal high water mark; ~~and...~~

M. SERVICE DROPS

Service drops not in conformance with the standards of ~~this s~~Section 10.27.M are prohibited...

N. HOME OCCUPATIONS

Except as hereinafter provided, home occupations not in conformance with the standards of ~~this s~~Section 10.27.N are prohibited.

...

1. Minor Home Occupation.

a. Purpose. The intent of ~~this s~~Section 10.27.N,1 is to allow minor home occupations under the conditions stated herein in certain subdistricts without requiring a permit.

...

2. Major Home Occupations.

a. Purpose. The intent of ~~this s~~Section 10.27.N,2 is to allow major home occupations in certain subdistricts through the issuance of permits.

²¹ Section 4 is not completely accurate without the added subdistricts, which allow the use by permit or by special exception.

- i. Hazardous wastes. A major home occupation must not generate or store quantities of hazardous wastes that exceed the amounts set for “Small Quantity Generators” by the Maine Department of Environmental Protection (DEP) and must meet the applicable requirements of DEP rules, Chapter 850-~~DEP Rules~~, Section ~~3(A)(5)(d)(vii), if applicable~~⁴.

O. PERMANENT DOCKING STRUCTURES

Except as hereinafter provided, permanent docking structures not in conformance with the standards of ~~this~~ Section 10.27.O are prohibited.

To be granted a permit, permanent docking structure proposals must meet the General Criteria for Approval, Section 10.24, and the Criteria for Wetland Alterations, Section 10.25.P, in addition to any applicable requirements set forth in ~~this~~ Section 10.27.O...

1. Reconstruction of Permanent Docking Structures.

...

- c. ...Reconstruction may not take place within 250 feet of essential wildlife habitat, as defined in 12 M.R.S.A., ~~§§ Chapter 713, Subchapter V, Sections~~ 7754 and 7755-A...

P. ACCESSORY STRUCTURES

~~This section~~Section 10.27.P applies to new or expanded accessory structures allowed without a permit subject to standards. For the purposes of this section, accessory structures include but are not limited to garages, decks, porches, and sheds, whether attached or detached. ~~This~~ Section 10.27.P does not apply to structures identified separately in the use listings in Sub-Chapter II, such as docks or signs.

...

- 1. Be accessory to a legally existing principal structure ~~and or~~ use;²²
- 2. Meet the definition of accessory structure in Section 10.02~~,1~~;

²² The word “and” between “structure” and “use” is too limiting in that it doesn’t contemplate resources such as public parks that have a principal use, and may have many small accessory structures, but have no obvious principal structure.

Q. RECREATIONAL LODGING FACILITIES

All new recreational lodging facilities, and reconstruction of or substantial improvements to existing recreational lodging facilities, must be developed in conformance with the standards of ~~this~~ Section [10.27.Q](#) or in accordance with other applicable provisions of this Chapter.

...

7. Water-dependent Structures for Recreational Lodging Facilities. ...

- e. “Be used only for the purposes of ~~this~~ Section [10.27.Q.7](#);...

R. RURAL BUSINESSES

...

1. Category of Rural Businesses

Except as hereinafter provided, rural businesses not in conformance with the standards of ~~this~~ Section [10.27.R](#) are prohibited.

...

3. Buffering.

...

The Commission may allow a buffer area of less width when site conditions, such as natural features, vegetation, topography, or site improvements, such as additional landscaping, berming, fencing, or low walls, make a lesser area adequate to achieve the purposes of ~~this~~ Section [10.27.R.3](#).

APPENDIX A SAMPLE DETERMINATIONS TO IDENTIFY WATER QUALITY LIMITING LAKES

...

*Since the minimum shore lot frontage on Great Ponds is ~~100-150~~ feet measured as a straight line between the points of intersection of side lot lines with the normal high water mark of the shoreline, and due to the irregularity of shoreline, the actual average shoreline measure along the normal high water mark for such lot is estimated to be 150 feet.²³

APPENDIX B GUIDELINES FOR VEGETATIVE STABILIZATION

6. For accurate liming...

Lime should be applied...Following the establishment of vegetation, non-phosphorous fertilizer should be used in accordance with the [Maine](#) Department of Environmental Protection’s recommendations.

7. In shoreland areas in particular...

Following the establishment of vegetation, non-phosphorous fertilizer should be used in accordance with the [Maine](#) Department of Environmental Protection’s recommendations...

APPENDIX D LAKES AND RIVERS ON WHICH THE USE OF PERSONAL WATERCRAFT IS PROHIBITED

...

NOTCH P (BIG)	0328	PISCATAQUIS	LITTLE SQUAW MOOSEHEAD JUNCTION TWP	12
NOTCH P (LITTLE)	0326	PISCATAQUIS	LITTLE SQUAW MOOSEHEAD JUNCTION TWP	10
PAPOOSE P	0338	PISCATAQUIS	LITTLE SQUAW MOOSEHEAD JUNCTION TWP	3

²³ Correction: the minimum shore lot frontage is 150 feet on great ponds, not 100 feet.

...²⁴

SQUAW-MOOSE P (BIG)	0334	PISCATAQUIS	LITTLE SQUAW-MOOSEHEAD JUNCTION TWP	91
SQUAW-MOOSE P (LITTLE)	0336	PISCATAQUIS	LITTLE SQUAW-MOOSEHEAD JUNCTION TWP	25
...				
BRANCH P (MIDDLE)	0912	PISCATAQUIS	T05-R09-NW P BEEEMEE TWP	34

APPENDIX F EXPEDITED PERMITTING AREA FOR WIND ENERGY DEVELOPMENT

...

~~No. 14~~~~Cathance~~ Twp., 29330;...

~~Squapan-Scopan~~ Twp., 03810;...

~~Madawaska Lake Twp~~~~T16-R4-WELS~~, 03889;...

~~T18-ED-BPP~~~~Berry~~ Twp., 29818;...²⁵

²⁴ Correction to reflect name change for several townships.

²⁵ Correction to reflect name change for several townships.