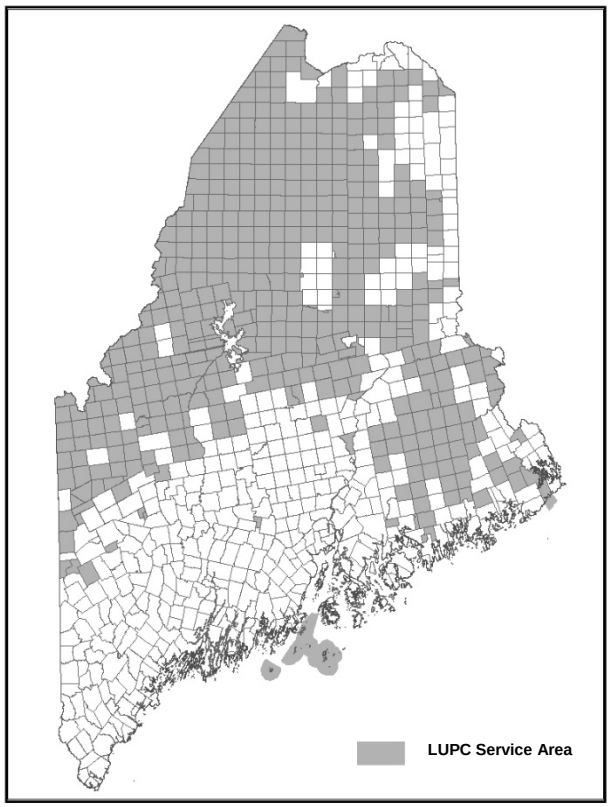
MAINE LAND USE PLANNING COMMISSION
Maine Department of Agriculture, Conservation and Forestry

LAND USE DISTRICTS AND STANDARDS

FOR AREAS SERVED BY THE MAINE LAND USE PLANNING COMMISSION



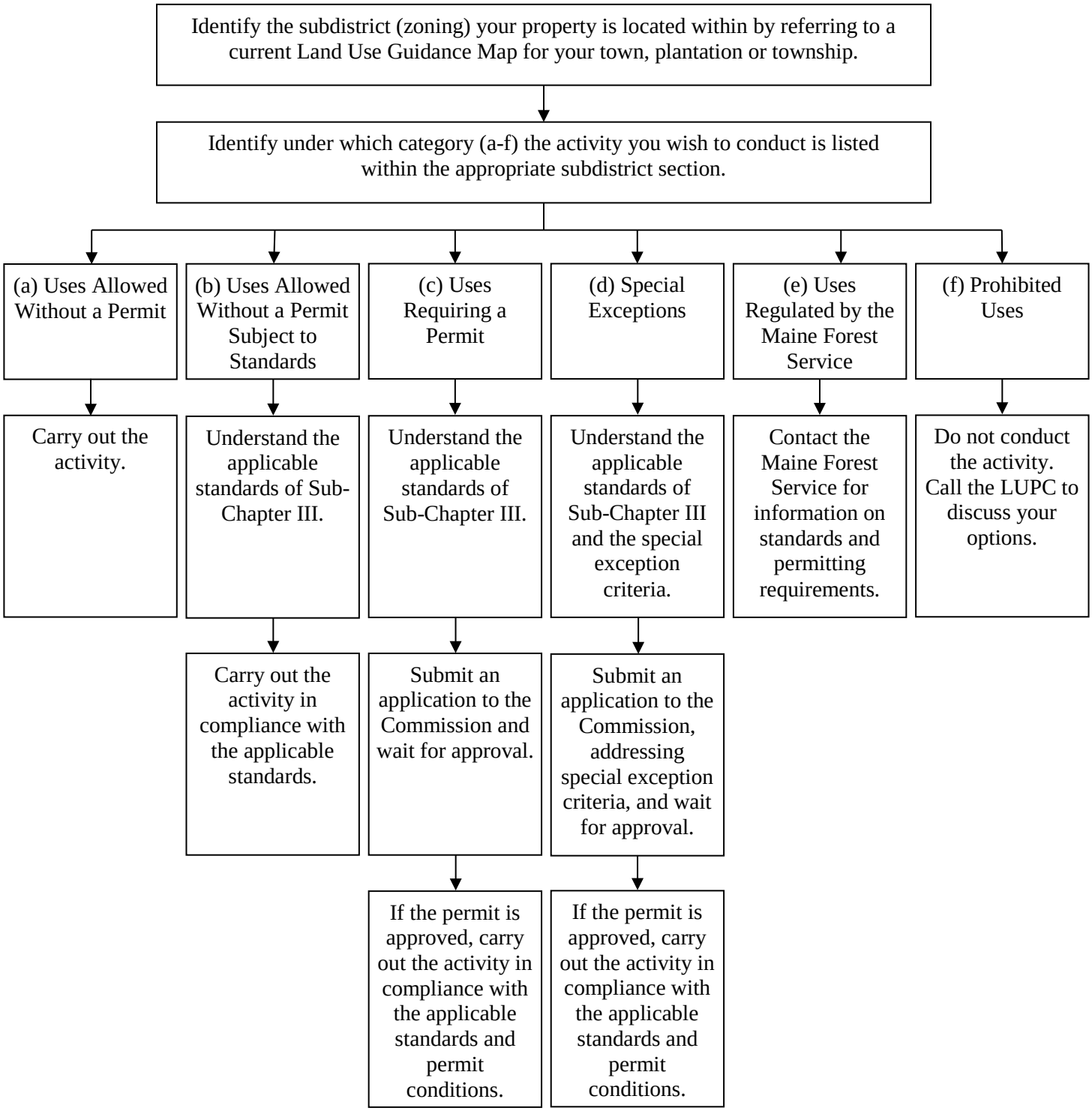
CHAPTER 10
OF THE COMMISSION'S RULES AND STANDARDS

Initially Adopted January 12, 1977
Latest Revisions October 1, 2020

Note: In response to P.L. 2011, ch.599 (enacting LD 1739), in management and protection districts (except for development areas in Resource Plan Protection Subdistricts (P-RP)), the Commission no longer is responsible for regulating timber harvesting, land management roads, water crossings associated with land management roads, and gravel pits less than five acres in size. The regulation of these activities has been transferred to the Maine Forest Service.

A GUIDE TO USING AND UNDERSTANDING THIS DOCUMENT

USING CHAPTER 10



UNDERSTANDING CHAPTER 10

Sub-Chapter I General Provisions

The General Provisions provide information on some of the Commission's rules of practice. For the typical applicant, the most useful sections of this chapter include Section 10.02 Definitions and Section 10.11 Nonconforming Uses and Structures. Other sections in this Sub-Chapter include: Interpretation of Land Use Standards, Exemptions, Variances, Penalties for Violations, and Appeals.

Sub-Chapter II Land Use Subdistricts

The Commission has established zoning subdistricts to protect important resources and prevent conflicts between incompatible uses. These subdistricts are grouped into three categories: Management, protection, and development subdistricts. Sub-chapter II describes these Land Use Subdistricts and identifies the specific activities that are allowed within each one. Applicants should first identify within which subdistricts their proposed activity is located by referring to a Land Use Guidance Map of the appropriate town, plantation or township. These maps may be obtained from any of the Commission's offices. After the correct subdistricts have been identified, the applicant should determine which of the six categories their proposed activity is listed under in the subdistrict description.

If a proposed activity is located under category:

a. **Uses Allowed Without a Permit,** the activity may be conducted without any further interaction with the Commission.

b. **Uses Allowed Without a Permit Subject to Standards,** the applicant must understand and comply with all relevant standards.

c. **Uses Requiring a Permit,** the applicant must submit a permit application to the Commission. If the Commission approves the application, the applicant must comply with all conditions and standards identified in the permit.

d. **Special Exceptions,** the applicant must submit a permit application to the Commission that also addresses the additional special exception criteria. The Commission will determine if the activity is allowed by special exception. If the Commission approves the application, the applicant must comply with all conditions and standards identified in the permit.

e. **Uses Regulated by the Maine Forest Service,** the applicant must consult the rules of the Maine Forest Service regarding any standards or permitting requirements that may apply.

f. **Prohibited Uses,** the activity is not allowed in the subdistrict.

Sub-Chapter III Land Use Standards

The Commission has established standards with which certain activities must comply. The standards are organized into four sections:

Section 10.24 General Criteria for Approval are statutory criteria that must be met for the Commission to approve any applications. These criteria include adequate provision for loading, parking and circulation of traffic and adequate provision for harmonious fit, among others.

Section 10.25 Development Standards are specific performance and design standards for permits associated with subdivisions, residential development, and commercial, industrial or other non-residential development. Standards in this category include vehicular circulation and parking, noise and lighting, phosphorus control, wetland alterations, and others.

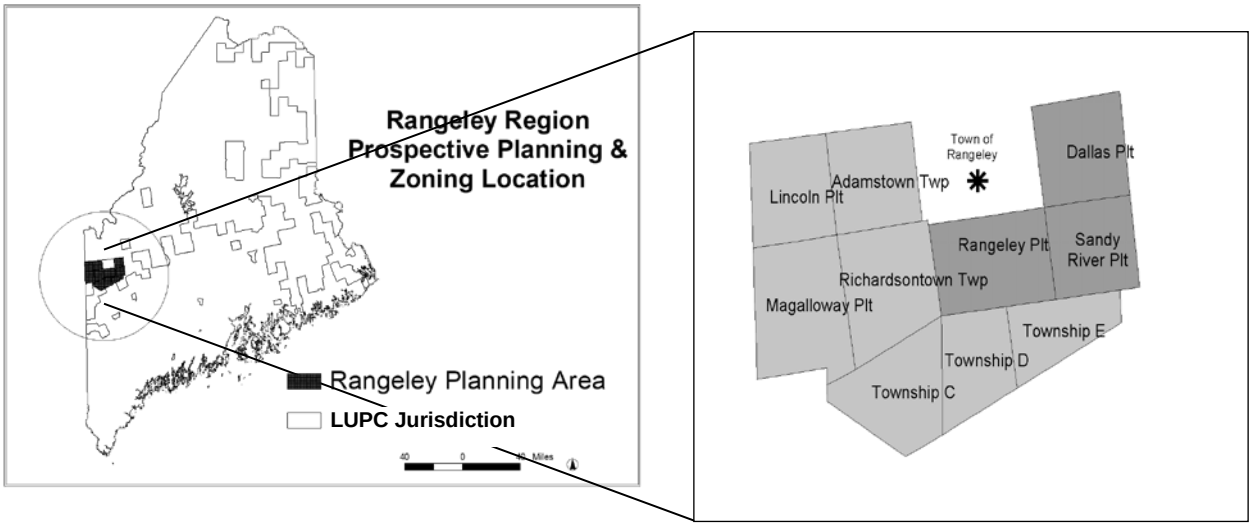
Section 10.26 Dimensional Requirements are minimum standards for lot size, shoreline frontage, road frontage, and setbacks, and also include maximum lot coverage and building height standards.

Section 10.27 Activity-Specific Standards are minimum design specifications for particular activities. The Commission has standards for Agricultural Management, Vegetation Clearing, Roads and Water Crossings, Filling and Grading, and other activities.

A NOTE ABOUT PROSPECTIVELY ZONED AREAS

The gray highlighted text in these rules applies only to prospectively zoned areas as listed below:

Adamstown Twp.
Dallas Plt.
Lincoln Plt.
Magalloway Plt.
Rangeley Plt.
Richardsontown Twp.
Sandy River Plt.
Township C
Township D
Township E



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PREFACE

This document contains Chapter 10 of the Rules and Regulations promulgated by the Maine Land Use Planning Commission pursuant to the Statute which created the Commission. A full understanding of the Commission's powers, duties, policies and rules and regulations can be achieved by referring to all the documents of the Commission.

The LUPC Statute is entitled:

12 M.R.S. CHAPTER 206-A LAND USE REGULATION.

The Statute requires that the Commission operate under a Comprehensive Land Use Plan entitled:

COMPREHENSIVE LAND USE PLAN
FOR THE PLANTATIONS AND UNORGANIZED TOWNSHIPS OF THE STATE OF MAINE
Originally adopted in 1976, revised in 1983, 1990, 1997, 2001, and 2010.

The Statute also authorizes the Commission to adopt rules. These are known as the Commission's Rules and Regulations and consist of seventeen chapters. This document is:

CHAPTER 10 OF THE RULES AND REGULATIONS.

This chapter is designed to interpret, apply and enforce the Commission's Statute and Comprehensive Land Use Plan.

Sub-Chapter I
GENERAL PROVISIONS

10.01 PURPOSE

The purpose of the Land Use Districts and Standards shall be to further the purposes of the Use Regulation Law as stated in 12 M.R.S. §681 and to fulfill the requirements of 12 M.R.S. § 685-A(3) which states that:

"The Commission, acting on principles of sound land use planning and development, shall prepare land use standards prescribing standards for the use of air, lands and waters.

In addition to the purposes set forth in § 681 the land use standards shall:

A. Encourage the most desirable and appropriate use of air, land and water resources consistent with the comprehensive land use plan;

B. Protect public health by reduction of noise, air pollution, water pollution and other environmental intrusions;

C. Protect and preserve significant natural, scenic and historic features where appropriate, beneficial and consistent with the comprehensive plan;

D. Advise and assist the Department of Transportation and other concerned agencies in transportation planning and operation;

D-1. Provide for safe and appropriate loading, parking and circulation of land, air and water traffic;

E. Encourage minimal adverse impact of one use upon the use of surrounding areas by setting standards of performance describing desirable and acceptable levels of operations in connection with any use and its relation to surrounding areas, including provisions for the eventual amelioration of existing adverse impact;

F. Reflect a consideration of the availability and capability of the natural resources base, including soils, topography or sufficient healthful water supplies; and

G. Regulate, as necessary, motor vehicles as defined in 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

The following definitions apply to the following terms as they appear in this chapter, the other chapters of the Commission's rules, and the Commission's statute (12 M.R.S., Chapter 206-A):

1. Accessory Use or Accessory Structure:
"A use or structure subordinate to a permitted or conditional use or structure and customarily incidental to the permitted or conditional use of the structure." 12 M.R.S. § 682.

2. Adjacent Grade:
The natural elevation of the ground surface prior to construction next to the proposed wall of a structure.

3. Advanced Exploration:
"Advanced exploration" or "advanced exploration activity" means any metallic mineral bulk sampling or exploratory activity that exceeds those activities that are exploration activities, but removes 10,000 tons or less of mine waste. Samples taken as part of "exploration" are not considered bulk sampling.

4. Affordable Housing:
Affordable housing is decent, safe, and sanitary dwellings, apartments or other living accommodations that are affordable to lower income households and moderate income households, in accord with the following provisions.

a. An owner-occupied housing unit is "affordable" to a household if the unit's expected sales price is reasonably anticipated to result in monthly housing costs (including mortgage principal and interest payments, mortgage insurance costs, homeowners' insurance costs, real estate taxes, and basic utility and energy costs) that do not exceed 28% to 33% of the household's gross monthly income. Determination of mortgage amounts and payments are to be based on down payment rates and interest rates generally available to lower and moderate income households.

b. A renter-occupied housing unit is "affordable" to a household if the unit's monthly housing costs (including rent and basic utility and energy costs) do not exceed 28% to 33% of the household's gross monthly income.

c. A "lower income household" is a household with a gross income less than or equal to 80% of the applicable HMFA/County median income. Lower income households include both very low income households and low income households. A "very low income household" is a household with a gross income less than or equal to 50% of the applicable HMFA/County median income. A "low income household" is a household with a gross income over 50%, but less than or equal to 80%, of the applicable HMFA/County median income.

d. A "moderate income household" is a household with a gross income over 80%, but less than or equal to 150%, of the applicable HMFA/County median income.

e. The "applicable HMFA/County median income" is the median family income most recently published by the U.S. Department of Housing and Urban Development (HUD) for the federally-designated Metropolitan Fair Market Rent Area (HMFA) or County (non-HMFA part) in which the housing unit is located. Where appropriate to use of this definition, median family income may be adjusted for family size.

f. A household's "gross income" includes the income of all household members from all sources.

5. Affordable Housing Covenant:
Any agreement among one or more owners, one or more tenants of residential real estate and one or more qualified housing entities, or between one or more owners and one or more qualified housing entities, or between one or more tenants and one or more qualified housing entities, that permits a qualified housing entity to control, either directly or indirectly, the purchase or rental price of residential housing for the primary purpose of providing that the housing remains affordable to lower income and moderate-income households.

6. Agricultural Management Activities:
Land clearing if the land topography is not altered, tilling, fertilizing, including spreading and disposal of manure, liming, planting, pesticide application, harvesting or cultivating crops, pasturing of livestock, minor drainage and maintenance of drainage, and other similar or related activities, but not the construction, creation or maintenance of land management roads, nor the land application of septage, sludge and other residuals and related storage and composting activities.

7. Agricultural Processing Facility:
A facility or operation, and associated site improvements or buildings, that is located on land where farm products are produced, and that processes raw farm products to increase their value, to reduce bulk, or to enable efficient transportation for sale or further processing. Agricultural processing facilities may include temporary or permanent structures, and may include worker housing. Agricultural processing facilities do not include agricultural management activities. The term is further defined as small-scale and large-scale agricultural processing facilities as follows:

Small-scale agricultural processing facility: An agricultural processing facility where all the raw farm products used in the processing are grown onsite or on lands owned or leased by the operator, and that utilizes no more than 2,500 square feet of gross floor area.

Large-scale agricultural processing facility: An agricultural processing facility where a majority of the raw farm products used in the processing are grown onsite or on lands owned or leased by the operator, and that utilizes up to 5,000 square feet of gross floor area.

8. Agritourism:
An activity that:

a. Draws people to a working farm for one or both of the following:
- (1) The purchase of farm products, provided that the majority of items for sale are from products that are principally produced on the farm where the business is located; or
- (2) Educational, recreational, or social events that feature agricultural activities or farm products;

b. Is clearly secondary to the principal use of the property for agricultural management activities; and

c. Is operated by the farm owner or lessee.

The term is further defined as small-scale, medium-scale and large-scale:

Small-scale Agritourism: Agritourism that utilizes no more than 2,500 square feet of floor area at any given time in all principal and accessory buildings and employs no more than two people who work primarily in agritourism.

Medium-scale Agritourism: Agritourism that utilizes no more than 5,000 square feet of floor area at any given time in all principal and accessory buildings and employs no more than five people who work primarily in agritourism.

Large-scale Agritourism: Agritourism that does not meet the definition of small- or medium-scale agritourism. Also, agritourism that draws more than 100 people (including visitors and support staff) to more than three distinct events per year.

9. Alteration:
Dredging; bulldozing; removing or displacing soil, sand, vegetation or other materials; draining or dewatering; filling; or any construction, repair or alteration of any permanent structure. On a case-by-case basis and as determined by the Commission, the term "alteration" may not include:

a. An activity disturbing very little soil such as installing a fence post or planting shrubs by hand;
b. The addition of a minor feature to an existing structure such as a bench or hand rail; and
c. The construction, repair or alteration of a small structure with minimal impact such as a nesting box, pasture fence, or staff gauge.

10. Aquatic Vegetation:
Plants that usually grow on or below the surface of the water for most of the growing season in most years.

11. Area of Special Flood Hazard:
The land in the floodplain having a one percent or greater chance of flooding in any given year, as specifically identified in a Flood Insurance Study, where available, and/or as delineated on the Flood Insurance Rate Map (FIRM), Flood Hazard Boundary Map (FHBM), or Commission's Land Use Guidance Map.

12. Base Flood:
The flood having a one percent chance of being equaled or exceeded in any given year, commonly called the 100-year flood.

13. Basement:
Any area of the building having its floor subgrade (below ground level) on all sides.

14. Bed and Breakfast:
An owner-occupied, single-family dwelling comprising a single residential building and its accessory structures, in which up to six sleeping rooms are rented for a fee for transient occupancy by guests. Breakfast is the only meal to be served to overnight guests. There must be no kitchen facilities in rented rooms and no separate ownership of rooms.

15. Boathouse:
A structure that extends over or beyond the normal high water mark into which boats are directly maneuvered without leaving the water body. Boathouses are distinct from boat storage buildings, which require the boat to be removed from the water for entry.

16. Boat Ramp:
See commercial trailered ramp, private trailered ramp, public trailered ramp, or trailered ramp.

17. Body of Standing Water:
A body of surface water that has no perceptible flow and is substantially permanent in nature. Such water bodies are commonly referred to either as constructed or natural lakes or ponds, or water impoundments.

18. Breakaway Wall:
A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

19. Building:
"Any structure having a roof or partial roof supported by columns or walls used or intended to be used for the shelter or enclosure of persons, animals or objects regardless of the materials of which it is constructed." 12 M.R.S. § 682. The Commission finds that a temporary camping tent constructed of fabric or similar materials is not considered a building.

20. Bulk:
The size, volume, and shape of buildings and structures, and the physical relationship of their exterior walls or their location to lot lines, other buildings, structures, and surrounding open space. Bulk does not suggest any architectural style or design. This term is used, for example, to ensure that new adjacent development is compatibly arranged and does not dwarf or overshadow existing development.

21. Bulk Sampling of Mineral Deposits:
The removal of samples of mineral deposits for the purpose of testing to determine the feasibility, method or manner of extraction and/or processing of minerals. Such testing may include metallurgical analyses, milling or grinding tests and/or pilot plant and processing tests. Methods of bulk sampling may include, but not be limited to drilling and boring, the digging of shafts and tunnels, or the digging of pits and trenches.

22. Bunkhouse:
An accessory structure consisting of detached sleeping quarters having no plumbing, for the temporary accommodations of guests of the property owner or facility while the owner or facility operator is an occupant of the principal dwelling or at the facility. A bunkhouse that is accessory to a dwelling can be up to 750 square feet or 50% of the footprint of the principal dwelling unit, whichever is larger.

23. Campground:
Any area, other than a campsite, designed for transient occupancy by camping in tents, camp trailers, travel trailers, motor homes or similar facility designed for temporary shelter. Campground does not include Residential Campsites.

24. Campsite:
"A camping location containing tents, registered tent trailers, registered pickup campers, registered recreational vehicles, registered trailers or similar devices used for camping. "Campsite" does not include a camping location that has access to a pressurized water system or permanent structures other than outhouses, fireplaces, picnic tables, picnic tables with shelters or lean-tos. A campsite may be designed to contain a maximum of 4 camping sites for transient occupancy by 12 or fewer people per site, or numbers of sites and occupancy rates consistent with a landowner's recreational policy filed with the commission. The commission may require a campsite permit if it determines that the recreational policy is inconsistent with the commission's comprehensive land use plan." 12 M.R.S.A §682(15).

The term "tents" includes but is not limited to tents with ground level platforms not to exceed 150 square feet in area. The shelters for picnic tables shall not exceed 120 square feet in area. Outhouses shall not exceed 36 square feet in area. For the purpose of the application of the Commission's rules, the statutory provision that a "campsite may be designed to contain a maximum of 4 camping sites for transient occupancy by 12 or fewer people per site" means there may be not more than 4 camping parties occupying a campsite, that an individual party may not exceed a total of 12 people, and that each camping site shall be designed for a single party of not more than 12 people. A group of people sharing an association or relationship, apart from staying in the same camping site, traveling together, or sharing meals and camping equipment shall be

considered a camping party unless the assemblage of the group is intended to avoid regulation of the camping facilities as a campground.

25. Campsite, Residential: See **Residential Campsite**.

26. Capacity Expansions of Utility Facilities:
The addition of new telephone or electric wires or similar equipment to existing electric or telephone transmission and distribution poles for the purpose of increasing the capacity thereof.

27. Checkpoint Building:
A structure on land under forest management which is used primarily for control of access to private roads or trails, provided it does not include more than one residence.

28. Children's Day Care Facility:
A building, not the residence of the operator, in which a person carries out a regular program, for consideration, for any part of a day providing care for three or more children under 19 years of age.

29. Cluster Development:
A compact form of development that results in buildings being located in a group such that a significant amount of open space is preserved.

30. Coastal Nesting Island:
An island used for nesting by sea birds during their breeding period.

31. Coastal Sand Dune System:
Reserved.

32. Coastal Wetlands:
Tidal and subtidal lands, including any of the following: all areas below any identifiable debris line left by tidal action; all areas with vegetation present that is tolerant of salt water and occurs primarily in a salt water or estuarine habitat; and any swamp, marsh, bog, beach, flat or other contiguous lowland which is subject to tidal action during the highest astronomical tide for the current National Tidal Datum Epoch as published by the National Oceanic and Atmospheric Administration (NOAA). Coastal wetlands may include portions of coastal sand dunes.

33. Combined Floor Area:
The total floor area of all principal and accessory structures on a lot.

34. Combined Septic System:
A disposal system designed to dispose of gray and black waste water on or under the surface of the earth that includes but is not limited to: septic tanks; disposal fields; or any other fixture, mechanism, or apparatus used for this purpose.

35. Commercial Fishing Activities:
Activities directly related to commercial fishing and those commercial activities commonly associated with or supportive of commercial fishing, such as the manufacture or sale of ice, bait and nets and the sale, manufacture, installation or repair of boats, engines and other equipment commonly used on boats.

36. Commercial Mineral Extraction:
Mineral extraction other than Mineral Extraction for Road Purposes.

37. Commercial Sporting Camp:
A "building or group of buildings devoted primarily to the offering of lodging facilities for a fee to persons primarily in pursuit of primitive recreation or snowmobiling." 12 M.R.S. § 682(14). In

addition, for the purposes of the application of the Commission's rules, the term "commercial sporting camp" shall be construed according to the following: A facility which functions primarily as a destination for the above activities rather than as a transient development unit or as a base of operations for activities in another location, such as whitewater rafting. A sporting camp is usually located in a remote location and typically consists of, but does not have to include, all of the following: a number of cabins for the housing of guests, including but not limited to housekeeping cabins; a main lodge for serving of meals and socializing for the guests; outbuildings for housing of the owners, guides, and other workers; workshop, woodsheds, laundry, equipment storage, and other utility buildings as needed. Outpost cabins are not a part of commercial sporting camp facilities. Guests of outpost cabins may use the services of the commercial sporting camp whether or not the commercial sporting camp is permitted for expanded access (Section 10.27,Q,1). A resident, on-site attendant must be available on a full-time basis to meet the needs of guests.

38. Commercial Trailered Ramp, Hand-Carry Launch, or Dock:
A trailered ramp, hand-carry launch, or dock, including an associated parking area and access road, that is privately owned and operated, and open to all members of the public, with or without a fee, but not meeting the definition of a public trailered ramp, hand-carry launch, or dock.

39. Commercial Use:
The use of lands, buildings or structures the intent or result of which is the production of income from the buying or selling of goods or services. Commercial use does not include a home-based business or the rental of a single dwelling unit on a single lot or incidental sales of goods or services as may be allowed by permit or standard within a recreational lodging facility or forest management activities where such activities are otherwise exempt from review.

40. Commission:
The Maine Land Use Planning Commission.

41. Common Open Space:
"Common open space" or "open space" means any parcel or area of land essentially unimproved and set aside, dedicated, designated, or reserved for the public use, for the common use of owners and occupants of land adjoining or neighboring such open space, or for purposes intended to preserve important natural features of the site.

42. Community Living Facility:
A housing facility for eight or fewer persons with disabilities that is approved, authorized, or certified by the State. A community living facility may include a group home, foster home, or intermediate care facility. Disability has the same meaning as the term "handicap" in the Federal Fair Housing Act, 42 USC §3602 [30-A M.R.S. § 4357-A].

Residents of a community living facility cannot be using or addicted to a "controlled substance" as defined in the Controlled Substances Act, 21 USC § 802(6), or living in the facility as a result of a criminal offense.

43. Community Public Water System:
Reserved.

44. Community Public Water System Primary Protection Areas:
Reserved.

45. Compatible Use:
A land use which is capable of existing in harmony with other uses or resources situated in its immediate vicinity because that use does not adversely affect such other uses or resources.

46. Compensation:
Replacement of a lost or degraded wetland function with a function of equal or greater value.

47. Constructed Pond:
A body of standing water that is man-made and is not within or fed by a protected natural resource.

48. Conversion of Use:
The alteration of a use or structure such that the use or structure constitutes a different use listing or defined term.

49. Creation:
An activity bringing a wetland into existence at a site where it did not formerly occur.

50. Critically Imperiled Natural Community (S1):
An assemblage of plants, animals and their common environment that is extremely rare in Maine or vulnerable to extirpation from the state due to some aspect of its biology. An example of an S1 community that occurs in freshwater wetlands is the Outwash Plain Pondshore community.

51. Cross-Sectional Area:
The cross-sectional area of a stream channel shall be determined by multiplying the stream channel width by the average stream channel depth. The stream channel width is the straight line distance from the normal high water mark of one side of the channel to such mark on the opposite side of the channel. The average stream channel depth shall be the average of the vertical distances from a straight line between the normal high water marks of the stream channel to the bottom of the channel.

52. Deer Wintering Areas:
Areas used by deer during winter for protection from deep snows, cold winds, and low temperatures.

53. Development:
Any land use activity or activities directed toward using, reusing or rehabilitating air space, land, water or other natural resources, excluding, however, such specific uses or classes and categories of uses which by the terms of this chapter do not require a permit.

54. Development Unit:
A single family dwelling unit or non-residential use containing a total of no more than 8,000 square feet of gross floor space for all principal buildings concerned. Multiple family dwelling units and larger non-residential uses shall be counted as an equivalent multiple number of development units.

55. Dining Amenities:
A common space where meals are served to guests of the recreational lodging facility or the general public. Dining amenities do not include private kitchens for individual cabins.

56. Direct Watershed:
That portion of the land area which drains surface water directly to a body of standing water without such water first passing through an upstream body of standing water.

57. Disturbed Area:
The area of a parcel that is stripped, graded, grubbed or otherwise results in soil exposure at any time during the site preparation for, or construction of, a project. “Disturbed area” does not include maintenance of an existing impervious area, but does include a new impervious area or expansion of an existing impervious area.

58. Docking Structure:
A structure placed in or near water primarily for the purpose of securing and/or loading or unloading boats and float planes, including but not limited to docks, wharfs, piers, and associated anchoring devices, but excluding boathouses and floatplane hangars.

59. Driveways:
A vehicular access-way, other than a land management road, less than 1,000 feet in length serving two or fewer lots or dwelling units.

60. Dwelling Unit:
A structure or any part thereof that is intended for use or is used for human habitation, consisting of a room or group of rooms designed and equipped for use primarily as living quarters, including any minor home occupations, for one family. Accessory structures intended for human habitation that have plumbing are considered separate dwelling units. Dwelling units do not include buildings or parts of buildings used as a hotel, motel, commercial sporting camp, outpost cabin, or other similar facility which is rented or leased on a relatively short term basis. Staff housing in such facilities is not considered to be a dwelling unit. However, the term shall include accommodations utilized by guests for transient occupancy that qualifies as a home occupation.

61. Elevated Building:
A building, without a basement,

a. built, in the case of a building in FEMA zones A1-30, AE, or A, to have the top of the elevated floor, or in the case of a building in Zone VE, to have the bottom of the lowest horizontal structural member of the elevated floor, elevated above the ground level by means of pilings, columns, post, piers, or "stilts;" and

b. adequately anchored so as not to impair the structural integrity of the building during a flood of up to one foot above the magnitude of the base flood.

In the case of Zones A1-30, AE, or A, elevated building also includes a building elevated by means of fill or solid foundation perimeter walls with hydraulic openings sufficient to facilitate the unimpeded movement of flood waters, as required in Section 10.25,T,2,l. In the case of Zone VE, elevated building also includes a building otherwise meeting the definition of elevated building, even though the lower area is enclosed by means of breakaway walls, if the breakaway walls meet the standards of Section 10.25,T,2,p,(b),(iii).

62. Emergent Marsh Vegetation:
Plants that are erect, rooted and herbaceous; grow in saturated to permanently flooded areas; and do not tolerate prolonged inundation of the entire plant (e.g., cattails, burreed, tussock sedge, rice cut grass, phragmites, pickerel weed, arrowhead and bulrush).

63. Enhancement:
An activity increasing the net value of a wetland.

64. Excursion Service:
A water-borne transport service established to ferry tourists and other persons non-resident to the place of destination. This term shall also include sight-seeing and other recreational cruises such as "whale-watchers" where there may be no specific point of destination.

65. Expansion of a Structure:
The increase in the floor area of a structure, including attached decks and porches, or the increase in the height of a structure.

66. Family:
One or more persons occupying a premises as a single housekeeping unit.

67. Farm Product:
"Farm product" means those plants and animals and their products that are useful to humans and includes, but is not limited to, forages and sod crops, grains and food crops, dairy and dairy products, poultry and poultry products, bees and bee products, livestock and livestock products, manure and compost, fish and fish products and fruits, berries, vegetables, flowers, seeds, grasses, Christmas trees, or any other plant, animal, or plant or animal product that supply humans with food, feed, fiber, or fur.

68. FEMA:
Federal Emergency Management Agency.

69. Fishery Management Practice:
Activities engaged in for the exclusive purpose of management of freshwater and anadromous fish populations by manipulation of their environment for the benefit of one or more species. Such practices may include but not be limited to the construction of traps and weirs, barrier dams, stream improvement devices, fishways, and pond or stream reclamation, provided that any such activities are specifically controlled and designed for the purpose of managing such species and are conducted or authorized by appropriate state or federal fishery management agencies in compliance with the water quality standards contained in 38 M.R.S.§ 465.

70. Flood or Flooding:

a. A general and temporary condition of partial or complete inundation of normally dry land areas from:
(1) the overflow of inland or tidal waters.
(2) the unusual and rapid accumulation or runoff of surface waters from any source.

b. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in sub-part a,(1) of this definition.

71. Flood Boundary and Floodway Map (FBFM):
An official map of a township, plantation or town, issued by the Federal Insurance Administrator, where the boundaries of the base flood and floodway have been designated.

72. Flood Elevation Study:
An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations.

73. Flood Hazard Boundary Map (FHBM):
An official map of a township, plantation or town, issued by the Federal Insurance Administrator, where the boundaries of the base flood have been designated.

74. Flood Insurance Rate Map (FIRM):
An official map of a township, plantation or town, on which the Federal Insurance Administrator has delineated both the special hazard areas and the risk premium zones applicable to the community.

75. Flood Insurance Study (FIS): See **Flood Elevation Study**.

76. Floodplain or Flood Prone Area:
Any land area susceptible to being inundated by water from any source (see Flood or Flooding).

77. Floodplain Wetland:
Wetlands that are inundated with flood water during a 100-year event based on site specific information including, but not limited to, flooding history, landform, and presence of hydric, alluvial soils, and that under normal circumstances support a prevalence of wetland vegetation typically adapted for life in saturated soils.

78. Floodproofing:
Any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and contents.

79. Floodway: See **Regulatory Floodway**.

80. Floodway Encroachment Lines:
The lines marking the limits of floodways on federal, state, and local floodplain maps.

81. Floor Area:
The sum of the horizontal areas of the floor(s) of a structure, excluding basements, measured by their exterior dimensions. Floor area shall include, but not be limited to, all stories and lofts, decks, garages, porches and greenhouses.

82. Flowing Water:
A channel that has defined banks created by the action of surface water and has two or more of the following characteristics:

a. It is depicted as a solid or broken blue line on the most recent edition of the U.S. Geological Survey 7.5-minute series topographic map or, if that is not available, a 15-minute series topographic map.

b. It contains or is known to contain flowing water continuously for a period of at least 6 months of the year in most years.

c. The channel bed is primarily composed of mineral material such as sand and gravel, parent material or bedrock that has been deposited or scoured by water.

d. The channel contains aquatic animals such as fish, aquatic insects or mollusks in the water or, if no surface water is present, within the stream bed.

e. The channel contains aquatic vegetation and is essentially devoid of upland vegetation.

Such waters are commonly referred to as rivers, streams, and brooks. Flowing water does not mean a ditch or other drainage way constructed, or constructed and maintained, solely for the purpose of draining storm water or a grassy swale.

83. Footprint:
The measure of the area in square feet within the exterior limits of the perimeter of a structure. This includes any overhangs, or attached porches or decks whether or not enclosed.

84. Forest:
A plant community predominantly of trees and other woody vegetation growing more or less closely together.

85. Forest Management Activities:
Forest management activities include timber cruising and other forest resource evaluation activities, pesticide or fertilizer application, timber stand improvement, pruning, timber harvesting and other forest harvesting, regeneration of forest stands, and other similar or associated activities, but not the construction, creation, or maintenance of land management roads, nor the land application of septage, sludge and other residuals and related storage and composting activities.

86. Forest Product:
Any raw material yielded by a forest.

87. Forested Wetland:
Freshwater wetlands dominated by woody vegetation that is 20 feet tall or taller.

88. Freshwater Wetland:
Freshwater swamps, marshes, bogs and similar areas that are inundated or saturated by surface or groundwater at a frequency and for a duration sufficient to support, and which under normal circumstances do support, a prevalence of wetland vegetation typically adapted for life in saturated soils and not below the normal high water mark of a body of standing water, coastal wetland, or flowing water.

89. Functionally Dependent Use:
For purposes of regulating development in flood prone areas, a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

90. Gatehouse: See **Checkpoint Building.**

91. General Management Subdivision: See **Subdivision, General Management**.

92. Gravel Extraction:
Any extraction of a deposit of sand, fill or gravel.

93. Gravel Pit:
A mining operation undertaken primarily to extract and remove sand, fill or gravel.

94. Hand-Carry Launch:
A shoreland alteration, including, but not limited to, a landing area (that portion of the launch at or below the normal high water mark), a launch area (that portion of the launch immediately adjacent to and above the normal high water mark) any associated parking area, access pathway and/or road, and other similar related facilities to allow an item, including but not limited to a boat, personal watercraft, or dock float, to be moved by hand, to or from the surface of a water body. Unless otherwise specified by permit condition, boat trailers or dollies designed to be moved by hand may be used at such facilities provided no special site design is required to accommodate such devices.

95. Height of Structure:
The vertical distance between the mean original (prior to construction) grade at the downhill side of the structure and the highest point of the structure, excluding chimneys, steeples, antennas, and similar appurtenances that have no floor area.

96. High Mountain Area:
All mountain areas included in Mountain Area Protection Subdistricts (P-MA), as described in Section 10.23,G and shown on the Commission's Land Use Guidance Maps.

97. High-density Subdivision: See **Subdivision Density**.

98. Hillside:
An area of two or more contiguous acres having a sustained slope of 15 percent or greater.

99. 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) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

b. certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary of the Interior to qualify as a registered historic district;

c. individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or

d. individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

(1) by an approved state program as determined by the Secretary of the Interior, or

(2) directly by the Secretary of the Interior in states without approved programs.

100. Home Adult Day Services Program:
A group program of care, therapeutic activities and supervision maintained or carried out on a regular basis by a person or persons in a private dwelling, for consideration, for at least two hours a day, for three to 12 adults 19 years of age or older, who are not related to, or under the guardianship of the provider.

101. Home Child Day Care Provider:
A person who receives consideration to provide child care in his or her residence on a regular basis, for three to 12 children under 13 years old, who are not related to, or under the guardianship of the provider

102. Home-based Business:
A business, profession, occupation, or trade undertaken for gain or profit which: a) is clearly incidental and secondary to the use of the dwelling unit for residential purposes; b) is wholly carried on within a dwelling unit or other structure accessory to a dwelling unit; c) is carried on by a resident of the dwelling unit; and d) utilizes no more than 50 percent of all floor area of the dwelling unit or of the total combined floor area of the dwelling unit and accessory structure(s) in which the occupation is carried out. The term is further defined as minor and major home-based business as follows:

Minor Home-based Business: A home-based business not noticeable from the exterior of a building, except as herein allowed, that utilizes no more than 50 percent of all floor area of all principal and accessory structures up to a limit of 1,500 square feet.

Major Home-based Business: A home-based business not noticeable from the exterior of a building, except as herein allowed, that utilizes no more than 50 percent of all floor area of all principal and accessory buildings up to a limit of 2,500 square feet.

103. Imperiled Natural Community (S2):
An assemblage of plants, animals and their common environment that is rare in Maine or vulnerable to further decline. Examples of S2 communities that occur in freshwater wetlands are Atlantic White Cedar Swamp, Alpine Bog-Meadow, Circumneutral Fen, Maritime Slope Bog, and Coastal Plain Pocket Swamp.

104. Impervious Area:
The area of a parcel that consists of buildings and associated constructed facilities or areas that will be covered with a low-permeability material, such as asphalt or concrete, and areas such as gravel roads and unpaved parking areas that will be compacted through design or use to reduce their

permeability. Common impervious areas include, but are not limited to, rooftops, walkways, decks, porches, patios, driveways, parking lots or storage areas, concrete or asphalt paving, gravel roads, packed earthen materials, and macadam or other surfaces which similarly impede the natural infiltration of stormwater. A constructed pond, water impoundment, or natural water body is not considered an impervious area.

105. Incidental:
A use, activity, service, or amenity that occurs by chance and not on a regular basis. Any use, activity, service, or amenity that is advertised individually is not incidental.

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

107. Land Use Subdistrict:
The area located within the boundaries of air, land or water delineated vertically or horizontally by the Commission to provide for distinct categories of uses or resources.

108. Lean-To:
A three-sided, roofed structure, limited to no larger than 200 square feet in area and no more than nine feet in height, used for transient occupancy and commonly constructed for campsites.

109. Level A Mineral Exploration Activities:
Mineral exploration activities conducted for the purposes of determining the location, extent, and composition of mineral deposits, provided that such activities are limited to test boring, test drilling, hand sampling, the digging of test pits, trenching or outcrop stripping for the removal of overburden having a maximum surface opening of 100 square feet per test pit or trench, or other test sampling methods determined by the Commission which cause minimum disturbance to soil and vegetative cover.

Access ways for Level A mineral exploration activities shall include only access ways the creation of which involves little or no recontouring of the land or ditching, and does not include the addition of gravel or other surfacing materials. Clearing of the vegetative cover shall be limited to the minimum necessary to allow for the movement of equipment and shall not exceed 1 acre of total disturbed area.

110. Level B Mineral Exploration Activities:
Mineral exploration activities which exceed those defined as Level A mineral exploration activities having a maximum surface opening of 300 square feet per test pit or trench. Level B mineral exploration activities shall not include bulk sampling of mineral deposits.

Access ways for Level B mineral exploration activities shall include only access ways the creation of which involves little or no recontouring of the land or ditching, and does not include the addition of gravel or other surfacing materials. Clearing of the vegetative cover shall be limited to the minimum necessary to allow for the movement of equipment.

111. Level A Road Projects:
Reconstruction within existing rights-of-way of public or private roads other than land management roads, and of railroads, excepting bridge replacements. Examples of such activities include, without limitation, culvert replacements, resurfacing, ditching, and bridge repair. When

there is no existing layout of right-of-way, the right-of-way should be assumed to extend 33 feet on either side of the existing centerline.

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

113. Level C Road Projects:
Construction of new roads, and relocations or reconstruction of existing roads, other than that involved in level A or level B road projects; such roads shall include both public and private roadways excluding land management roads.

114. Locally Established Datum:
For purposes of regulating development in flood prone areas, an elevation established for a specific site to which all other elevations at the site are referenced. This elevation is generally not referenced to the National Geodetic Vertical Datum (NGVD) or any other established datum and is used in areas where Mean Sea Level data is too far from a specific site to be practically used.

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

116. Low-density Subdivision: See **Subdivision Density**.

117. Lowest Floor:
The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements described in Section 10.25,T,2,l.

118. Maintenance:
Activities required to assure continuation of a wetland or the accomplishment of project goals after a restoration or creation project has been technically completed, including, but not limited to, water level manipulations and control of non-native plant species.

119. Major Flowing Water:
A flowing water downstream from the point where such water drains 50 square miles or more.

120. Major Water Bodies:
Major water bodies are bodies of standing water greater than 10 acres in size and major flowing waters.

121. Management Class 1 Lake:
Lake, also referred to as a "Least Accessible, Undeveloped, High Value Lake", which meets the following criteria:

a. Relatively undeveloped: As of November 17, 1988, having less than one development unit per shore mile within 250 feet of the normal high water mark, taken as an average over the entire lake shore. The shoreline is measured by following the shoreline of the lake, including all the shoreline irregularities, on the Commission's Land Use Guidance Map.

b. Relatively inaccessible: As of November 17, 1988, having no road passable during summer months with a two-wheel drive vehicle within 1/4 mile of the normal high water mark of the lake.

c. High resource value(s): Found to have one or more outstanding resource values according to the Commission's Wildlands Lake Assessment as shown in Appendix C of these regulations.

Such lakes are designated as MC1 on the Commission's Land Use Guidance Maps. All lakes included in the Wildlands Lake Assessment are listed in Appendix C to these regulations with their Management Class noted.

122. Management Class 2 Lake:

Lake, also referred to as an "Accessible, Undeveloped, High Value Lake", which meets the following criteria:

a. Relatively Undeveloped: As of November 17, 1988, having less than one development unit per shore mile within 250 feet of the normal high water mark, taken as an average over the entire lake shore. The shoreline is measured by following the shoreline of the lake, including all the shoreline irregularities, on the Commission's Land Use Guidance Map.

b. Relatively Accessible: As of November 17, 1988, having a road passable during the summer months with a two-wheel drive motor vehicle within 1/4 mile of the normal high water mark of the lake.

c. High Resource Value: Having at least two of the following outstanding resource values according to the Commission's Wildlands Lake Assessment:

(1) An outstanding rating for fisheries

(2) An outstanding rating for scenic value

(3) An outstanding rating for shore character

(4) An outstanding rating for wildlife when the rating was due to exceptional concentration and/or diversity of wildlife species.

Such lakes are designated as MC2 on the Commission's Land Use Guidance Maps. All lakes included within the Wildlands Lake Assessment are listed in Appendix C to these regulations with their Management Class noted.

123. Management Class 3 Lake:

Lake, also referred to as "Potentially Suitable for Development" which through a consideration of existing water quality, potential water quality impacts, location, access, conflicting uses, available shoreline, water level fluctuation, regional considerations, and special planning needs is found by the Commission to be a potentially suitable location for shoreland development. Such lakes are more specifically defined in the Commission's Comprehensive Land Use Plan.

Such lakes are designated as MC3 on the Commission's Land Use Guidance Maps encompassing such lakes. All lakes included within the Wildlands Lake Assessment are listed in Appendix C to these regulations with their Management Class noted.

124. Management Class 4 Lake:

Lake, also referred to as a "High Value, Developed Lake", which meets the following criteria:

a. Two or more "outstanding" resource values as identified in the Maine Wildlands Lake Assessment;

b. Relatively accessible: As of November 17, 1988, accessible to within 1/4 mile of the normal high water mark of the lake by two-wheel drive motor vehicle during summer months;

c. Relatively developed: As of November 17, 1988, having an average of more than one development unit per mile of shore within 250 feet of the normal high water mark of the lake. The shoreline is measured by following the shoreline of the lake, including all the shoreline irregularities, on the Commission's Land Use Guidance Map; and

d. Not meeting the criteria for Management Class 3 Lakes.

Such lakes are designated as MC4 on the Commission's Land Use Guidance Maps. All lakes included within the Wildlands Lake Assessment are listed in Appendix C to these regulations with their Management Class noted.

125. Management Class 5 Lake:

Lake, also referred to as a "Heavily Developed Lake", which meets the following criteria:

a. As of November 17, 1988, having more than one development unit per 10 acres of lake surface area; or

b. As of November 17, 1988, having more than one development unit per 400 feet of shore frontage, taken as an average around the entire lake shore. The shoreline is measured by following the shoreline of the lake, including all the shoreline irregularities, on the Commission's Land Use Guidance Map.

Such lakes are designated as MC5 on the Land Use Guidance Maps. All lakes included within the Wildlands Lake Assessment are listed in Appendix C to these regulations with their Management Class noted.

126. Management Class 6 Lake:

Lake, also referred to as a "Remote Pond", which meets the following criteria:

a. Having no existing road access by two-wheel drive motor vehicles during summer months within 1/2 mile of the normal high water mark of the water body;

b. Having existing buildings within 1/2 mile of the normal high water mark of the water body limited to no more than one non-commercial remote camp and its accessory structures; and

c. Supporting cold water game fisheries.

Such lakes are designated as MC6 on the Commission's Land Use Guidance Maps. All lakes included within the Wildlands Lake Assessment are listed in Appendix C to these regulations with their Management Class noted.

127. Management Class 7 Lake:

All lakes which are not otherwise classified in one of the other six lake Management Classes.

128. Manufactured Home:

A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For purposes of regulating development in flood prone areas, the term manufactured home also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 90 consecutive days.

129. Manufactured Home Park or Subdivision:
A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

130. Maple Sugar Processing Operations:
The facilities and related structures and equipment for use in the processing of raw maple sap resources into maple syrup but not including the trees, taps and collection lines associated with the harvesting and collection of the raw maple sap resources. Commercial maple sugar processing operations may include temporary accommodations for a reasonable number of employees but shall not include other types of accommodations, dwelling units, or residential use.

131. Maple Sugar Processing Subdivision: See **Subdivision, Maple Sugar Processing**.

132. Mean Lower Low Water Level:
By a 1980 international convention, a standard for all nautical charts, as providing the lowest low water levels likely to be encountered in navigation.

133. Mean Sea Level:
For purposes of regulating development in flood prone areas, the National Geodetic Vertical Datum (NGVD) of 1929, or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

134. Metallic Mineral Mining Activity:
"Metallic mineral mining activity" means activities, facilities, or processes necessary for the extraction or removal of metallic minerals or overburden or for the preparation, washing, cleaning, or other treatment of metallic minerals and includes the bulk sampling, advanced exploration, extraction or beneficiation of metallic minerals as well as waste storage and other stockpiles and reclamation activities, but does not include Level A or B exploration activities.

135. Mineral Deposit:
Any deposit of peat, sand, gravel, rock, topsoil, limestone, slate, granite, coal, gems, metallic or non- metallic ores or other minerals.

136. Mineral Extraction:
Any extraction of a mineral deposit, other than peat extraction, metallic mineral mining activities, or Level A or B exploration activities.

137. Mineral Extraction for Road Purposes:
Mineral extraction where at least 75% by volume of the minerals extracted over any three year period are used for the purposes of construction or maintenance of land management or other roads.

138. Mineral Processing Equipment:
Equipment used to process minerals following extraction including, but not limited to, rock crushers and batch plants. The term does not include equipment used to remove, sort or transport minerals, such as front end loaders, screens or trucks.

139. Mineral Soil:
Soil material in which inorganic (mineral) constituents predominate.

140. Minor Flowing Water:
A flowing water upstream from the point where such water drains less than 50 square miles.

141. Mitigation:
Actions taken to off-set potential adverse environmental impact. Such actions include the following:

a. Avoiding an impact altogether by not taking a certain action or parts of an action;
b. Minimizing an impact by limiting the magnitude or duration of an activity, or by controlling the timing of an activity;
c. Rectifying an impact by repairing, rehabilitating, or restoring the affected environment;
d. Reducing or eliminating an impact over time through preservation and maintenance operations during the life of the project; and
e. Compensating for an impact by replacing affected resources or environments.

142. Mitigation Banking:
Wetland restoration, enhancement, preservation or creation for the purpose of providing compensation credits in advance of future authorized impacts to similar resources.

143. Moderate-density Subdivision: See **Subdivision Density**.

144. Mooring:
A structure for securing a vessel or aircraft that consists of a line and buoy that is fixed to the bottom of a water body, or attached to a weight that rests on the bottom of a water body.

145. Motorized Recreational Gold Prospecting:
"Motorized recreational gold prospecting" means the operation of small-scale, motorized equipment for the removal, separation, refinement, and redeposition of sediments and other substrates occurring below the normal high water mark of a stream, for the noncommercial, recreational discovery and collecting of gold specimens. "Motorized recreational gold prospecting" includes, but is not limited to, the operation of a motorized suction dredge, sluice, pump, rocker box, or winch, individually or together.

146. Multi-Family Dwelling:
A building containing three or more dwelling units.

147. National Geodetic Vertical Datum (NGVD):
The national vertical datum, whose standard was established in 1929, which is used by the National Flood Insurance Program (NFIP). NGVD was based upon mean sea level in 1929 and also has been called "1929 Mean Sea Level (MSL)".

148. Natural Resource Extraction:
The commercial development or removal of natural resources including, but not limited to, mineral deposits and water, but excluding Level A and Level B mineral exploration activities, metallic mineral mining, wind energy development, and solar energy development. Natural resource extraction also does not include timber harvesting, mineral processing equipment, or portable mineral processing equipment.

149. Natural Resource Processing Facility:
A facility or operation, and associated site improvements or buildings, that processes forest products to reduce bulk or otherwise enable efficient transportation for sale or further processing. Natural resource processing facilities may include temporary or permanent structures, or mobile processing equipment, and may include transient accommodations for a reasonable number of employees, but shall not include other types of accommodations, dwelling units, or residential use. Natural resource processing facilities do not include forest management activities, permanent worker housing, or further processing beyond what is necessary to do close to the source of the raw materials.

150. Net Developable Land:

"Net developable land" is the area of a parcel, as determined by the Commission, that is suitable for development. The area shall be calculated by subtracting the following from the total acreage of the parcel:

a. Portions of the parcel subject to rights-of-way and easements for vehicular traffic; and

b. Unbuildable land. Unbuildable land includes, but is not limited to, land that has a low or very low soil potential rating, or that contains sensitive areas such as slopes exceeding 20 percent, non-tidal water bodies, or wetlands. Regarding soil suitability, the Commission may determine land is buildable if the plan for development satisfies the provisions of Section 10.25,G,2 for low or very low soil potential ratings.

151. Net Developable Shorefront Area:

For the purposes of this section, "Net developable shorefront area" is land that:

a. Meets the minimum water body setback requirements of Section 10.26,D and is within 250 feet of a non-tidal water body or coastal wetland;

b. Does not have a low or very low soil potential rating; and

c. Contains or is part of a land area that contains at least 40,000 contiguous square feet in size of which no more than 20 percent is comprised of sensitive areas including, but not limited to, slopes exceeding 20 percent, non-tidal water bodies or wetlands.

Regarding soil suitability, the Commission may determine the shorefront area is developable if the plan for the development satisfies the provisions of Section 10.25,G,2 for low or very low soil potential ratings.

152. Nonconforming Lot:

A preexisting lot which, upon the effective date of adoption or amendment of these rules, does not meet the area, frontage or other dimensional requirements for a legally existing or proposed use.

153. Nonconforming Structure:

"A structure, lawfully existing at the time of adoption of district regulations or subsequent amendment made thereto, that does not conform to the district regulations." 12 M.R.S. § 682 More specifically, a nonconforming structure is legally existing, but does not meet one of the following dimensional requirements: setback, lot coverage, or height requirements.

154. Nonconforming Use:

"A use of air, land, water or natural resources or a parcel of land, lawfully existing at the time of adoption of district regulations or subsequent amendments made thereto, that does not conform to the district regulations." 12 M.R.S. § 682. More specifically, a nonconforming use is a legally existing use of buildings, structures, premises, lands, or parts thereof which would not be allowed to be established under current regulations in the subdistrict in which it is situated.

155. Non-Forested Wetland:

Freshwater wetlands not dominated by woody vegetation that is 20 feet tall or taller.

156. Non-Tidal Water Bodies:

All water bodies or portions thereof, which are not subject to ebb and flow as the result of tidal action, including bodies of standing water and flowing waters.

157. Normal High Water Mark of Coastal Wetlands:

That line on the shore of coastal wetlands reached by the shoreward limit of the highest astronomical tide for the current National Tidal Datum Epoch as published by the National Oceanic and Atmospheric Administration (NOAA). This is often referred to as the upland edge of the coastal wetland.

158. Normal High Water Mark of Non-Tidal Water Bodies:
That line on the shores and banks of non-tidal water bodies that is apparent from visible markings, changes in the character of soils due to prolonged action of the water or from changes in vegetation and that distinguishes between predominantly aquatic and predominantly terrestrial land. In places where the shore or bank is of such character that the normal high water mark cannot be easily determined (as in the case of rock slides, ledges, rapidly eroding or slumping banks) the normal high water mark shall be estimated from places where it can be determined by the above method.

159. Normal Maintenance and Repair:
Unless otherwise provided, work necessary to maintain an improvement, structure, or docking structure in its original or previously improved state or condition, as long as there is no expansion of a nonconforming structure and less than 50 percent of a structure is replaced. This includes general upkeep, such as painting, fixing portions of the structure that are in disrepair, or the replacement of sill logs, roofing materials, siding, or windows. In-kind and in-place replacement of decking or exterior stairs is considered to be normal maintenance and repair. Normal maintenance and repair shall not include reconstruction, or change in design, change in structure, change in use, change in location, a change in size or capacity, or any land use activity that is a shoreline alteration. Activities involving a permanent docking structure constitute normal maintenance and repair only when less than 50 percent of those portions of the permanent docking structure that are above the level of the water during normal high water are maintained or repaired.

160. North American Vertical Datum (NAVD):
The national datum, established in 1988, which is the new vertical datum used by the National Flood Insurance Program (NFIP) for all new Flood Insurance Rate Maps.

161. On Premise Sign:
A sign which is located upon the same lot or parcel of real property where the business, facility, or point of interest being advertised is located.

162. 100-year Flood: See **Base Flood**.

163. Outpost Cabin:
A building used primarily by the guests of a commercial sporting camp on a transient basis primarily in pursuit of primitive recreation or snowmobiling in an isolated setting and which is located more than one half mile from a commercial sporting camp as measured in a straight line from the nearest structure providing guest services. Outpost cabins are not a part of commercial sporting camp facilities and are not served by an on-site attendant while guests are present. Guests of outpost cabins may use the services of the commercial sporting camp whether or not the commercial sporting camp is permitted for expanded access (see Section 10.27,Q,1).

164. Parking Area:
A place, whether or not paved, designed primarily for parking motor vehicles. “Parking area” includes parking lots, parking spaces, parking lanes, and circulation aisles and corridors.

165. Peatland:
Freshwater wetlands, typically called bogs or fens, consisting of organic soils at least 16" deep, predominantly vegetated by ericaceous shrubs (heath family), sedges, and sphagnum moss and usually having a saturated water regime.

166. Permanent Docking Structure:
A docking structure in place for longer than seven months in any calendar year or which is so large or otherwise designed as to make it impracticable to be removed on an annual basis without alteration of the shoreline, and associated on-shore structures used to secure a permanent dock or mooring.

167. Permanent Foundation:
A supporting substructure that either extends below the frost line or is designed to permanently withstand freeze-thaw conditions. Permanent foundations include full foundations, basements, slabs and frost walls. For the purposes of this definition "sono tubes" or posts installed with augers are not considered permanent foundations.

168. Permanent Trail:
A trail that is land-based, owned in-fee, and managed and maintained by one or more organizations or public entities for the purpose of allowing public access. The location of a permanent trail may vary slightly, but generally remains in the same physical location within a designated corridor. A trail that is established by lease, license, or informal agreement with a landowner who is not maintaining the trail is not a permanent trail.

169. Persistence:
The overall ability of a wetland to be self-sustaining, continue to exist, and serve intended functions over an indefinite period of time, although its vegetation, soils, hydrologic characteristics and precise boundaries may change.

170. Person:
"An individual, firm, association, organization, partnership, trust, company, corporation, state agency or other legal entity." 12 M.R.S. § 682.

171. Personal Watercraft:
"Any motorized watercraft that is 14 feet or less in hull length as manufactured, has as its primary source of propulsion an inboard motor powering a jet pump and is capable of carrying one or more persons in a sitting, standing or kneeling position. 'Personal watercraft' includes, but is not limited to, a jet ski, wet bike, surf jet and miniature speedboat. 'Personal watercraft' also includes motorized watercraft whose operation is controlled by a water skier. ‘Personal watercraft’ does not include a motorized watercraft that does not have a horsepower rating greater than 15 horsepower and does not generate an unreasonable amount of noise." 12 M.R.S. § 13001(23).

172. Pesticide:
A chemical agent or substance employed to kill or suppress pests (such as insects, weeds, fungi, rodents, nematodes or other organisms) or intended for use as a plant regulator, defoliant or desiccant.

173. Piped Water:
Water supplied to a building by means other than hand pump or hand carry.

174. Portable Mineral Processing Equipment:
Mineral processing equipment that is not fixed to a location on the ground but rather is designed to be readily moved from one mineral extraction operation to another.

175. Practicable:
Available and feasible considering cost, existing technology and logistics based on the overall purpose of the project.

176. Preservation:
The maintenance of a wetland area or associated upland areas that contribute to the wetland’s functions so that it remains in a natural or undeveloped condition. Preservation measures include, but are not limited to, conservation easements and land trust acquisitions.

177. Primary Location:
Area identified within the primary location according to Section 10.08-A,C.

178. Primitive Recreation:
Those types of recreational activities associated with non-motorized travel, including fishing, hiking, hunting, wildlife study and photography, wild crop harvesting, trapping, horseback riding, tent and shelter camping, canoe portaging, cross country skiing, and snowshoeing.

179. Primitive Septic System:
A septic system that uses an alternative toilet, such as a pit privy, compost, chemical, recirculating, incinerating, and vacuum types and a minimal disposal field designed to treat gray waste water that originates from a non-pressurized water supply.

180. Principal Building:
A building which provides shelter for the primary use of a parcel. On a single parcel, all buildings related to forest or agricultural management activities, including dwellings of the owner or lessee and employees, are considered one principal building.

181. Principal Use:
A use other than one which is wholly incidental or accessory to another use on the same premises.

182. Private Trailered Ramp, Hand-Carry Launch, or Dock:
A trailered ramp, hand-carry launch, or dock that is privately owned and operated, and not open to all members of the public.

183. Projecting Sign:
A sign which is attached to a wall of a building and extends more than 15 inches from any part of the wall.

184. Property Line:
Any boundary between parcels of land owned or leased by different persons or groups of persons.

185. Protected Natural Resource:
Coastal sand dune systems, coastal wetlands, significant wildlife habitat, high mountain areas, freshwater wetlands, community public water system primary protection areas, bodies of standing water, and flowing water.

186. Public Drinking Water Source:
Any groundwater well or any surface water source that directly or indirectly serves a water distribution system that has at least 15 service connections or regularly services an average of at least 25 individuals daily at least 60 days of the year (38 M.R.S. §490-A).

187. Public Road or Roadway:
Any roadway which is owned, leased, or otherwise operated by a governmental body or public entity.

188. Public Trailered Ramp, Hand-Carry Launch, or Dock:
A trailered ramp, hand-carry launch, or dock, including associated facilities, that is owned, leased, or operated by a public entity and made available with or without a fee. Such entities include owners of federally licensed hydropower projects within the resource affected by the hydropower project for use by all members of the public.

189. Reclamation:
The rehabilitation of the area of land affected by mineral extraction, including but not limited to, the stabilization of slopes and the creation of safety benches, the planting of vegetation including grasses, crops, shrubs, and/or trees, and the enhancement of wildlife and aquatic habitat and aquatic resources.

190. Reconstruction:
Unless otherwise provided, the addition of a permanent foundation or the rebuilding of a structure after more than 50 percent by area of its structural components, including walls, roof, or foundation, has been destroyed, damaged, demolished or removed. Leaving one or two walls or the floor of a structure in place, while rebuilding the remaining structure, is considered reconstruction, not normal maintenance and repair or renovation.

191. Recreation Activity, Features, and/or Services:
Recreation activity, features, and/or services do not include modes of transportation to and from the site (e.g., airplane, snowmobile, ATV, or car), but do include any on-site track or trail that does not extend off-site (e.g., motocross track, mud runs, airplane rides). Measures taken to reduce noise and odor, including but not limited to, soundproofing, buffering, hours of operation, or emissions control devices may be considered when evaluating noise and odor levels. Examples of on-site recreation activities, features, and/or services grouped by noise and odor impacts:

a. Low noise/odor – climbing wall, horseshoes, open field activities, tennis, swimming, small range for sighting of firearms, archery, guiding, vehicle shuttle or transportation services, rental of non-motorized equipment, and mini golf;

b. Some noise/odor – facilities for organized team sports (e.g., baseball), paintball, rafting base, rental of motorized equipment, and airplane rides for overnight guests; and

c. Routine noise/odor – shooting range, atv/snowmobile/motocross racing, amusement park, public airplane rides.

192. Recreation Day Use Facility:
Site improvements, a building, part of a building, or a group of buildings, not part of a recreational lodging facility, where recreational activities are offered to the public.

193. Recreation Supply Facility:
A facility or operation that provides equipment rental, guide services, or pre-prepared food to the recreating public at or near the location of the recreational activity. Recreation supply facilities may be located in a permanent or temporary structure, or in a parked vehicle or trailer, and excludes restaurants, general stores, repair shops, and other more intensive uses.

194. Recreational Lodging Facilities:
Site improvements, a building or group of buildings, or any part thereof, used, maintained, advertised or held out to the public as a place where sleeping accommodations are furnished to the public for commercial purposes. Recreational lodging facilities primarily cater to recreational users who engage in recreation activities that are primarily natural resource-based. The term includes, but is not limited to, commercial sporting camps, youth or group camps, back-country huts, rental cabins, outpost cabins, campgrounds, lodges, hotels, motels, inns, or any combination of these types of uses that exhibit characteristics of a unified approach, method or effect such as unified ownership, management or supervision, or common financing. To be included in a recreational lodging facility, rental units must be served by an on-site attendant while guests are present. Related development that is located more than one half mile, measured in a straight line, from the nearest structure providing guest services, such as dining, gathering places, retail, shower house, dumping station, check-in office, and equipment rental shall be considered a separate facility, unless the owner chooses to consider them as one facility. Caretaker or attendant housing will not be used to establish the one half mile distance unless no other guest services are provided. If no guest services are provided then all development on the regulatory parcel shall be considered part of the same facility and may be part of a facility on an adjoining parcel. For the purposes of Land Use Planning Commission rules, recreational lodging facilities are divided into five levels:

Level A Facilities have minimal impacts on existing resources within the development site and surrounding areas. Level A recreational lodging facilities are specifically designated by Section 10.27,Q,1.

Level B Facilities have low impacts on existing resources within the development site and surrounding areas. Level B facilities are specifically designated by Section 10.27,Q,1.

Level C Facilities have moderate impacts on existing resources within the development site and surrounding areas. The standards for these facilities are designed to allow development while conserving the natural resource and recreation values of the development site and surrounding areas. Level C facilities are specifically designated by Section 10.27,Q,1. A Level C facility characterized by any of the factors in Section 10.27,Q,1, Table B is referred to as a "Level C – Expanded Access" facility.

Level D Facilities have moderate to high impacts on existing resources within the development site and surrounding areas. Level D facilities may provide limited on-site goods and/or services to meet the needs of guests, though these are not of a type, scale or design intended to meet the goods and services needs of the public at large that is not an overnight guest. The standards for these facilities are designed to allow larger-scale development while conserving the natural resource and recreation values of the development site and surrounding areas. Level D facilities are specifically designated by Section 10.27,Q,1. A Level D facility characterized by any of the factors in Section 10.27,Q,1, Table B is referred to as a "Level D – Expanded Access" facility. A Level D facility may be located in a geographic allowance area as provided in Section 10.27,Q,3.

Level E Facilities have the potential to have significant local and regional impacts. Level E facilities may include a range of lodging options at larger scales and typically include a broad range of recreational services and/or amenities that make the facility not only a recreation destination but also may meet some of the goods and services needs of the greater region. The standards for these facilities are designed to allow large scale development while conserving the natural resource and recreation values of the development site and surrounding areas. Level E facilities are specifically designated by Section 10.27,Q,1.

195. Recreational Vehicle:
A vehicle which is:
- **a.** built on a single chassis;
- **b.** designed to be self-propelled or permanently towable by a motor vehicle;
- **c.** designed to provide temporary living quarters for recreational, camping, travel, or seasonal use, but not for use as a permanent dwelling;
- **d.** without structural additions to or removal of wheels from the vehicles; and
- **e.** 400 square feet or less when measured at the largest horizontal projection, not including slideouts, when located in a flood prone area.

196. Recreation-based Subdivision: See **Subdivision, Recreation-based Subdivision**.

197. Regulatory Floodway:
The channel of a river or other flowing water and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot. When not designated on the township's, plantation's, or town's Flood Insurance Rate Map, Flood Boundary and Floodway Map, or Flood Hazard Boundary Map, it is considered to be the channel of a river or other flowing water and the adjacent land areas to a distance of one-half the width of the floodplain, as measured from the normal high water mark to the upland limit of the floodplain.

198. Remote Camp:
A dwelling unit consisting of not more than 750 square feet of gross floor area, that is not served by any public utilities, except radio communications.

199. Remote Campsites:

Campsites which are not part of commercial campgrounds and which are characterized by their remoteness, limited scale, dispersed nature, and limited usage. More specifically, remote campsites include sites which:

a. are designed to be accessible and generally are only accessible by water or on foot;

b. are comprised of not more than four individual camping areas designed for separate camping parties, and are designed for a total of not more than 12 overnight campers;

c. have permanent structures limited to privies, fireplaces or fire rings, picnic tables, and picnic table shelters not larger than 80 square feet in area consisting of a roof without walls; and

d. require no other construction or grading and only minimal clearing of trees.

200. Remote Rental Cabin:

A building used only as a commercial lodging facility on a transient basis by persons primarily in pursuit of primitive recreation or snowmobiling in an isolated and remote setting. A remote rental cabin cannot be larger than 750 square feet in gross floor area; cannot be served by any public utilities providing electricity, water, sewer, or telephone services; cannot have pressurized water; and cannot have a permanent foundation. Placement of these buildings does not create a lot for subsequent lease or sale.

A remote rental cabin cannot be located within 1,000 feet of any public road or within 1,000 feet of any other type of residential or commercial development.

See Section 10.25,Q "Subdivision and Lot Creation" to determine how such buildings are counted for purposes of subdivision.

201. Renovation:

Restoring or remodeling a structure. Renovation includes interior modifications, and the installation of new windows, floors, heating systems, or other features, as long as there is no expansion of a nonconforming structure and less than 50 percent of the building's structural components are replaced. The introduction of plumbing to a structure may constitute a change in use that requires a permit.

202. Rental Unit:

A structure or any part thereof that is intended for use or is used for human habitation, consisting of a room or group of rooms designed and equipped for use primarily as living quarters for a single party, and which is rented or leased on a relatively short term basis. This term does not include outpost cabins or remote rental cabins.

203. Residential:

Pertaining to a dwelling unit.

204. Residential Campsite:

A camping location containing tents; or a legally registered tent trailer, pickup camper, recreational vehicle, or trailer; or similar device used for private non-commercial camping. "Residential campsite" includes a camping location that may have access to a pressurized water system or permanent structures. Except that each lean-to shall not have more than 200 square feet in floor area, each such additional permanent structure shall not have more than 150 square feet in floor area, shall not have a permanent foundation and, except for lean-tos and tent platforms, shall not be used for human habitation. A single lot may contain only one residential campsite, whether or not a dwelling is present, designed to contain not more than one camping site for transient occupancy by 12 or fewer people.

205. Residential Directional Sign:
An off-premise sign erected and maintained by an individual or family to indicate the location of his or its residence.

206. Residual:
"Residual means solid wastes generated from municipal, commercial or industrial facilities that is suitable for agronomic utilization. These materials may include: food, fiber, vegetable and fish processing wastes; dredge materials; sludges; dewatered septage; and ash from wood or sludge fired boilers." DEP Rules, Chapter 400, §1.

207. Restoration:
An activity returning a wetland from a disturbed or altered condition with lesser acreage or fewer functions to a previous condition with greater acreage or function.

208. Ridgeline:
A line formed by the meeting of steeply sloping surfaces of land that drop away from each other. Ridgeline includes existing vegetation growing on the sloping surfaces.

209. Roadway:
A public or private road including any land management road.

210. Roof Sign:
A sign which is attached flat to, painted on, or pinned away from the roof of a building.

211. Rural Business:
A building, group of buildings, or site, or any part thereof, used, maintained, or advertised as a commercial, institutional, or light industrial business. Rural business facilities may be operated as a for-profit, non-profit, or public entity. Rural business facilities are either 1) compatible with, and complementary to, natural resource-based land uses such as agriculture, commercial fishing, forestry, small-scale natural resource processing and manufacturing, and outdoor recreation, or 2) of a scale and intensity appropriate to rural areas that are lightly developed but proximate to services and transportation infrastructure. For the purposes of Land Use Planning Commission rules, rural businesses are divided into three categories:

Category 1: Natural resource based businesses that are small scale processing, storage, sale, and distribution of wood, fish and seafood, and agricultural product; or are related to or in support of agriculture, commercial fishing, forestry, natural resource extraction, or commercial outdoor recreation. Examples include but are not limited to saw mills, value added food production, equipment maintenance and repair facilities, guide services, recreational equipment rental and storage, and motorized and non- motorized recreational centers. Category 1 businesses are specifically designated by Section 10.27,R,1,a.

Category 2: Moderate-scale business facilities for retail businesses, restaurants, food preparation businesses, professional offices, and similar types of businesses. Examples include, but are not limited to, restaurants, art studios, nursing homes, and boarding kennels. Category 2 businesses are specifically designated by Section 10.27,R,1,b.

Category 3: Larger scale commercial facilities for manufacturing and assembly plants, contracting and construction businesses, automobile service and repair, and similar types of businesses. The term includes, but is not limited to, saw mills, value added food production, equipment maintenance and repair facilities, recreational equipment rental and storage, motorized and non-motorized recreational centers, assembly plants, and automobile service and repair. Category 3 may also include Category 1 and Category 2 type businesses, as long as it meets all other criteria for Category 3. Category 3 businesses are specifically designated by Section 10.27,R,1,c.

212. Secondary Location:
Area identified within the secondary location according to Section 10.08-A,C.

213. Septage:
"Septage means waste, refuse, effluent, sludge, and any other materials from septic tanks, cesspools, or any other similar facilities." 38 M.R.S. § 1303-C "Septage is defined as a mixture of liquids and solids derived from residential sanitary wastewater, and includes sanitary wastewater from tanks connected to commercial and institutional establishments which have inputs similar to residential wastewater. Septage also includes wastes derived from portable toilets." DEP Rules, Chapter 420, §1

214. Service Drop:
Any utility line extension which does not cross or run beneath any portion of a body of standing water provided that:

a. in the case of electric service
- (1) 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
- (2) the total length of the extension within any 5 year period is less than 2,000 feet.

b. in the case of telephone service
- (1) the extension, regardless of length, will be made by the installation of telephone wires to existing utility poles; or
- (2) the total length of the extension within any 5 year period, requiring the installation of new utility poles or placed underground, is less than 2,000 feet.

215. Setback:
The minimum horizontal distance from the lot line, shoreline, upland edge of a wetland, or road to the nearest part of the structure or other regulated area such as a driveway or parking area.

216. Shoreland Alteration:
Any land use activity, which alters the shoreland area, either at, adjacent to or below the normal high water mark, of any surface water body, including but not limited to:

a. dredging or removing materials from below the normal high water;

b. construction of or repairing any permanent structure below the normal high water mark.

For purposes of this subsection, permanent structure shall mean any structure, including but not limited to, causeways, wharfs, piers, docks, concrete or similar slabs, bridges, hand-carry launches, trailered ramps, water-access ways, piles, marinas, retaining walls, riprap, buried or submarine utility cables and lines, permanent docking structures, mooring structures, and water lines. A structure which is not fixed in or over the water or below the normal high water mark for more than 7 months in a calendar year shall not be a permanent structure;

c. depositing any dredged spoil or fill below the high water mark; and

d. depositing dredged spoil or fill, or bulldozing, scraping or grading, on land adjacent to a water body in such a manner that the material or soil may fall or be washed into the water body, except that filling and grading or water crossings which do not require a permit as specified in Section 10.27, or other provisions of these rules shall not constitute shoreland alteration.

Activities which cause additional intrusion of an existing structure into or over the water body, are also considered shoreland alterations.

217. Shoreland with Heavy Development:
Shoreland of lakes that have more than one development unit per 10 acres of lake surface area, or more than one development unit per 400 feet of shore frontage, taken as an average around the

entire lake shore. For this purpose, development units within 700 feet of the normal high-water mark of the lake are counted in determining whether the density status has been met.

218. Shoreline:
The normal high water mark of a coastal wetland or non-tidal water body, or the upland edge of a freshwater wetland.

219. Sign:
Any structure, display, logo, device or representation which is designed or used to advertise or call attention to any thing, person, business, activity, or place and is visible from any roadway or other right-of-way. It does not include the flag, pennant, or insignia of any nation, state or town.

Visible shall mean capable of being seen without visual aid by a person of normal visual acuity.

The size of a ground, roof, or projecting sign shall be the area of the smallest square, rectangle, triangle, circle, or combination thereof, which encompasses the facing of a sign, including copy, insignia, background and borders; the structural supports of a sign are to be excluded in determining the sign area; where a supporting structure bears more than one sign, all such signs on the structure shall be considered as one sign, and so measured; only one face of a double-faced sign is included as the area of such sign. The area of a wall or window sign shall be the area of a regular geometric form enclosing a single display surface or display device containing elements organized, related, and composed to form a unit; where matter is displayed in a random manner without organized relationship of elements, or where there is reasonable doubt about the relationship of elements, each element shall be considered to be a single sign.

220. Significant Wildlife Habitat:
The following areas to the extent that they have been identified by the Department of Inland Fisheries and Wildlife: habitat, as determined by the Department of Inland Fisheries and Wildlife, for species appearing on the official state or federal lists of endangered or threatened animal species; deer wintering areas and travel corridors as determined by the Department of Inland Fisheries and Wildlife; high and moderate value water fowl and wading bird habitats, including nesting and feeding areas as determined by the Department of Inland Fisheries and Wildlife; critical spawning and nursery areas for Atlantic sea run salmon as determined by the Atlantic Sea Run Salmon Commission; shorebird nesting, feeding and staging areas and seabird nesting islands as determined by the Department of Inland Fisheries and Wildlife; and significant vernal pools as defined and identified in specific locations by the Department of Inland Fisheries and Wildlife.

221. Sludge:
"Sludge means non-hazardous solid, semi-solid or liquid waste generated from a municipal, commercial or industrial wastewater treatment plant, water supply treatment plant, or wet process air pollution control facility or any other such waste having similar characteristics and effect. The term does not include industrial discharges that are point sources subject to permits under Section 402 of the Federal Water Pollution Control Act." DEP Rules, Chapter 400, §1

222. Soil Survey:
An inventory of soil resources that is based on a systematic field examination, description and classification of soils in an area. Using the results of the field investigation, a soil map and a written report are prepared which describe and classify the soil resources and interpret the soil suitability for various uses based upon soil limitations.

223. Solar Energy Generation Facility:

a. Grid-scale Solar Energy Generation Facility. A Solar Energy System that is primarily or solely intended to generate electricity for commercial sale for off-site use, occupies an area of one or more acres, and has a nameplate capacity of more than 250 Kilowatts.

224. Solar Energy System: A device or structural design feature, or group of devices or structural design features, a substantial purpose of which is to provide for the collection, storage, and distribution of solar energy for space heating or cooling, electricity generation, or water heating.

225. Sole Source Aquifer:
An aquifer that supplies at least 50 percent of the drinking water for its service area and for which there is no reasonably available alternative drinking water sources should the aquifer become contaminated.

226. Spaghetti-lot:
"A parcel of land with a lot depth to shore-frontage ratio greater than 5 to 1. Shore frontage means land abutting a river, stream, brook, coastal wetland, or great pond as these features are defined in 38 M.R.S. § 480-B." 12 M.R.S. § 682(13)

227. Special Flood Hazard Area: See **Area of Special Flood Hazard**.

228. Sporting camp: See **Commercial Sporting Camp**.

229. Structure:
"[A]nything constructed or erected with a fixed location on or in the ground, or attached to something having a fixed location on or in the ground, including, but not limited to, buildings, mobile homes, retaining walls, billboards, signs, piers and floats." 12 M.R.S. § 682. For purposes of regulating development in flood prone areas, a walled and roofed building. A gas or liquid storage tank that is principally above ground is also a structure.

230. Subdivision:
Except as provided in 12 M.R.S. § 682-B, "subdivision" means a division of an existing parcel of land into 3 or more parcels or lots within any five-year period, whether this division is accomplished by platting of the land for immediate or future sale, by sale of land or by leasing. The term "subdivision" also includes the division, placement or construction of a structure or structures on a tract or parcel of land resulting in 3 or more dwelling units within a five-year period. 12 M.R.S. § 682(2-A).

Refer to Section 10.25,Q, "Subdivision and Lot Creation" for additional criteria on types of lots that are included or are exempt from this definition.

231. Subdivision Density:
Low-density Subdivision: A residential subdivision with a minimum lot size of 11 acres, maximum lot size of 25 acres, and an average lot size of greater than 15 acres.

Moderate-density Subdivision: A residential subdivision with a minimum lot size of one acre, maximum lot size of 10 acres, and an average lot size between two and four acres.

High-density Subdivision: A residential subdivision with a minimum lot size of 20,000 square feet, maximum lot size of three acres, and an average lot size of less than two acres.

232. Subdivision, General Management:
A general management subdivision is a residential subdivision that meets the criteria of Section 10.25,Q.

233. Subdivision, Maple Sugar Processing:
A maple sugar processing subdivision is a subdivision that meets the criteria of Section 10.25,Q.

234. Subdivision, Recreation-based:
A recreation-based subdivision is a moderate-density, residential subdivision designed to be integrated with a recreational resource, such as a lake or publicly accessible point of access to a permanent trail. Recreation-based subdivisions have sufficient connection to the recreational resource to facilitate its use, and include provisions for safe enforceable right of access to the resource by lot owners or lessees in the subdivision.

235. Substantial Damage:
For purposes of regulating development in areas of special flood hazard, damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damage condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

236. Substantial Improvement:
For purposes of regulating development in areas of special flood hazard, any reconstruction, rehabilitation, renovation, expansion, normal maintenance and repair or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the start of construction of the improvement. This term also includes structures which have incurred substantial damage, regardless of the actual repair work performed. The term does not, however, include either:

a. Any project for improvement of a structure exclusively to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by any state or local enforcement official and which are the minimum necessary to assure safe living conditions; or

b. Any alteration of an historic structure, provided that the alteration will not preclude the structure's continued designation as an historic structure, and a variance is obtained from the Commission in conformance with Section 10.10, Variances.

237. Subsurface Waste Water Disposal System:
"Subsurface waste water disposal system means:

a. Any system for the disposal of waste or waste water on or beneath the surface of the earth including, but not limited to:
(1) Septic tanks;
(2) Drainage fields;
(3) Grandfathered cesspools;
(4) Holding tanks; or
(5) Any other fixture, mechanism or apparatus used for these purposes; but

b. Does not include:
(1) Any discharge system licensed under 38 M.R.S. § 414;
(2) Any surface waste water disposal system; or
(3) Any municipal or quasi-municipal sewer or waste water treatment system." 30-A M.R.S. § 4201(5).

238. Subsurface Waste Water Disposal Rules:
The Maine Subsurface Waste Water Disposal Rules, 144A CMR 241, administered by the Maine Department of Health and Human Services.

239. Temporary Docking Structure:
A docking structure in place for less than seven months during any calendar year upon or over flowed or submerged lands and which is of such a size or design that it can be removed on an annual basis without requiring alteration of the shoreline, and associated temporary on-shore structures used to secure a temporary dock or mooring.

240. Tier One Advanced Exploration:
"Tier one advanced exploration" means advanced exploration activities provided that bulk sampling does not exceed 2,000 tons of mine waste.

241. Tier Two Advanced Exploration:
"Tier two advanced exploration" means advance exploration activities exceeding tier one advanced exploration provided that bulk sampling does not exceed 10,000 tons of mine waste.

242. Timber Harvesting:
The cutting and removal of trees from their growing site, and the attendant operation of mobile or portable chipping mills and of cutting and skidding machinery, including the creation and use of skid trails, skid roads, and winter haul roads, but not the construction or creation of land management roads.

243. Traffic Control Sign or Device:
A route marker, guide sign, warning sign, sign directing traffic to or from a bridge, ferry or airport, or sign regulating traffic, which is not used for commercial or advertising purposes.

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

245. Trailered Ramp:
A shoreland alteration, including, but not limited to, an associated parking area, access road, and other similar related facilities to allow a trailer to be backed below the normal high water level of a water body in order to load or unload an item, including but not limited to a boat, personal watercraft, float plane, or dock float.

246. Trailhead:
An outdoor space:

- **a.** Designated by an entity responsible for administering or maintaining a permanent trail and that is developed to serve as an access point to the trail;
- **b.** That is publicly accessible, and which provides adequate parking in an off-road lot for the use of the trail; and
- **c.** That is not just the junction of two or more trails or the undeveloped junction of a trail and a road.

247. Transient Occupancy:
"Occupancy that does not exceed 120 days in a calendar year" 12 M.R.S. § 682(18). With respect to campsites and residential campsites occupancy is measured by the length of time the tent, trailer, camper, recreational vehicle, or similar device used for camping is located on the site. There is no limit to the number of days a person may store an unoccupied camping device at a lawfully existing camping location within a lawfully existing campground.

248. Unorganized and Deorganized Areas:
"Unorganized and deorganized areas includes all unorganized and deorganized townships, plantations that have not received commission approval under section 685-A, subsection 4 to implement their own land use controls, municipalities that have organized since 1971 but have not received commission approval under section 685-A, subsection 4 to implement their own land use controls and all other areas of the State that are not part of an organized municipality except Indian reservations." 12 M.R.S. § 682.

249. Utility Facilities:
Structures normally associated with public utilities, including without limitation: radar, radio, television, or other communication facilities; electric power transmission or distribution lines, towers and related equipment; telephone cables or lines, poles and related equipment; municipal sewage lines; gas, oil, water, slurry or other similar pipe lines or above ground storage tanks.

250. Wall Sign:
A sign which is attached flat to, painted on or pinned away from the wall of a building and does not project more than 15 inches from such wall.

251. Water Bar:
An obstruction placed across a roadway which effectively diverts surface water from and off the road.

252. Water-Access Ways:
A structure consisting of a pair of parallel rails, tracks, or beams extending from above the normal high water mark to below the normal high water mark of a water body, and designed as the conveying surface from which an item, including but not limited to a boat, personal watercraft, float plane, or dock float, with or without a support cradle, is launched into or removed from the water body.

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

254. Water-Dependent Structures for Recreational Lodging Facilities: Accessory structures, located within a recreational lodging facility, that require direct access or proximity to a water body or flowing water, and that are solely utilized to store or display water-related recreation or safety equipment. See Section 10.27,Q,7.

255. Water-Dependent Uses:
Those uses that require for their primary purpose, location on submerged lands or that require direct access to, or location in, coastal waters and which cannot be located away from these waters. These uses include commercial and recreational fishing and boating facilities, finfish and shellfish processing, fish storage and retail and wholesale marketing facilities, waterfront dock and port facilities, boat building facilities, navigation aides, basins and channels, uses dependent upon water-borne transportation that cannot reasonably be located or operated at an inland site and uses which primarily provide general public access to coastal waters.

256. Water Impoundment:
Any water body created, or elevation of which is raised, by man through the construction of a dam.

257. Wetland Functions:
The roles wetlands serve which are of value to society or the environment including, but not limited to, flood water storage, flood water conveyance, ground water recharge and discharge, erosion control, wave attenuation, water quality protection, scenic and aesthetic use, food chain support, fisheries, wetland plant habitat, aquatic habitat and wildlife habitat.

258. Wetland Value:
The importance of a wetland with respect to the individual or collective functions it provides.

259. Wildlife:
All vertebrate species, except fish.

260. Wildlife Management District (WMD):
A geographic area identified by the Maine Department of Inland Fisheries and Wildlife to facilitate the management of wildlife. For purposes of these regulations, the boundaries of Wildlife Management Districts are as shown in Figure 10.23,D-1 and the area of a Wildlife Management District is based on land and water acreage within LUPC jurisdiction.

261. Wildlife Management Practices:
Activities engaged in for the exclusive purpose of management of wildlife populations by manipulation of their environment for the benefit of one or more species. Such practices may include, but not be limited to, harvesting or removal of vegetation, controlled burning, planting, controlled hunting and trapping, relocation of wildlife, predator and disease control, and installation of artificial nesting sites, provided that such activities are specifically controlled and designed for the purpose of managing such species. This term does not include impounding water.

262. Winter Haul Road:
A route or travel way that is utilized for forest management activities conducted exclusively during frozen ground conditions. Winter haul roads must have the following characteristics:

a. they are constructed with no significant soil disturbance;
b. they do not make use of fill or surfacing material; and
c. they are substantially revegetated by the end of the following growing season and are maintained in a vegetated condition.

263. 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.

10.03 MAJOR DISTRICT CLASSIFICATIONS

Pursuant to the provisions of 12 M.R.S. § 685-A(1), the Commission will classify areas within its jurisdiction into one of the following three major districts:

A. **Protection districts:** Areas where development would jeopardize significant natural, recreational and historic resources, including, but not limited to, flood plains, precipitous slopes, wildlife habitat and other areas critical to the ecology of the region or State;

B. **Management districts:** Areas that are appropriate for commercial forest product or agricultural uses or for the extraction of nonmetallic minerals and for which plans for additional development are not presently formulated nor development anticipated; and

C. **Development districts:** Areas discernible as having patterns of intensive residential, recreational, commercial or industrial use or commercial removal of metallic minerals, and areas appropriate for designation as development districts when measured against the purpose, intent and provisions of this chapter." 12 M.R.S. § 685-A(1).

Pursuant to the Commission's Comprehensive Land Use Plan, the above major districts are divided into various subdistricts. The definition, purpose, and activities regulated within each of the subdistricts are provided in Sub-Chapter II.

10.04 OFFICIAL LAND USE GUIDANCE MAPS

The initial boundaries of the various subdistricts shall be shown on the Official Land Use Guidance Maps filed in the office of the Commission, which maps, and all amendments thereto, are incorporated by reference in these regulations.

The maps shall be the official record of the zoned status of all areas within the Commission's jurisdiction.

Official Land Use Guidance Maps shall be identified as follows:

"This Land Use Guidance Map was adopted by the Maine Land Use Planning Commission on

_____, and became effective on _____.

This map is certified to be a true and correct copy of the Official Land Use Guidance Map of the Maine Land Use Planning Commission.

By: _____"

Director, Maine Land Use Planning Commission

Copies of such maps, and all amendments thereto, certified by a member of the Commission or the Director thereof shall be filed with the State Tax Assessor and with the several Registers of Deeds in the counties wherein the lands depicted on such maps are located.

10.05 INTERPRETATION OF DISTRICT BOUNDARIES

Whenever uncertainty exists as to the boundaries of subdistricts as shown on the Official Land Use Guidance Map, the provisions of 12 M.R.S. § 685-A(2) shall apply.

In addition, in cases where 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. § 681 and § 685-A(1).

Except as otherwise provided, a subdistrict designation appearing on the official Land Use Guidance Maps applies throughout the whole area bounded by such subdistrict boundary lines.

10.06 INTERPRETATION OF LAND USE STANDARDS

The following shall apply to all uses in all subdistricts except as otherwise provided:

A. The description of permitted uses herein does not authorize any person to unlawfully trespass, infringe upon or injure the property of another, and does not relieve any person of the necessity of complying with other applicable laws and regulations.

B. Unless otherwise specified herein, accessory uses and structures which are permitted in a subdistrict must conform to the requirements for the principal use or structure to which they relate.

C. Whenever a provision of this Chapter conflicts with or is inconsistent with another provision of this Chapter or of any other lawfully adopted rules, regulations, standards, ordinances, deed restrictions or covenants, the more protective of existing natural, recreational and historic resources shall control.

D. Where two or more protection subdistricts apply to a single land area, the combination of the more protective standards for each subdistrict shall apply. Where another protection subdistrict applies to the same land area as a P-FW subdistrict, any activities within such area which are not in conformance with the applicable standards of Section 10.27 shall require a permit.

E. Wherever an M-NC subdistrict surrounds another management or protection subdistrict, no commercial, industrial, or residential development shall be allowed in such management or protection subdistricts except as allowed in such M-NC subdistrict.

F. Notwithstanding any other provisions contained in this chapter, a "land use standard may not deprive an owner or lessee or subsequent owner or lessee of any interest in real estate of the use to which it is lawfully devoted at the time of adoption of that standard." 12 M.R.S. § 685-A(5)

G. Subdivisions are prohibited unless allowed with a permit pursuant to the standards set forth for the subdistrict involved, except as provided in Section 10.25,Q,5.

H. "Except for projects that are located in a planned subdistrict that was approved or accepted by the commission for processing prior to September 1, 2012, a permit is not required for those aspects of a project approved by the Department of Environmental Protection under Title 38 if the commission determines that the project is an allowed use within the subdistrict or subdistricts for which it is proposed. Notice of intent to develop and a map indicating the location of the proposed development must be filed with the commission prior to or concurrently with submission of a development application to the Department of Environmental Protection." 12 M.R.S. § 685-B(1-A)(B)

I. 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).

J. The size of a mineral extraction operation is determined by adding the reclaimed and unreclaimed acreages. While a single mineral extraction operation may be located in multiple subdistricts,

mineral extraction operations 30 contiguous acres or greater in size must be located in a D-CI subdistrict.

10.07 EXEMPTIONS

Notwithstanding any other provisions contained in this chapter, and provided that unreasonable erosion and sedimentation is prevented by means of adequate and timely temporary and permanent stabilization measures:

A. Normal maintenance and repair, or renovations of any lawfully existing structure or use do not require a permit from the Commission, except that normal maintenance and repair or renovations in areas of special flood hazard shall be regulated in conformance with the requirements of Section 10.23,C and must meet applicable development standards in Section 10.25,T, Activities in Flood Prone Areas, and all other applicable statutory and regulatory requirements.

B. Utility relocations within the right-of-way of any roadway made necessary by road construction activity do not require a permit from the Commission.

C. "Real estate used or to be used by a public 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, notice and public hearing, the Public Utilities Commission determines that such exemption is necessary or desirable for the public welfare or convenience." 12 M.R.S. § 685-A(11).

D. Capacity expansions of utility facilities do not require a permit from the Commission.

E. Archaeological excavation adjacent to a body of standing water, flowing water, freshwater wetland, coastal wetland, or sand dune system does not require a permit from the Commission as long as the excavation is conducted by an archaeologist listed on the Maine Historic Preservation Commission level 1 or level 2 approved list.

F. Public utility facilities located within a public right-of-way do not require a permit from the Commission. 35-A M.R.S. § 2503(20)

10.08 CRITERIA FOR ADOPTION OR AMENDMENT OF LAND USE DISTRICT BOUNDARIES

A. GENERAL CRITERIA

Pursuant to 12 M.R.S. §685-A(8-A), a land use district boundary may not be adopted or amended unless there is substantial evidence that:

1. The proposed land use district is consistent with the standards for district boundaries in effect at the time, the comprehensive land use plan and the purpose, intent and provisions of 12 M.R.S., chapter 206-A; and

2. The proposed land use district has no undue adverse impact on existing uses or resources or a new district designation is more appropriate for the protection and management of existing uses and resources within the affected area.

B. LOCATION OF DEVELOPMENT

1. **Applicability.** Section 10.08,B, applies to the adoption and amendment of Commercial and Industrial Development (D-CI), General Development (D-GN), Low-density Development (D-LD), and Residential Development (D-RS) subdistricts, except as provided in Section 10.08,B,3. Criteria specific to the location of all other development subdistricts are contained in the individual subdistrict listings in Sub-Chapter II.

The creation of development areas or subdistricts within a concept plan that replicate the D-CI, D-GN, D-LD, or D-RS subdistricts must be sited in accordance with the provisions of Section 10.08,B. Those not so sited require a waiver of the location of development criteria.

2. **Location of Development Criteria.** To satisfy the general criteria contained in 12 M.R.S. §685-A(8-A) and restated in Section 10.08,A, a petitioner proposing the adoption or amendment of a development subdistrict must demonstrate, among other things, that the proposed subdistrict is consistent with the Comprehensive Land Use Plan (CLUP). The CLUP addresses the location of development through multiple goals and policies that in aggregate are embodied in the adjacency principle. To demonstrate the adoption or amendment of a development subdistrict is consistent with the portions of the CLUP that address the location of development, the Commission must find:

a. **Emergency Services.** The county, a nearby municipality, or other service provider is willing to and will be able to provide fire and ambulance services, for the land uses allowed in the proposed subdistrict. For the purposes of this criterion, Lifeflight is not considered an ambulance service. The Commission may waive this requirement for areas proposed as D-RS subdistrict that are either outside the primary and secondary locations, or are within the primary location but located on a Management Class 3 lake more than one mile from a public road, provided the petitioner demonstrates notice of the absence of emergency

services will be provided to all subsequent owners of property within the area proposed for rezoning.

b. **Compatibility**. The land uses allowed in the proposed subdistrict shall be compatible with other uses and resources, and reduce or minimize land use conflicts.

c. **Character.** The land uses allowed in the proposed subdistrict shall not unreasonably alter the character of the area.

d. **Area for Development.** Proposed D-CI and D-GN subdistricts shall be located in a primary location, and proposed D-RS and D-LD subdistricts shall be located in a primary or secondary location, unless the proposed subdistrict is a D-CI subdistrict intended to accommodate a land use that requires access to three-phase power as provided in Section 10.08-A,D,3, or a D-RS subdistrict intended to accommodate a recreation-based subdivision as provided in Section 10.08-A,D,2.

e. **Access to Development.** The land within the proposed subdistrict shall be accessible from a public road by a legal right of access in accordance with Section 10.08-A,E. This criterion does not apply to proposed D-RS subdistricts intended to accommodate the creation of residential lots to be leased on an annual basis for fair market value consideration, and where both the lessor and lessee have the legal right to not renew the lease, subject to applicable statutory notice requirements, regardless of cause.

3. Exceptions.

Notwithstanding Section 10.08,B,1, D-CI, D-GN, D-LD, and D-RS subdistricts may be designated without regard to the location of development criteria of Section 10.08,B in the following instances:

a. **Expansion of Commercial Facilities in Pre-existing Development Subdistricts.** Section 10.08,B does not apply to expansion of D-CI, or D-GN subdistricts existing as of June 17, 2019, provided that a legally existing development was in regular active use in the subdistrict within a two-year period immediately preceding the filing date for the re-zoning petition for expansion. This exception does not exempt expansion of pre-existing development subdistricts from the General Criteria of Section 10.08,A, which would apply to any petition for expansion of these subdistricts.

b. In response to regional planning efforts, such as prospective zoning or community guided planning and zoning, that address the location of development through a comprehensive process;

c. In response to the deorganization of minor civil divisions;

d. The correction of land use district boundaries; and

e. The designation of land use district boundaries, at the termination of a concept plan, for legally existing development authorized by the concept plan.

C. AREAS ADJACENT TO LAKES

The review standards listed in Section 10.25,A must be considered in applying the above criteria to proposed changes in subdistrict boundaries adjacent to lakes.

D. PROSPECTIVELY ZONED AREAS

1. Approval Criteria:

For areas that have been prospectively zoned by the Commission, a petition for adoption or amendment of a development district boundary shall not be approved unless the petitioner demonstrates the proposal meets the requirements of Section 10.08,A and B,2,a through c, as well as that:

a. the requested change is needed due to circumstances that did not exist or were not anticipated during the prospective zoning process;

b. the new development subdistrict is either contiguous to existing development subdistricts or within areas that are suitable as new growth centers; and

c. the change will better achieve the goals and policies of the Comprehensive Land Use Plan, including any associated prospective zoning plans.

2. List of plantations and townships that have been prospectively zoned by the Commission:

- Adamstown Township, Oxford County
- Dallas Plantation, Franklin County
- Lincoln Plantation, Oxford County
- Magalloway Plantation, Oxford County
- Rangeley Plantation, Franklin County
- Richardsontown Township, Oxford County
- Sandy River Plantation, Franklin County
- Township C, Oxford County
- Township D, Franklin County
- Township E, Franklin County

10.08-A LOCATIONAL FACTORS FOR ADOPTION OR AMENDMENT OF LAND USE DISTRICT BOUNDARIES

A. PURPOSE

Locating most new subdistricts for commercial activities and residential subdivisions close to existing development and public services reduces public costs; improves the economic health of existing communities; protects important habitat; and minimizes interference with natural resource based activities such as forestry, agriculture, and recreation. In some cases, land uses that must be conducted near a natural resource or are closely tied to a natural resource should be allowed to locate away from development to ensure a continued natural resource-based economy and a reasonable opportunity for residential development in select locations.

B. RURAL HUBS

The following minor civil divisions are rural hubs: Ashland, Bethel, Bingham, Calais, Caribou, Carrabassett Valley, Dover-Foxcroft, Eastport, Ellsworth, Farmington, Fort Kent, Gouldsboro, Greenville, Guilford, Houlton, Island Falls, Jackman, Jonesport, Kingfield, Lincoln, Lubec, Machias, Madawaska, Medway, Milbridge, Millinocket, Milo, Oakfield, Old Town, Patten, Presque Isle, Princeton, Rangeley, Rockwood Strip T1 R1 NBKP, Rumford, Saint Agatha, Unity, Van Buren, and Waterford.

C. PRIMARY AND SECONDARY LOCATIONS

1. Primary Location. Each of the following areas within the unorganized and deorganized areas of the State, is within the primary location:

a. Land within seven miles of the boundary of a rural hub that also is within one mile of a public road;

b. Land within a township listed in Section 10.08-A,C,4, town, plantation, or rural hub that also is within one mile of a public road; and

c. Land within 700 feet of a Management Class 3 lake where the lake has no existing or potential water quality problems and soils are suitable for development.

2. Secondary Location. The following area within the unorganized and deorganized areas of the State is within the secondary location:

a. Land within a rural hub, or in a town, township, or plantation bordering a rural hub, that is also within three miles of a public road and outside the primary location;

3. **Measuring Distance.** Measurements from a rural hub are made in a straight line from the boundary of the minor civil division. Measurements from a public road are made in a straight line from the edge of the traveled surface. Neither straight line measurement is made across major waterbodies, or interstate highways, except as follows. Measurements are made across major waterbodies, or interstate highways when the resulting primary or secondary location on the other side of such features is either directly connected by a public road that crosses the feature, or contiguous with the respective primary or secondary location.

4. **Area Within Primary Location.** Land within one mile of a public road within the following townships is within the primary location: Benedicta Twp., Blanchard Twp., E Twp., East Moxie Twp., Greenfield Twp., Kingman Twp., Madrid Twp., Marion Twp., Moxie Gore Twp., Oxbow North Twp., Prentiss Twp., Silver Ridge Twp., T9 R5 WELS, and T9 SD BPP.

5. **Area Outside Primary and Secondary Locations.** Notwithstanding any provision to the contrary, land within the Prospective Zoning Plan for the Rangeley Lakes Region shall not be eligible for inclusion in the primary or secondary locations. Additionally, land within the following townships shall not be eligible for inclusion within the primary or secondary location under Section 10.08-A,C,1,a or 2,a, except that land around a Management Class 3 lake is included pursuant to Section 10.08-A,C,1,c: Argyle Twp., Andover West Surplus Twp., Carrying Place Town Twp., Dead River Twp., Elliotsville Twp., Johnson Mountain Twp., Lexington Twp., Mount Abram Twp., North Academy Grant Twp., Pierce Pond Twp., Redington Twp., T1 R5 WELS, T1 R6 WELS, T3 R3 WELS, T3 R4 BKP WKR, T3 R7 WELS, T4 R7 WELS, T7 SD BPP, and Upper Molunkus Twp.

D. LOCATION-DEPENDENT ACTIVITIES

Notwithstanding Section 10.08-A,C, certain location dependent activities may be located in accordance with the following:

1. **Resource-dependent Commercial Activity.** Subdistricts for resource dependent commercial activities may be located in areas described in the D-RD subdistrict description in Section 10.21,K.

2. **Recreation-based Residential Activity.** D-RS subdistricts for recreation-based subdivisions shall be located within one-half mile of the following:

   a. Management Class 4 or 5 lakes;

   b. Management Class 7 lakes that have at least five existing dwelling units, at least one existing dwelling unit per 50 acres of surface area, and at least one existing dwelling unit per one-half mile of shoreline; or

   c. Trailheads serving permanent trails that support motorized vehicles, non-motorized vehicles, or equestrian use, and have an appropriately-sized parking area and sufficient additional user capacity to serve users from the proposed residential use.

3. **Three-phase Power Dependent Activity.** D-CI subdistricts for commercial or industrial facilities that require three-phase power for operation may be established in any location that is consistent with the locational criteria of Section 10.08,B,2.

E. LEGAL RIGHT OF ACCESS

When land proposed for rezoning is required to be accessible from a public road by a legal right of access, a petitioner must demonstrate a legally enforceable right to access the land by road or by water.

1. Road Access. A legal right of access by road exists when the land proposed for rezoning:

a. Abuts a public road or is part of a larger parcel in common ownership that abuts a public road; or

b. Benefits from an easement, appurtenant to the land, that provides for vehicular access.

Under either option, if the road over which legal access is provided does not exist, it must be reasonable that the road could be built. Additionally, the access must be sufficient to support the land uses allowed in the proposed subdistrict, including any associated construction, maintenance and use of structures, and decommissioning. An easement providing for vehicular access may contain reasonable provisions to minimize the burden on the underlying fee owner, such as provisions that: allow for closure of the road during spring mud conditions; allow for closure during the winter to avoid snow plowing, provided pedestrian and snowmobile access is allowed; and establish road standards and reasonable maintenance expectations and responsibilities.

2. Access by Water. An enforceable right of access by water exists when the land proposed for rezoning reasonably may be accessed by boat from a public or private boat launch or ramp, provided the boat launch or ramp is accessible by road access consistent with Section 10.08-A,E,1 above. Additionally provided, when the subdivision land will be accessed by boat from a private boat launch or ramp, all lot owners will have a legally enforceable right to use and ensure continued maintenance of the boat launch or ramp.

10.09 CRITERIA FOR AMENDMENT OF LAND USE STANDARDS

Adoption or amendment of land use standards may not be approved unless there is substantial evidence that the proposed land use standards would serve the purpose, intent and provisions of 12 M.R.S. Chapter 206-A, and would be consistent with the Comprehensive Land Use Plan.

10.10 VARIANCES

The Commission may grant variances pursuant to 12 M.R.S. § 685-A(10) and adopts this section to interpret and implement the statutory provision.

A. PETITIONS

Any property owner or lessee may petition the Commission for permission to develop the property in a manner otherwise prohibited by the Commission's rules. Variances may be granted only from dimensional requirements, but shall not be granted for establishment of uses otherwise prohibited by the Commission's rules.

B. GRANTING OF A VARIANCE

The Commission may grant a variance when the Commission finds that the proposed development is in keeping with the general spirit and intent of this chapter, that the public interest is otherwise protected and that strict compliance with the rules and standards adopted by this Commission would cause unusual hardship or extraordinary difficulties because of the following:

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

- **a.** Where necessary for the use of residential structures;
- **b.** An alternate proposal approvable under either the provisions of Sub-Chapter III or Section 10.11 would not provide a reasonable accommodation to the disability;
- **c.** The variance requested is necessary to afford relief;
- **d.** The hardship is not the result of action taken by the petitioner;
- **e.** The requirements of Section 10.10,B,4 and 5 are met for variances in special flood hazard areas; and
- **f.** The Commission may impose conditions on the variance, including limiting the variance to the duration of the disability or to the time that the person with the disability lives on the property; or

2. Exceptional or unique conditions of topography, access, location, shape, size or other physical features of the site; or

3. Unusual circumstances that were not anticipated by the Commission at the time the rules and standards were adopted.

4. In order to be granted a variance, under either Section 10.10,B,2 or 3 above, a petitioner must demonstrate, by substantial evidence, that:

a. The land in question can not yield a reasonable return unless a variance is granted;

b. The need for a variance is due to the unique circumstances of the property and not to the general conditions in the neighborhood;

c. The granting of a variance will not alter the essential character of the locality; and

d. The hardship is not the result of action taken by the petitioner or a prior owner or lessee.

5. In addition to the provisions of Section 10.10,B above, in flood prone areas, variances:

a. Shall not be granted within any designated regulatory floodway if any increase in flood levels during the base flood discharge would result.

b. Shall be granted only upon:

(1) A showing of good and sufficient cause; and,

(2) A determination that should a flood comparable to the base flood occur, the granting of a variance will not result in increased flood heights, additional threats to public safety, public expense, or create nuisances, cause fraud or victimization of the public; and,

(3) A showing that the issuance of the variance will not conflict with other state or federal laws.

c. Shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief, and the Commission may impose such conditions to a variance as it deems necessary.

d. May be issued for development for the conduct of a functionally dependent use provided that:

(1) Other criteria of Section 10.10 and Section 10.25,T,2,k are met; and,

(2) The structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

e. May be issued for Historic Structures upon the determination that the development:

(1) Meets the criteria of Section 10.10,B,5,a-d above; and,

(2) Will not preclude the structure's continued designation as a Historic Structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

C. ISSUANCE

The Commission may issue a variance only after making written findings of fact and conclusions indicating that the petition, as modified by such terms and conditions as the Commission deems appropriate, has met the standards of Section 10.10,B. If the Commission denies the requested variance, it shall provide the petitioner with written explanation of the reasons for denial.

D. VARIANCES IN SPECIAL FLOOD HAZARD AREAS

Any applicant who meets the criteria of Section 10.10,B,5,a-e above shall be notified by the Commission in writing over the signature of the Director that:

1. The issuance of a variance to construct a structure below the base flood level will result in greatly increased premium rates for flood insurance up to amounts as high as $25 per $100 of insurance coverage;

2. Such construction below the base flood level increases risks to life and property; and

3. The applicant must agree in writing that the applicant is fully aware of all the risks inherent in the use of land subject to flooding, assumes those risks and agrees to indemnify and defend the state against any claims filed against it that are related to the applicant's decision to use land located in a floodplain and that the applicant individually releases the state from any claims the applicant may have against the state that are related to the use of land located in a floodplain.

10.11 NONCONFORMING USES AND STRUCTURES

A. PURPOSE AND SCOPE

This section governs structures, uses and lots that were created before the Commission's rules or laws were established, but which do not meet the current rules or laws. This section also governs structures, uses and lots that met the Commission's rules or laws when built or created, but no longer are in conformance due to subsequent revisions to those rules or laws.

In accordance with 12 M.R.S. § 685-A(5), legally existing nonconforming structures, uses and lots will be allowed to continue. Renovations of these structures, and the construction of certain accessory buildings, are allowed without a permit, except for those located in areas of special flood hazard as defined by rule. However, 12 M.R.S. § 685-B(7) authorizes the Commission to regulate or prohibit extensions, enlargement, or movement of nonconforming uses and structures. This section clarifies which activities are allowed with a permit, without a permit, or are prohibited in the modification of a legally existing nonconforming structure, use or lot, including such a structure or use that is legally existing nonconforming pursuant to 12 M.R.S. § 685-B(7-B).

B. GENERAL

1. Criteria for Approval. Permits are required for all expansions, reconstructions, relocations, changes of use, or other development of nonconforming structures, uses and lots, except where specifically provided in Section 10.11. In order to obtain a permit, the applicant must meet the approval criteria in 12 M.R.S. § 685-B(4) and demonstrate that:

a. the project will not adversely affect surrounding uses and resources; and

b. there is no increase in the extent of nonconformance, except as provided in Section 10.11,B,9 or in instances where a road setback is waived by the Commission in order to increase the extent of conformance with a water body setback.

2. Extent of Nonconformance with Respect to Setbacks. Section 10.26,D of these rules establishes minimum setbacks from water bodies, roads and property boundaries. Where legally existing, nonconforming structures do not meet these setbacks, an existing setback line will be established. The existing setback line will run parallel to the water body, road or property boundary at a distance equal to the closest point of the existing structure (including attached decks or porches) to the feature from which the setback is established. This is shown graphically below in Figure 10.11,B-1.

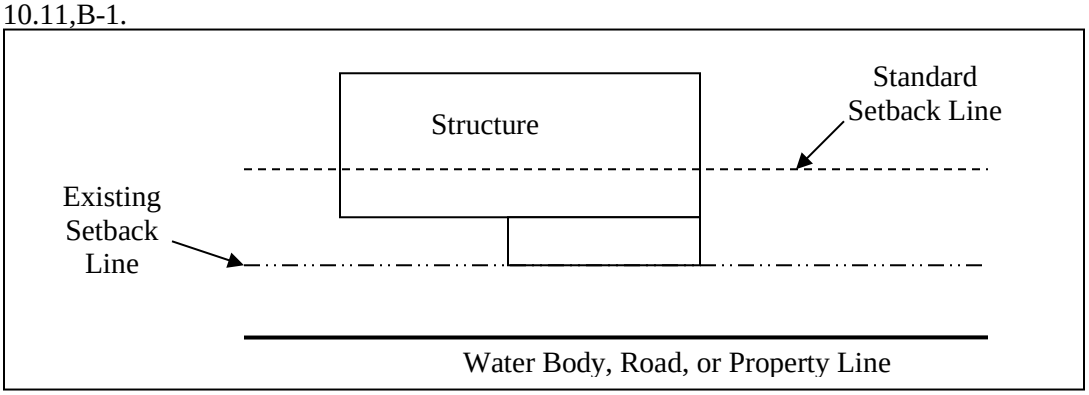

Figure 10.11,B-1. Determination of setback

Subject to the other requirements in Section 10.11, a nonconforming structure may be expanded up to the existing setback line without being considered to be more nonconforming than the original structure. Expansions between the existing setback line and the water body, road or property boundary will be considered to increase nonconformity, and will not be allowed, except as provided in Section 10.11,B,9.

3. Transfer of Ownership. Legally existing, nonconforming structures, uses, and lots may be transferred, and the new owner may continue the nonconforming use or continue to use the nonconforming lot or structure as before, subject to the provisions of the Commission's rules.

4. Normal Maintenance and Repair. A permit is not required for the normal maintenance and repair of legally existing nonconforming structures, structures associated with nonconforming uses, or structures on nonconforming lots, except that normal maintenance and repair in areas of special flood hazard shall be regulated in conformance with the requirements of Section 10.23,C and must meet applicable development standards in 10.25,T, Activities in Flood Prone Areas.

5. Renovation. A permit is not required for the renovation of legally existing nonconforming structures, structures associated with nonconforming uses, or structures on nonconforming lots, except that renovations in areas of special flood hazard shall be regulated in conformance with the requirements of Section 10.23,C and must meet applicable development standards in 10.25,T, Activities in Flood Prone Areas, and all other applicable statutory and regulatory requirements.

6. Waiver of Road Setbacks. To allow a structure to become either conforming or less nonconforming to the water body setback, the Commission may reduce the road setback to no less than 20 feet in cases of reconstruction or relocation of legally existing structures or construction of new accessory structures on developed, legally existing nonconforming lots.

7. Conformance with Maine Subsurface Waste Water Disposal Rules. All changes to legally existing nonconforming structures, structures for nonconforming uses or structures on nonconforming lots must comply with the Maine State Subsurface Waste Water Disposal Rules (144A CMR 241), including changes that do not require a permit under this rule.

8. Conflicting Requirements. In cases where two or more provisions of Section 10.11 apply to a particular structure, use or lot, the more restrictive provision shall control.

9. Waiver of Property Line Setbacks. The Commission may reduce the property line setback where there is no practical alternative and upon prior written agreement of the adjoining property owner.

C. NONCONFORMING STRUCTURES

1. Expansion. A permit is required for the expansion of a nonconforming structure, except as provided in Section 10.27,P. In addition to meeting permit requirements, expansions must also comply with the following limitations. These limitations do not apply to water dependent uses as defined in Section 10.02.

a. Certain Expansions Prohibited. If any portion of a structure is located within 25 feet, horizontal distance, of the normal high water mark of a water body, expansion of that portion of the structure, which includes an increase in height or an increase in floor area, is prohibited. That portion beyond 25 feet may be expanded provided the size limitations in Section 10.11,C,1,b are met.

b. Size of Structures Near Water Bodies Limited. The maximum size of expansions of nonconforming structures is limited within areas described by either of the categories below:

(1) The area within 100 feet, horizontal distance, of the normal high water mark of bodies of standing water 10 acres or greater in size or flowing waters draining 50 square miles or more.

(2) The area within 75 feet, horizontal distance, of the normal high water mark of coastal wetlands or bodies of standing water less than 10 acres in size (but excluding bodies of standing water less than three acres in size not fed or drained by a flowing water).

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, provided that lot coverage limitations and other applicable land use standards are met. The maximum height of all structures within these areas shall be 25 feet, or existing structure height, whichever is greater. The maximum combined footprint for all structures within these areas may not exceed the limits in Table 10.11,C-1.

Closest Distance of Expansion from Water Body	Maximum Combined Footprint* for all Structures not Meeting Water Body Setbacks
Greater than 25 and less than 50 feet.	750 square feet.
Between 50 and 75 feet.	1,000 square feet.
Greater than 75 and less than 100 feet (if applicable setback is more than 75 feet).	1,500 square feet.

Table 10.11,C-1. Limitations on size of structures near water bodies.

* Expansions that increase the height of a structure or increase the floor area of a structure, such as the addition of a loft or second story, require permits but are not included in the calculation of the footprint of the structure.

c. Structures Located in a Designated Area of Cultural or Special Significance. If legally existing, non-conforming structures that would not otherwise be permitted to expand, are located within a Designated Area of Cultural or Special Significance (DACSS) listed in Appendix G, Section 2 of this chapter, then those structures may be expanded provided that:

(1) The proposed expansion is consistent with the purpose of the designation as described in Appendix G, Section 2 of this chapter; and

(2) The proposed expansion is in conformance with Section 10.11,C,1,a and b.

2. Reconstruction or Replacement. A legally existing, nonconforming structure may be reconstructed or replaced with a permit, provided that the permit application is completed and filed within two years of the date of damage, destruction or removal; the structure was in regular active use within a two year period immediately preceding the damage, destruction, or removal; and if the reconstruction or replacement involves expansion, the structure meets the requirements of Section 10.11,C,1, except that a legally existing, nonconforming structure located within a DACSS listed in Appendix G, Section 2 of this chapter may be reconstructed or replaced in accordance with Section 10.11,C,2,f; and except that a legally existing nonconforming structure within a commercial sporting camp may be reconstructed in accordance with Section 10.11.C.2,e.

a. Meeting Setbacks to the Maximum Extent Possible. Reconstruction or replacement must comply with current minimum setback requirements to the maximum possible extent. In determining whether the proposed reconstruction or replacement meets the setback to the maximum possible extent, the Commission may consider the following factors:

- size of lot,
- slope of the land,
- potential for soil erosion and phosphorus export to a water body,
- location of other legally existing structures on the property at the time of the damage, destruction or removal,
- location of the septic system and other on-site soils suitable for septic systems at the time of the damage, destruction or removal,
- type and amount of vegetation to be removed to accomplish the relocation, and
- physical condition and type of existing foundation, if any.

b. Reconstruction of Attached Decks. Decks attached to a legally existing, nonconforming structure may be reconstructed in place with a permit, except that replacement of any portion of a deck that extends into or over the normal high water mark is prohibited.

c. Permanent Foundations. The addition of a permanent foundation or the replacement of 50% or more of an existing foundation beneath a legally existing, nonconforming structure constitutes a reconstruction subject to the provisions in Section 10.11,C,2,a.

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, and renovation of a legally existing boathouse is allowed without a permit.

e. Sporting Camps. A legally existing, nonconforming structure within a commercial sporting camp may be reconstructed in place, provided that the reconstruction occurs within 2 years of damage, destruction or removal and the Commission issues a permit [see 12 M.R.S. §685-B(7-A)]. The Commission may, consistent with public health, safety and welfare, waive standards that made the original structure nonconforming. The reconstructed structure must

replicate the original structure and use to the maximum extent possible and it must be in the same location and within the same footprint as the original structure, unless the structure is relocated in accordance with Section 10.11,C,3. Minor modifications to dimensions to the structure, including the combining of multiple structures on one lot may be allowed provided the total square footage of the structure or structures is not increased and conforms with Section 10.11,C,1,b.

A legally existing, nonconforming outpost cabin shall have the same reconstruction rights of a commercial sporting camp under Section 10.11,C,2, provided the site containing the outpost cabin is limited by permit condition for a period of not less than 10 years, requiring the site to be utilized only as an outpost cabin in conjunction with a commercial sporting camp, and the permit condition is recorded with the County Registry of Deeds where the real estate is located.

f. Structures in a Designated Area of Cultural or Special Significance. A legally existing, non-conforming structure may be reconstructed in place or replaced in place with a permit, provided that:

(1) The structure is located in a DACSS listed in Appendix G, Section 2 at the time of damage, destruction, or removal of the structure; or within 2 years of damage, destruction, or removal of the structure, an area that includes the proposed site for reconstruction of the structure is designated as a DACSS in accordance with Appendix G, Section 1, or a petition for such designation is filed with the Commission;

(2) A permit application is completed and filed within two years of the date of damage, destruction or removal of the structure, or within two years of the date the area that includes the proposed site for reconstruction is designated as a DACSS, whichever is later, except that the Commission may waive this requirement upon finding that unusual circumstances prevented the applicant from filing a permit application within the two-year period provided in this paragraph;

(3) The structure was in regular active use within a two year period immediately preceding the damage, destruction, or removal, except that the Commission may waive this requirement for good cause;

(4) The proposed reconstruction conforms with the purpose of the designation as described in Appendix G, Section 2 of this chapter;

(5) Reconstruction must, to the maximum extent possible, replicate the prior version of the structure that is in keeping with the designation as described in Appendix G, Section 2 of this chapter, is in the same location, and has the same footprint, as the original structure.

Minor modifications to the dimensions of the structure may be allowed provided the total square footage of the structure or structures is not increased and conforms with Section 10.11,C,1,b.

3. Relocation. In order to make it conforming or less nonconforming, a legally existing, nonconforming structure may be relocated within the boundaries of the lot upon the issuance of a permit, provided that the site of relocation conforms to setback requirements to the maximum extent possible as determined by the Commission in accordance with the provisions of Section 10.11,C,2,a. Cleared openings created as part of a relocation shall be stabilized and revegetated. Relocated structures that are altered such that they meet the definition of reconstruction shall meet

the requirements of Section 10.11,C,2. Legally existing, nonconforming structures that are part of a commercial sporting camp or are located in a DACSS listed in Appendix G, Section 2 of this chapter, may be relocated to a site that is less nonconforming.

4. Change of Use of a Nonconforming Structure. The use of a nonconforming structure shall not be changed without permit approval.

5. New, Detached Accessory Structures. New, detached accessory structures associated with pre-1971 residences and operating farms are allowed without a permit if they meet all setbacks, do not cause lot coverage requirements to be exceeded and otherwise conform with the Commission's rules, except that new accessory structures in areas of special flood hazard shall be regulated in conformance with the requirements of Section 10.23,C and must meet the applicable development standards in 10.25,T, Activities in Flood Prone Areas, and all other applicable statutory and regulatory requirements. Permits are required for all other new detached accessory structures.

The construction of new, detached accessory structures that do not meet water body setbacks is allowed with a permit only if the structure cannot be physically sited on the lot to meet the water body setback requirement. In this case, the new accessory structure shall meet setbacks to the maximum extent possible, shall not be located closer to the normal high water mark than the principal structure, shall not be located within 25 feet of the normal high water mark, shall not be located closer than 20 feet to the road in conformance with the provisions of Section 10.11,B,6, and shall be of a size and height that, when combined with legally existing principal buildings will not exceed the size and height requirements of Section 10.11,C,1,b.

6. Enclosure of Decks and Porches. A permit is required for the complete or partial enclosure of decks and porches. Enclosure of decks and porches is not an expansion of floor area. If any portion of the structure is located within 25 feet, horizontal distance, of the normal high water mark of a water body, complete or partial enclosure of that portion of the structure is prohibited.

D. NONCONFORMING USES

1. Expansion of Use. Extension, enlargement or expansion of nonconforming uses requires a permit.

2. Change in Use. A nonconforming use may not be changed to another use without a permit.

3. Resumption of Use. A nonconforming use shall not be resumed if it has been discontinued or abandoned for a period exceeding two years, or if it has been superseded by a conforming use, unless it is in an area designated as a DACSS in Appendix G, Section 2 of this chapter within two years of when the use was discontinued or abandoned. Within a DACSS the Commission may waive this requirement for good cause.

4. Special Exceptions. Any use granted a special exception permit shall be deemed a conforming use [see 12 M.R.S. § 685-A(10)].

E. NONCONFORMING LOTS

1. Expansion of Structures. Structures on nonconforming lots may not be expanded without a permit, except as provided for in Section 10.27,P.

2. Creation of Nonconforming Lots. A lot which has an established use or structure to which dimensional standards apply may not be divided or altered in a manner that makes the lot, or any structure or use, nonconforming or more nonconforming.

3. Pre-1971, Unimproved, Nonconforming Lots. An unimproved, nonconforming lot, legally existing as of September 23, 1971, may not be developed unless the lot meets criteria set forth in a or b below or the Commission grants a variance to those standards that make the lot nonconforming.

a. If a lot is at least 20,000 square feet in size, has at least 100 feet of shore frontage, and is not a contiguous lot as described in Section 10.11,E,5 below, the Commission may allow for development provided the development would meet the shoreline setback requirements in Section 10.26,D and would meet the other dimensional requirements to the maximum extent possible.

b. If a lot is at least 15,000 square feet in size, has at least 100 feet of shore frontage and 75 feet of road frontage, and is not a contiguous lot as described in Section 10.11,E,5 below, the Commission may allow for one storage structure having a height of no more than 16 feet, and a floor area of not more than 160 square feet provided that the lot is located in a subdistrict that allows residential accessory structures, except for the P-AL or P-GP2 subdistricts, and the proposed development would meet the residential shoreline setback requirements in Section 10.26,D and would meet the other dimensional requirements to the maximum extent possible. This provision may not be used to place such a storage structure on the same lot as a campsite as defined in 12 M.R.S. § 682(15). The structure may not be used for human habitation, may not have internal plumbing or a permanent foundation, and may not be used for a home occupation or for commercial use, but may only be used for non-commercial storage purposes.

4. Development of Other Nonconforming Lots. When a lot was lawfully created after September 23, 1971, in conformity with Commission dimensional requirements applicable at the time, the Commission may allow for development provided the development would meet all dimensional requirements to the maximum extent possible except that in no case shall a setback be reduced below that in effect at the time of the creation of the lot.

5. Contiguous Lots. Two or more contiguous lots in the same ownership that individually do not meet dimensional requirements shall be combined to the extent necessary to meet the dimensional requirements, except where:

a. Such lots are part of a subdivision approved by the Commission, or

b. Each lot has a legally existing dwelling unit that conformed to the Commission's rules at the time each lot was developed.

Under these two circumstances the lots may be conveyed separately or together.

6. Expansion of Septic Systems. The conversion from primitive to combined septic systems on legally created and developed lots is allowed without a permit provided authorization is obtained

from the local plumbing inspector or from the Maine Department of Health and Human Services, Division of Health Engineering and provided there are no limitations on combined septic systems established by prior permit conditions.

7. Residential Accessory Structures. Notwithstanding the limits on the creation and development of nonconforming lots contained in other provisions of Section 10.11, a residential accessory structure may be built on an existing or newly created nonconforming accessory lot, provided:

a. The accessory structure is accessory to a legally existing residential dwelling;

b. The accessory lot is separated from the residential lot by a roadway. The accessory lot would be contiguous with the residential lot but for the roadway or right-of-way between them;

c. The accessory lot and residential lot are in common ownership or are both leased in common, and the bisecting roadway is in separate ownership or not leased in common with the two lots;

d. The accessory lot is at least 15,000 square feet in size;

e. The accessory lot's road frontage:

(1) Extends along the same segment of road as the residential lot,

(2) Is at least as long as the road frontage of the residential lot, or

(3) Meets the requirements of Section 10.26,C for residential dwellings;

f. The accessory lot and accessory structure satisfy the dimensional requirements for residential uses and dwellings in Section 10.26,B, D, E, and F, as may be affected by Section 10.26,G; and

g. The accessory structure is located in a subdistrict that allows the principal use.

For the purpose of Section 10.11,E,7 the term "residential lot" refers to a lot with a residential dwelling, and the term "accessory lot" refers to a separate nonconforming lot, on which a structure accessory to the residential dwelling is, or is proposed to be, located. Any permit issued by the Commission authorizing construction on an accessory lot must be recorded with the county registry of deeds by the permittee prior to commencing construction. Prior to termination of the common ownership or common lease of the accessory and residential lots, the accessory structure on the accessory lot must be removed. However, if the accessory structure on the accessory lot becomes accessory to a residential dwelling on another residential lot, then the accessory structure may remain, provided that the new residential lot either merges with the accessory lot or conforms with Section 10.11,E,7,b through f. The accessory structure may also be converted into a dwelling if the accessory lot merges with another lot and becomes conforming. In any case, the new owner or lessee of the accessory lot must obtain a change of use permit from the Commission and, if the two lots have not merged, this permit must be recorded with the county registry of deeds.

10.12 SEVERABILITY

The provisions of this chapter are severable. If a section, sentence, clause or phrase of this chapter is adjudged by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portions of this chapter.

10.13 EFFECTIVE DATE

The effective date of this chapter shall be, as to each particular area within the Commission's jurisdiction, the effective date of the zoning map for such particular area adopted pursuant to this chapter, except as otherwise provided by 12 M.R.S. § 685-A(7-A).

10.14 PENALTIES FOR VIOLATIONS

A person violating a provision of this chapter is subject to the provisions of 12 M.R.S. § 685-C(8).

10.15 APPEALS

The appeal of a decision of the Commission or Commission’s staff must be taken in accordance with Chapter 4 of these rules and applicable statutes.

10.16 NOTIFICATION FORMAT

Where a written notification is required by this chapter, such notification must be submitted in advance of the date on which the activity, which is the subject of the notification, is commenced. Except as provided in Section 10.27,L such notification must state the:

A. location of the proposed project by use of an official Commission Land Use Guidance Map of the area;

B. nature of the proposed project; and

C. time period of the proposed project.

Such notification must also state that the activity or project will be accomplished in conformance with the applicable minimum standards of Sub-Chapter III and must be signed by a duly authorized person who shall be responsible for the execution of the activity.

10.17 EXPIRATION OF PERMIT

If a development or use approved in a permit is not substantially started or substantially completed within the time period specified in the permit conditions of approval, the permit lapses. Upon lapse, any further development or activity, including offering for sale or lease lots in an approved subdivision, is prohibited unless and until a new permit is granted, or the Commission otherwise specifically authorizes.

A. EXPIRATION DATE

Except as provided in Sections 10.17,A,1 through 4 below or as otherwise authorized by the Commission in the permit conditions of approval, development or uses authorized by a permit must be substantially started within two years of the effective date of the permit and substantially completed within five years of the effective date of the permit:

1. **Permits Issued Prior to July 1, 2003.** For permits issued prior to July 1, 2003 with no specified expiration dates, the expiration date is October 1, 2004.

2. **Special Flood Hazard Areas.** In special flood hazard areas, development or uses authorized by a permit must be substantially started within 180 days of the effective date of the permit and substantially completed within five years of the effective date of the permit.

3. **Subdivisions.** Development authorized by a Commission approved subdivision permit must be substantially started within four years of the effective date of the permit and substantially completed within seven years of the effective date of the permit.

Upon determining that a subdivision permit has expired under this paragraph, notice of such expiration must be recorded in the appropriate Registry of Deeds.

4. **Multi-phased Projects.** For multi-phased projects or project expansions that are permitted separately, final Commission approval of each phase or expansion must be treated as a separate permit for the purposes of determining “substantial start” and “substantial completion” for each phase or expansion.

B. SUBSTANTIAL START

“Substantial start” means:

1. Except as provided in Sections 10.17,B,2 and 3, the first placement of a permanent structure on a site, such as the pouring of a slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation. Permanent structures include buildings that are custom-built, manufactured, or modular; and mobile homes.

A substantial start is not made by land preparation, such as clearing, grading, or filling; the installation of roads, driveways, or walkways; excavation for a basement, footings, piers, or

foundations or the erection of temporary forms; or installation on the property of accessory structures, except where accessory structures are the only structures permitted on the parcel.

2. **Special Flood Hazard Areas.** For substantial improvements in special flood hazard areas, substantial start means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

3. **Subdivisions.** For approved subdivisions:

a. The signed subdivision plat has been recorded at the Registry of Deeds for the county in which the project is located; and

b. The completion of a portion of the permitted improvements, which represents at least 10 percent of the costs of the permitted improvements within the subdivision, in accordance with the approved plan. For the purposes of Section 10.17(B)(3)(b), permitted improvements may include internal subdivision roads, docks and boat ramps or launches, structural stormwater and erosion control practices, utilities, and other similar infrastructure. A substantial start for subdivisions is not made by land preparation, such as clearing, grading, or filling.

C. SUBSTANTIAL COMPLETION

"Substantial completion" means:

1. Except as provided in Section 10.17,C,2:

a. Approved construction has been completed to the point where normal functioning, use, or occupancy of the development can occur without concern for general health, safety, and welfare of the occupant or the general public; and

b. Completion of and full compliance with all permit conditions of approval, except those requiring ongoing compliance beyond the expiration date of the permit such as annual water quality monitoring or maintenance of structural stormwater and erosion control best management practices.

2. For approved subdivisions, the Commission has issued a certificate of compliance pursuant to Section 10.25,Q,5,c,(1) or (2). In cases where only a portion of the development has been completed and a partial certificate of compliance has been issued for the project as of the expiration date of the permit, substantial completion shall only apply to that portion of the project for which the partial certificate of compliance was issued. Approval for the remainder of the project authorized by the permit shall lapse unless a permit renewal has been issued pursuant to Section 10.17,D.

D. PERMIT RENEWALS

An application to renew a permit must be submitted prior to the expiration of the permit.

1. If an application to renew a permit is not timely submitted prior to expiration of the permit, or is timely submitted but not accepted as complete for processing in accordance with Chapter 4, Section 4.03,(8),(a), the permit lapses.

2. If the renewal application is timely submitted prior to the expiration of the permit and accepted as complete for processing, the terms and conditions of the existing permit remain in effect until the final Commission decision on the renewal application.

3. The Commission may renew a permit and extend either or both the deadline for a substantial start or for substantial completion by up to two years. Renewal applications to extend the expiration date for projects that have not been substantially started are subject to the procedural and substantive requirements in effect at the time of acceptance of the renewal application.

10.18 RESERVED

10.19 RESERVED

10.20 RESERVED

Sub-Chapter II
LAND USE SUBDISTRICTS

10.21 DEVELOPMENT SUBDISTRICTS

Pursuant to 12 M.R.S. §685-A and consistent with the Commission's Comprehensive Land Use Plan, the following development subdistricts are established:

A. COMMERCIAL INDUSTRIAL DEVELOPMENT SUBDISTRICT (D-CI)

1. Purpose

The purpose of the D-CI subdistrict is to allow for commercial, industrial and other development that is not compatible with residential uses. Designation of commercial, industrial and other similar areas of intensive development as D-CI subdistricts will ensure that other land values and community standards are not adversely affected, and will provide for the location and continued functioning of important commercial and industrial facilities.

2. Description

The D-CI subdistrict shall include:

a. Areas having existing commercial, industrial or other buildings, structures or uses, that are incompatible with residential uses, including the following:

(1) Areas of 2 or more acres devoted to intensive, commercial and/or industrial buildings, structures or uses; except that saw mills and chipping mills and structures devoted to composting of septage, sludge or other residuals affecting an area of 5 acres or less in size shall not be included in this subdistrict unless such areas are part of a larger pattern of development which otherwise meets the criteria for redistricting to this subdistrict;

(2) Areas of 2 or more acres devoted to refuse disposal including, but not limited to, dumps and sanitary land fill operations;

(3) Areas used for aircraft landing and takeoff and the storage and maintenance of aircraft;

(4) Areas of 2 or more acres used for the storage of junk, oil products, or industrial or commercial materials or inventory;

(5) Areas of 2 or more acres devoted to buildings, structures or uses similar to those listed in Section 10.21,A,2,a,(1) through (4) that are incompatible with residential uses; and

(6) Areas where one or more existing principal buildings exist within a 500 foot radius and where the gross floor area of all such principal building(s) is more than 8,000 square feet provided the uses thereof are incompatible with residential uses.

The designated D-CI subdistrict boundary shall include all those areas described in Section 10.21,A,2,a,(1) through (6) above, as well as adjoining areas directly related to, and necessary for, the conduct of those activities.

b. Areas the Commission determines meet the criteria for redistricting to this subdistrict, pursuant to Section 10.08, are proposed for development that is consistent with the purposes of this subdistrict, and are generally suitable for the development activities proposed.

3. Land Uses

a. Uses Allowed Without a Permit

The following uses are allowed without a permit from the Commission within D-CI subdistricts.

(1) Docking structures: Temporary docking structures for non-commercial use;
(2) Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations;
(3) Forest management activities, except for timber harvesting;
(4) Motorized vehicular traffic on roads and trails, and snowmobiling;
(5) Primitive recreational uses, including, fishing, hiking, wildlife study and photography, wild crop harvesting, horseback riding, tent and shelter camping, canoe portaging, cross country skiing, and snowshoeing but not including hunting and trapping;
(6) Surveying and other resource analysis; and
(7) Wildlife and fishery management practices.

b. Uses Allowed Without a Permit Subject to Standards

The following uses are allowed without a permit from the Commission within D-CI subdistricts subject to the applicable requirements set forth in Sub-Chapter III.

(1) Accessory structures: New or expanded structures accessory to, and located on the same lot as, any legally existing principal structures and uses, provided that:
  (a) The accessory structure is located in a subdistrict that allows the principal use; and
  (b) The total square footage of the footprint of all new or expanded accessory structures built on a lot within a two-year period is not more than 750 square feet and all other requirements and standards of Section 10.27,P are met;
(2) Agricultural activities: Agricultural management activities;
(3) Constructed ponds: Creation, alteration or maintenance of constructed ponds of less than 4,300 square feet in size which are not fed or drained by flowing waters, provided they are constructed and maintained in conformance with the vegetative buffer strip requirements of Section 10.27,C,2,a;
(4) Filling and grading;
(5) Hand-carry launches: Commercial and private hand-carry launches;
(6) Mineral exploration activities: Level A and B mineral exploration activities, excluding associated access ways;
(7) Road projects: Level A road projects;
(8) Service drops;
(9) Signs;
(10) Utility services: Buildings or structures necessary for the furnishing of public utility services, provided they contain not more than 500 square feet of floor area, are less than 20 feet in height, and are not supplied with water; and
(11) Water crossings of minor flowing waters.

c. Uses Requiring a Permit

The following uses, and related accessory structures, may be allowed within D-CI subdistricts upon issuance of a permit from the Commission pursuant to 12 M.R.S. §685-B, subject to the applicable requirements set forth in Sub-Chapter III and, where within 500 feet

of Management Class 2 lakes or within 250 feet of Management Class 4 lakes, subject to the applicable requirements of Section 10.21,A,3,f, and g below:

(1) Agricultural activities: Agricultural management activities which are not in conformance with the standards of Section 10.27,A;
(2) Commercial and industrial: Any commercial and industrial uses, except natural resource extraction;
(3) Constructed ponds: Creation, alteration or maintenance of constructed ponds 4,300 square feet or greater in size which are not fed or drained by flowing waters, or of such ponds less than 4,300 square feet in size which are not in conformance with the vegetative buffer strip requirements of Section 10.27,C,2,a;
(4) Draining or altering the water table or water level for other than mineral extraction;
(5) Driveways;
(6) Filling and grading, which is not in conformance with the standards of Section 10.27,F;
(7) Hand-carry launches addressed in Section 10.21,A,3,b which are not in conformance with the standards of Section 10.27,L;
(8) Land application of septage, sludge and other residuals, and related storage and composting activities and structures;
(9) Land management roads;
(10) Metallic mineral mining activities: Tier one advanced exploration;
(11) Mineral exploration activities: Access ways for Level A and B mineral exploration activities, and Level A and B mineral exploration activities which are not in conformance with the standards of Section 10.27,C;
(12) Recreational lodging facilities:
    (a) Level C;
    (b) Level C – Expanded Access;
    (c) Level D;
    (d) Level D – Expanded Access; and
    (e) Level E;
(13) Road projects: Level B and C road projects, except for water crossings as provided for in Section 10.21,A,3,b;
(14) Shoreland alterations, excluding water crossings of minor flowing waters, trailered ramps and hand-carry launches;
(15) Signs which are not in conformance with the standards of Section 10.27,J;
(16) Solar energy generation facility: grid-scale energy generation facility not located on soils recognized by the U.S. Department of Agriculture as prime farmland soils;
(17) Solid waste disposal;
(18) Subdivisions: Commercial and industrial subdivisions for uses permitted in this subdistrict;
(19) Timber harvesting;
(20) Trailered ramps: Commercial and private trailered ramps;
(21) Utility facilities, excluding service drops, and wire and pipe line extensions which do not meet the definition of service drops;
(22) Water access ways;
(23) Water crossings of minor flowing waters which are not in conformance with the standards of Section 10.27,D and water crossings of bodies of standing water and of major flowing waters;
(24) Water impoundments;
(25) Wind projects: Community-based offshore wind energy projects, as defined in 12 M.R.S. §682(19); offshore wind power projects, as defined in 38 M.R.S. §480-B(6A); and wind energy development in accordance with 35-A M.R.S., Chapter 34-A in areas identified in Appendix F herein;

(26) Other structures, uses or services that are essential to the uses listed in Section 10.21,A,3,a through c; and

(27) Other structures, uses, or services which the Commission determines are consistent with the purposes of this subdistrict and of the Comprehensive Land Use Plan and are not detrimental to the resources and uses they protect, and are of similar type, scale and intensity as other allowed uses.

d. Special Exceptions

The following uses, and related accessory structures, may be allowed within D-CI subdistricts as special exceptions upon issuance of a permit from the Commission pursuant to 12 M.R.S. §685-A(10), and subject to the applicable requirements set forth in Sub-Chapter III, provided that the applicant shows by substantial evidence that (a) upon decommissioning of the facility all structures and materials associated with the development will be removed, and affected soils will be replaced or restored to a state such that they could be utilized for active agricultural production; and (b) such other conditions are met that the Commission may reasonably impose in accordance with the policies of the Comprehensive Land Use Plan:

(1) Solar energy generation facility: grid-scale solar energy generation facility located on soils recognized by the U.S. Department of Agriculture as prime farmland soils.

e. Prohibited Uses

All uses not expressly allowed, with or without a permit or by special exception, are prohibited in D-CI subdistricts.

f. Water Quality Limiting Lakes

For information relative to water quality limiting lakes see Section 10.23,E,3,g.

g. Management Class 4 Lakes (High Value, Developed Lakes) as shown on the Commission's Land Use Guidance Maps.

Within 250 feet of the normal high water mark of Management Class 4 lakes, the Commission will:

(1) With respect to proposed subdivisions and commercial and industrial structures, require the applicant to indicate future plans for other undeveloped shorelands on the lake that are owned by the applicant. Such indication of future plans shall address, at a minimum, the next 10 years, and shall include, but not be limited to, the following information regarding the applicant's land ownership on the lake:

(a) area and shoreline length;
(b) potential suitability for development based on an appropriate inventory of soils and significant natural and cultural resources; and
(c) development proposed or anticipated, if any.

This indication of future plans shall be considered part of the proposal. Therefore, changes in such plans, evidenced by a development proposal not included in the description of future plans, will require approval of an application to amend the original proposal in which these future plans were indicated.

B. EXTENDED SETTLEMENT DEVELOPMENT SUBDISTRICT (D-ES)

1. Purpose

The purpose of the D-ES subdistrict is to separate those land uses that create impacts incompatible with residential areas and community centers, as well as provide for appropriate areas to concentrate development at the edge of rural growth centers designated as development subdistricts. Concentrated development seeks to avoid the visual and fiscal impacts of sprawl.

2. Description

This subdistrict is designed to accommodate a wide range of commercial, light manufacturing, and public uses that create impacts incompatible with other smaller scale commercial, public, and residential uses. This subdistrict allows facilities that generate traffic or noise such as transfer stations, gasoline stations, warehouses, self storage, and contracting businesses. The subdistrict is not designed to accommodate general retail establishments better located in a community center or rural settlement; or to facilitate strip development along highways.

This subdistrict will only be applied in areas appropriate to accommodate this type of development in a community after a prospective planning process has been undertaken. Appropriate areas will be adjacent to other development subdistricts, particularly D-GN2 subdistricts. Adjacent is interpreted to mean within a distance of one road mile. The D-ES subdistrict will not be located in remote or lightly settled areas or separately from established or proposed development centers.

Using Section 10.08 of these rules, the Commission shall designate areas for this subdistrict that are consistent with its purpose and suitable for supporting development when measured against the standards of 12 M.R.S. § 685-B(4) and the Commission's rules and regulations.

3. Land Uses

The provisions of the D-ES subdistrict will not apply to any applications that have been received and deemed complete for processing by the Commission staff on or before January 1, 2001.

a. Uses Allowed Without a Permit

The following uses are allowed without a permit from the Commission within D-ES subdistricts:

(1) Docking structures: Temporary docking structures for non-commercial use;
(2) Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations;
(3) Forest management activities, except for timber harvesting;
(4) Motorized vehicular traffic on roads and trails, and snowmobiling;
(5) Primitive recreational uses, including fishing, hiking, wildlife study and photography, wild crop harvesting, horseback riding, tent and shelter camping, canoe portaging, cross country skiing, and snowshoeing, but not including hunting or trapping;
(6) Surveying and other resource analysis;
(7) Trails, provided they are constructed and maintained so as to reasonably avoid sedimentation of water bodies; and
(8) Wildlife and fishery management practices.

b. Uses Allowed Without a Permit Subject to Standards

The following uses are allowed without a permit from the Commission within D-ES subdistricts subject to the applicable requirements set forth in Sub-Chapter III:

(1) Accessory structures: New or expanded structures accessory to, and located on the same lots as, any legally existing principal structures and uses, provided that:
   (a) The accessory structure is located in a subdistrict that allows the principal use; and
   (b) The total square footage of the footprint of all new or expanded accessory structures built on a lot within a two year period is not more than 750 square feet and all other requirements and standards of Section 10.27,P are met;
(2) Agricultural activities: Agricultural management activities;
(3) Constructed ponds: Creation, alteration, or maintenance of constructed ponds of less than 4,300 square feet in size which are not fed or drained by flowing waters provided they are constructed and maintained in conformance with the vegetative buffer strip requirements of Section 10.27,C,2,a;
(4) Driveways associated with residential uses;
(5) Filling and grading;
(6) Hand-carry launches: Commercial and public hand-carry launches;
(7) Home-based businesses: Minor home-based businesses;
(8) Mineral exploration activities: Level A mineral exploration activities, excluding associated access ways;
(9) Road projects: Level A road projects;
(10) Service drops;
(11) Signs;
(12) Trailered ramps: Public trailered ramps;
(13) Utility services: Buildings or structures necessary for the furnishing of public utility services, provided they contain not more than 500 square feet of floor area, are less than 20 feet in height, and are not supplied with water; and
(14) Water crossings of minor flowing waters.

c. Uses Requiring a Permit

The following uses, and related accessory structures, may be allowed within D-ES subdistricts upon issuance of a permit from the Commission pursuant to 12 M.R.S. § 685-B, subject to the applicable requirements set forth in Sub-Chapter III and, where within 500 feet of Management Class 2 lakes or within 250 feet of Management Class 4 and Management Class 5 lakes, subject to the applicable requirements of Section 10.21,B,3,g, h and i below:

(1) Agricultural activities: Agricultural management activities which are not in conformance with the standards of Section 10.27,A;
(2) Commercial and industrial: Commercial and light manufacturing facilities up to 20,000 square feet of gross floor area. Allowed uses include:
   - Businesses that relate to forestry or farming;
   - Light manufacturing and assembly plants;
   - Contracting businesses;
   - Automobile service and repair;
   - Self storage facilities;
   - Fuel storage;
   - Warehouses; and
   - Sand and salt storage facilities;
(3) Commercial boarding kennels, animal hospitals, and animal rescue facilities;

(4) Constructed ponds: Creation, alteration or maintenance of constructed ponds 4,300 square feet or greater in size which are not fed or drained by flowing waters, or of such ponds less than 4,300 square feet in size which are not in conformance with the vegetative buffer strip requirements of Section 10.27,C,2,a;
(5) Draining or altering the water table or water level for other than mineral extraction;
(6) Driveways associated with non-residential uses; driveways associated with residential uses which are not in conformance with the standards of Section 10.27,H;
(7) Filling and grading which is not in conformance with the standards of Section 10.27,F;
(8) Hand-carry launches addressed in Section 10.21,B,3,b which are not in conformance with the standards of Section 10.27,L;
(9) Land management roads;
(10) Mineral exploration activities: Access ways for Level A mineral exploration activities, Level A mineral exploration activities which are not in conformance with the standards of Section 10.27,C, and Level B mineral exploration activities;
(11) Natural resource extraction: Mineral extraction including mineral extraction processing equipment;
(12) Peat extraction including the use of any related processing equipment;
(13) Public and institutional: fire stations, solid waste transfer or recycling stations, public works facilities, sand and salt storage, and other like facilities;
(14) Road projects: Level B and C road projects, except for water crossings as provided for in Section 10.21,B,3,b;
(15) Shoreland alterations, including reconstruction of permanent docking structures, and permanent on-shore structures used to secure docks or moorings; but excluding marinas, new or expanded permanent docking structures, water-access ways, trailered ramps, hand-carry launches, and water crossings of minor flowing waters;
(16) Signs which are not in conformance with the standards of Section 10.27,J;
(17) Subdivisions: Commercial and industrial subdivisions for uses allowed in this subdistrict;
(18) Timber harvesting;
(19) Trailered ramps: Public trailered ramps addressed in Section 10.21,B,3,b which are not in conformance with the standards of Section 10.27,L;
(20) Utility facilities compatible with residential uses, other than service drops; and wire and pipe line extensions which do not meet the definition of service drops;
(21) Water crossings of minor flowing waters which are not in conformance with the standards of Section 10.27,D and water crossings of bodies of standing water and of major flowing waters;
(22) Water impoundments;
(23) Wind projects: Community-based offshore wind energy projects, as defined in 12 M.R.S. § 682(19); offshore wind power projects, as defined in 38 M.R.S. § 480-B(6A); and wind energy development in accordance with 35-A M.R.S., Chapter 34-A in areas identified in Appendix F herein;
(24) Other structures, uses or services that are essential to the uses listed in Section 10.21,B,3,a,b,and c; and
(25) Other structures, uses, or services which the Commission determines are consistent with the purposes of this subdistrict and of the Comprehensive Land Use Plan and are not detrimental to the resources and uses they protect, and are of similar type, scale and intensity as other allowed uses.

d. Special Exceptions

The following uses, and related accessory structures, may be allowed within D-ES subdistricts as special exceptions upon issuance of a permit from the Commission pursuant to 12 M.R.S. § 685-A(10) and subject to the applicable requirements set forth in Sub-Chapter III, provided that the applicant shows by substantial evidence that (a) the use can be buffered from other uses or in the case of residential uses, will not adversely affect permitted commercial uses within the subdistrict with which it is incompatible; and (b) such other conditions are met that the Commission may reasonably impose in accordance with the policies of the Comprehensive Land Use Plan:

(1) Campsites, Residential;
(2) Commercial:
- Adult entertainment facilities;
- Automobile or equipment sales with a total of more than 10,000 square feet of outdoor display or storage area combined;
- Junkyards and automobile grave yards; and
- Retail sale of gasoline with more than 2 pumps;

(3) Home-based businesses: Major home-based businesses; and
(4) Residential: Single and two-family dwellings.

The following uses may be allowed as special exceptions provided the applicant also shows by substantial evidence that there is no alternative site which is both suitable to the proposed use and reasonably available to the applicant:

(5) Docking structures: New or expanded permanent docking structures;
(6) Marinas;
(7) Trailered ramps: Commercial and private trailered ramps; and
(8) Water-access ways.

e. Prohibited Uses

All uses not expressly allowed, with or without a permit, notification, or by special exception are prohibited in a D-ES subdistrict.

f. Water Quality Limiting Lakes

For information relative to water quality limiting lakes see Section 10.23,E,3,g.

g. Management Class 2 Lakes (Accessible, Undeveloped, High Value Lakes) as shown on the Commission's Land Use Guidance Maps.

With respect to single family dwelling proposals within 500 feet of the normal high water mark of Management Class 2 Lakes, the Commission will require an average density per landownership of no more than one dwelling unit per shore mile.

h. Management Class 4 Lakes (High Value, Developed Lakes) as shown on the Commission's Land Use Guidance Maps.

Within 250 feet of the normal high water mark of Management Class 4 lakes, the Commission will:

(1) Require applicants to indicate future plans for other undeveloped shorelands in their ownership when a subdivision or other non-residential use is proposed. The plans shall

address, at a minimum, the next 10 years, and shall include, but not be limited to, the following information regarding the applicant's land ownership on the lake:

(a) area and shoreline length;
(b) potential suitability for development based on an appropriate inventory of soils and significant natural and cultural resources; and
(c) development proposed or anticipated, if any.

These future plans shall be considered part of the proposal. Therefore, changes in such plans, for example a development proposal that was not originally included, will require approval of an application to amend the original proposal in which these future plans were indicated.

(2) Require cluster developments for all subdivisions that shall meet the requirements of Section 10.25,Q,4,b.

i. **Management Class 5 Lakes** (Heavily Developed Lakes) as shown on the Commission's Land Use Guidance Maps.

With respect to subdivision proposals within 250 feet of Management Class 5 lakes, the Commission will require cluster developments which meet the requirements of Section 10.25,Q,4,b.

C. GENERAL DEVELOPMENT SUBDISTRICT (D-GN)

1. Purpose

The purpose of the D-GN subdistrict is to recognize existing patterns of development in appropriate areas and to encourage further patterns of compatible development therein and adjacent thereto. It is the Commission's intent to promote these areas as future growth centers in order to encourage the location of compatible developments near each other and to minimize the impact of such development upon incompatible uses and upon public services and facilities. Thus the Commission's purpose is to encourage the general concentration of new development, and thereby avoid the fiscal and visual costs of sprawl, and to provide a continuing sense of community in settled areas.

2. Description

The D-GN subdistrict shall include:

a. Areas with the following patterns of existing intensive development use:

(1) Areas where 4 or more principal buildings exist within a 500 foot radius provided that one or more of such buildings is other than a single family detached dwelling unit; and all such buildings are compatible with such residential units; or

(2) Recorded and legally existing subdivisions, other than for exclusively single family detached residential purposes, having 4 or more lots; or

(3) Areas of 2 acres or more devoted to intensive non-residential development, other than that land devoted to forest and agricultural management activities, provided that such uses are compatible with residential uses. Such areas shall include but not be limited to:

(a) Existing intensive development used for recreational purposes;

(b) Existing recreational lodging facilities otherwise allowed in the subdistrict;

(c) Existing groups of stores and restaurants including related parking and landscaped areas; or

(4) Areas where one or more existing principal buildings exist within a 500 foot radius and where the gross floor area of all such principal building(s) is more than 8,000 square feet, provided the uses thereof are compatible with residential uses.

The designated D-GN subdistrict boundaries shall include all buildings, paved surfaces, and areas directly related to, and necessary for, the conduct of those activities associated with the above described principal buildings, as well as other intervening areas between such buildings, paved surfaces, and areas.

b. Areas which the Commission determines meet the criteria for redistricting to this subdistrict, pursuant to Section 10.08 hereof, are proposed for development which is consistent with the purposes of this subdistrict, and are suitable for the development activities proposed when measured against the standards of 12 M.R.S. § 685-B(4) and the Commission's Rules and Regulations relating thereto.

3. Land Uses

a. Uses Allowed Without a Permit

The following uses are allowed without a permit from the Commission within D-GN subdistricts:

(1) Docking structures: Temporary docking structures for non-commercial use;
(2) Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations;
(3) Forest management activities, except for timber harvesting;
(4) Motorized vehicular traffic on roads and trails, and snowmobiling;
(5) Primitive recreational uses, including fishing, hiking, wildlife study and photography, wild crop harvesting, horseback riding, tent and shelter camping, canoe portaging, cross country skiing, and snowshoeing, but not including hunting or trapping;
(6) Surveying and other resource analysis;
(7) Trails, provided they are constructed and maintained so as to reasonably avoid sedimentation of water bodies; and
(8) Wildlife and fishery management practices.

b. Uses Allowed Without a Permit Subject to Standards

The following uses are allowed without a permit from the Commission within D-GN subdistricts subject to the applicable requirements set forth in Sub-Chapter III:

(1) Accessory structures: New or expanded structures accessory to, and located on the same lot as, any legally existing principal structures and uses, provided that:
  (a) The accessory structure is located in a subdistrict that allows the principal use; and
  (b) The total square footage of the footprint of all new or expanded accessory structures built on a lot within a two (2) year period is not more than 750 square feet and all other requirements and standards of Section 10.27,P are met;
(2) Agricultural activities: Agricultural management activities;
(3) Commercial: Recreation supply facilities that do not involve structural development, are not within one-quarter mile of Management Class 1 or Management Class 2 lakes, and not within one-half mile of Management Class 6 lakes, and that are in conformance with the requirements for such activities in Section 10.27,S;
(4) Constructed ponds: Creation, alteration or maintenance of constructed ponds of less than 4,300 square feet in size which are not fed or drained by flowing waters provided they are constructed and maintained in conformance with the vegetative buffer strip requirements of Section 10.27,C,2,a;
(5) Driveways associated with residential uses;
(6) Filling and grading;
(7) Hand-carry launches: Commercial and public hand-carry launches except on Management Class 1 and 2 lakes;
(8) Home-based businesses: Minor home-based businesses;
(9) Mineral exploration activities: Level A mineral exploration activities, excluding associated access ways;
(10) Road projects: Level A road projects;
(11) Service drops;
(12) Signs;
(13) Trailered ramps: Public trailered ramps except on Management Class 1 and 2 lakes;

(14) Utility services: Buildings or structures necessary for the furnishing of public utility services, provided they contain not more than 500 square feet of floor area, are less than 20 feet in height, and are not supplied with water; and
(15) Water crossings of minor flowing waters.

c. Uses Requiring a Permit

The following uses, and related accessory structures, may be allowed within D-GN subdistricts upon issuance of a permit from the Commission pursuant to 12 M.R.S. § 685-B, subject to the applicable requirements set forth in Sub-Chapter III and, where within 500 feet of Management Class 2 lakes or within 250 feet of Management Class 4 lakes, subject to the applicable requirements of Section 10.21,C,3,g and h below:

(1) Agricultural activities: Agricultural management activities which are not in conformance with the standards of Section 10.27,A;
(2) Campsites;
(3) Campsites, Residential;
(4) Cemeteries, and family burying grounds in accordance with 13 M.R.S. § 1142;
(5) Commercial and industrial:
  (a) Facilities having not more than 2,500 square feet of gross floor area including facilities offering food and beverages prepared on the premises, retail stores and services, and laundromats but excluding auto service stations or repair garages and uses which may create a nuisance or unsafe or unhealthy conditions or are otherwise incompatible with residential uses;
  (b) Recreation supply facilities that do not involve structural development, are not within one-quarter mile of Management Class 1 or Management Class 2 lakes, and not within one-half mile of Management Class 6 lakes, and that are not in conformance with the requirements for such activities in Section 10.27,S; and
  (c) Recreation supply facilities that may involve structural development and are not within one-quarter mile of Management Class 1 or Management Class 2 lakes, and not within one-half mile of Management Class 6 lakes;
(6) Constructed ponds: Creation, alteration or maintenance of constructed ponds 4,300 square feet or greater in size which are not fed or drained by flowing waters, or of such ponds less than 4,300 square feet in size which are not in conformance with the vegetative buffer strip requirements of Section 10.27,C,2,a;
(7) Draining, dredging, or alteration of the water table or water level for other than mineral extraction;
(8) Driveways associated with non-residential uses; driveways associated with residential uses which are not in conformance with the standards of Section 10.27,H;
(9) Filling and grading which is not in conformance with the standards of Section 10.27,F;
(10) Hand-carry launches: Private hand-carry launches and hand-carry launches addressed in Section 10.21,C,3,b which are not in conformance with the standards of Section 10.27,L;
(11) Home-based businesses: Major home-based businesses;
(12) Land management roads;
(13) Mineral exploration activities: Access ways for Level A mineral exploration activities, Level A mineral exploration activities which are not in conformance with the standards for such activities in Section 10.27,C, and Level B mineral exploration activities;
(14) Public and institutional: Places of worship and other religious institutions; public, private and parochial schools, public and other institutional buildings such as, but not limited to, libraries, fire stations, post offices, and day nurseries;

(15) Recreation facilities: Public or private recreation facilities including, but not limited to, parks, playgrounds, and golf courses;
(16) Recreational lodging facilities:
  (a) Level B;
  (b) Level C;
  (c) Level C – Expanded Access; and
  (d) Level D (inside geographic allowance area);
(17) Residential: Single family dwellings, two-family dwellings, and multi-family dwellings;
(18) Road projects: Level B and C road projects, except for water crossings as provided for in Section 10.21,C,3,b;
(19) Shoreland alterations, including reconstruction of permanent docking structures, and permanent on-shore structures used to secure docks and moorings; but excluding marinas, new or expanded permanent docking structures, water-access ways, trailered ramps, hand-carry launches, and water crossings of minor flowing waters;
(20) Signs which are not in conformance with the standards of Section 10.27,J;
(21) Subdivisions:
  (a) Commercial and industrial subdivisions for uses allowed in this subdistrict; and
  (b) Residential subdivisions: High- and moderate-density subdivisions;
(22) Timber harvesting;
(23) Trailered ramps addressed in Section 10.21,C,3,b which are not in conformance with the standards of Section 10.27,L;
(24) Utility facilities compatible with residential uses, other than service drops, and wire and pipe line extensions which do not meet the definition of service drops;
(25) Water crossings of minor flowing waters which are not in conformance with the standards of Section 10.27,D and water crossings of bodies of standing water and of major flowing waters;
(26) Water impoundments;
(27) Wind projects: Community-based offshore wind energy projects, as defined in 12 M.R.S. § 682(19); offshore wind power projects, as defined in 38 M.R.S. § 480-B(6A); and wind energy development in accordance with 35-A M.R.S., Chapter 34-A in areas identified in Appendix F herein;
(28) Other structures, uses or services that are essential to the uses listed in Section 10.21,C,3,a through c; and
(29) Other structures, uses, or services which the Commission determines are consistent with the purposes of this subdistrict and of the Comprehensive Land Use Plan and are not detrimental to the resources and uses they protect, and are of similar type, scale and intensity as other allowed uses.

d. Special Exceptions

The following uses, and related accessory structures, may be allowed within D-GN subdistricts as special exceptions upon issuance of a permit from the Commission pursuant to 12 M.R.S. § 685-A(10), and subject to the applicable requirements set forth in Sub-Chapter III, provided that the applicant shows by substantial evidence that (a) the use can be buffered from those other uses within the subdistrict with which it is incompatible; and (b) such other conditions are met that the Commission may reasonably impose in accordance with the policies of the Comprehensive Land Use Plan:

(1) Commercial and industrial:
  (a) Auto service stations or repair garages;

(b) Light industrial uses and other commercial uses having a gross floor area of more than 2,500 square feet; and
(c) Stores, commercial recreational uses not including recreational lodging facilities, and entertainment or eating establishments having a gross floor area of more than 2,500 square feet.

(2) Recreational lodging facilities: Level D (outside geographic allowance area).

The following uses may be allowed as special exceptions, either singly or in combination, provided the applicant shows by substantial evidence, in addition to (a) and (b) above, that (c) that there is sufficient infrastructure to accommodate the additional traffic and activity generated by the facility; and (d) that surrounding resources and uses that may be sensitive to such increased traffic and activity are adequately protected:

(3) Recreational lodging facilities:
(a) Level D – Expanded Access (inside or outside geographic allowance area); and
(b) Level E (inside geographic allowance area).

The following uses may be allowed as special exceptions provided the applicant also shows by substantial evidence that there is no alternative site which is both suitable to the proposed use and reasonably available to the applicant:

(4) Docking structures: New or expanded permanent docking structures;
(5) Hand-carry launches: Commercial and public hand-carry launches on Management Class 1 and 2 lakes;
(6) Marinas;
(7) Trailered ramps: Commercial and private trailered ramps, and public trailered ramps on Management Class 1 and 2 lakes; and
(8) Water-access ways.

e. Prohibited Uses

All uses not expressly allowed, with or without a permit or by special exception are prohibited in a D-GN subdistrict.

f. Water Quality Limiting Lakes

For information relative to water quality limiting lakes see Section 10.23,E,3,g.

g. Management Class 2 Lakes (Accessible, Undeveloped, High Value Lakes) as shown on the Commission's Land Use Guidance Maps.

With respect to single family dwelling proposals within 500 feet of the normal high water mark of Management Class 2 Lakes, the Commission will require an average density per landownership of no more than one dwelling unit per shore mile.

h. Management Class 4 Lakes (High Value, Developed Lakes) as shown on the Commission's Land Use Guidance Maps.

Within 250 feet of the normal high water mark of Management Class 4 lakes, the Commission will:

(1) With respect to subdivisions and commercial, industrial, and other non-residential structures, require the applicant to indicate future plans for other undeveloped shorelands on the lake that are owned by the applicant. Such indication of future plans

shall address, at a minimum, the next 10 years, and shall include, but not be limited to, the following information regarding the applicant's landownership on the lake:

(a) area and shoreline length;
(b) potential suitability for development based on an appropriate inventory of soils and significant natural and cultural resources; and
(c) development proposed or anticipated, if any.

This indication of future plans shall be considered part of the proposal. Therefore, changes in such plans, evidenced by a development proposal not included in the description of future plans, will require approval of an application to amend the original proposal in which these future plans were indicated.

D. COMMUNITY CENTER DEVELOPMENT SUBDISTRICT (D-GN2)

1. Purpose

The purpose of the D-GN2 subdistrict is to provide for a range of complementary uses that have a similar size, scale, and character that make up community centers. It is designed to concentrate development in order to limit the fiscal and visual impact of sprawling development and to provide a continuing sense of community in settled areas. Adaptive reuse and rehabilitation of legally existing structures is encouraged in this subdistrict.

2. Description

Community centers are areas where there is a mix of complementary residential, commercial, and civic uses that create a focal point for community life. This subdistrict is similar to the D-GN subdistrict but provides for a wider range of appropriate uses and increased size thresholds for general commercial uses. This wider range of uses is permitted because additional development standards for uses in this subdistrict ensure that adjacent uses are compatibly developed and undertaken.

This subdistrict will be applied only in communities in the fringe of the Commission's jurisdiction as defined in the Comprehensive Land Use Plan, and in areas appropriate as centers of growth after a prospective planning process has been undertaken by the Commission.

Using Section 10.08 of these rules, the Commission shall designate areas for this subdistrict that are consistent with its purpose and suitable for supporting development when measured against the standards of 12 M.R.S. § 685-B(4) and the Commission's rules and regulations.

3. Land Uses

The provisions of the D-GN2 subdistrict will not apply to any applications that have been received and deemed complete for processing by the Commission staff on or before January 1, 2001.

a. Uses Allowed Without a Permit

The following uses are allowed without a permit from the Commission within D-GN2 subdistricts:

(1) Docking structures: Temporary docking structures for non-commercial use;
(2) Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations;
(3) Forest management activities, except for timber harvesting;
(4) Motorized vehicular traffic on roads and trails, and snowmobiling;
(5) Primitive recreational uses, including fishing, hiking, wildlife study and photography, wild crop harvesting, horseback riding, tent and shelter camping, canoe portaging, cross country skiing, and snowshoeing, but not including hunting or trapping;
(6) Surveying and other resource analysis;
(7) Trails, provided they are constructed and maintained so as to reasonably avoid sedimentation of water bodies; and
(8) Wildlife and fishery management practices.

b. Uses Allowed Without a Permit Subject to Standards

The following uses are allowed without a permit from the Commission within D-GN2 subdistricts subject to the applicable requirements set forth in Sub-Chapter III:

(1) Accessory structures: New or expanded structures accessory to, and located on the same lot as, any legally existing principal structures and uses, provided that:
  (a) The accessory structure is located in a subdistrict that allows the principal use; and
  (b) The total square footage of the footprint of all new or expanded accessory structures built on a lot within a two (2) year period is not more than 750 square feet and all other requirements and standards of Section 10.27,P are met;
(2) Agricultural activities: Agricultural management activities;
(3) Constructed ponds: Creation, alteration, or maintenance of constructed ponds of less than 4,300 square feet in size which are not fed or drained by flowing waters provided they are constructed and maintained in conformance with the vegetative buffer strip requirements of Section 10.27,C,2,a;
(4) Driveways associated with residential uses;
(5) Filling and grading;
(6) Hand-carry launches: Commercial and public hand-carry launches;
(7) Home-based businesses: Minor home-based businesses;
(8) Mineral exploration activities: Level A mineral exploration activities, excluding associated access ways;
(9) Road projects: Level A road projects;
(10) Service drops;
(11) Signs;
(12) Trailered ramps: Public trailered ramps;
(13) Utility services: Buildings or structures necessary for the furnishing of public utility services, provided they contain not more than 500 square feet of floor area, are less than 20 feet in height, and are not supplied with water; and
(14) Water crossings of minor flowing waters.

c. Uses Requiring a Permit

The following uses, and related accessory structures, may be allowed within D-GN2 subdistricts upon issuance of a permit from the Commission pursuant to 12 M.R.S. § 685-B, subject to the applicable requirements set forth in Sub-Chapter III and, where within 500 feet of Management Class 2 lakes or within 250 feet of Management Class 4 and Management Class 5 lakes, subject to the applicable requirements of Section 10.21,D,3,g, h and i below:

(1) Agricultural activities: Agricultural management activities which are not in conformance with the standards of Section 10.27,A;
(2) Campsites, Residential;
(3) Cemeteries, and family burying grounds in accordance with 13 M.R.S. § 1142;
(4) Commercial: Commercial facilities having not more than 4,000 square feet of gross floor area, or as provided in Section 10.21,D,3,i that are compatible with residential uses including:
  (a) Art studios or artisan shops;
  (b) Commercial uses associated with a residence, other than home-based businesses;
  (c) Facilities for commercial recreation, such as guide services;
  (d) Facilities offering food and beverages prepared on the premises;

(e) Professional offices, financial institutions, health care facilities, nursing homes, children's day care facilities, home child day care providers serving more than 12 children, and home adult day service providers serving more than 12 adults;

(f) Recreational lodging facilities:

(i) Level A;

(ii) Level B; and

(iii) Level C;

(g) Retail stores and services, laundromats, convenience stores, or retail gasoline stations with no more than 2 gas pumps where each pump can serve no more than 2 vehicles simultaneously;

(5) Community living facilities;

(6) Constructed ponds: Creation, alteration or maintenance of constructed ponds 4,300 square feet or greater in size which are not fed or drained by flowing waters, or of such ponds less than 4,300 square feet in size which are not in conformance with the vegetative buffer strip requirements of Section 10.27,C,2,a;

(7) Draining, dredging, or alteration of the water table or water level for other than mineral extraction;

(8) Driveways associated with non-residential uses; driveways associated with residential uses which are not in conformance with the standards of Section 10.27,H;

(9) Filling and grading, which is not in conformance of standards in Section 10.27,F;

(10) Golf courses: Public or private golf courses;

(11) Hand-carry launches: Private hand-carry launches, and hand-carry launches addressed in Section 10.21,D,3,b which are not in conformance with the standards of Section 10.27,L;

(12) Home-based businesses: Major home-based businesses;

(13) Land management roads;

(14) Mineral exploration activities: Access ways for Level A mineral exploration activities, Level A mineral exploration activities which are not in conformance with the standards of Section 10.27,C, and Level B mineral exploration activities;

(15) Public and institutional: Places of worship and other religious institutions; public, private and parochial day schools; non-profit children's day care or adult day service facilities; libraries; fire stations; post offices; community centers; parks; and playgrounds;

(16) Residential: Single and two-family dwellings; and three to six multi-family dwellings;

(17) Road projects: Level B and C road projects, except for water crossings as provided for in Section 10.21,D,3,b;

(18) Shoreland alterations, including reconstruction of permanent docking structures, and permanent on-shore structures used to secure docks and moorings; but excluding marinas, new or expanded permanent docking structures, water-access ways, trailered ramps, hand-carry launches, and water crossings of minor flowing waters;

(19) Signs which are not in conformance with the standards of Section 10.27,J;

(20) Subdivisions:

(a) Commercial and industrial subdivisions for uses allowed in this subdistrict, provided that the subdivision is integrated with the community center and designed to promote pedestrian access; and

(b) Residential subdivisions: High- and moderate- density subdivisions;

(21) Timber harvesting;

(22) Trailered ramps: Trailered ramps addressed in Section 10.21,D,3,b which are not in conformance with the standards of Section 10.27,L;

(23) Utility facilities compatible with residential uses, other than service drops, and wire and pipe line extensions which do not meet the definition of service drops;

(24) Water crossings of minor flowing waters which are not in conformance with the standards of Section 10.27,D and water crossings of bodies of standing water and of major flowing waters;
(25) Water impoundments;
(26) Wind projects: Community-based offshore wind energy projects, as defined in 12 M.R.S. § 682(19); offshore wind power projects, as defined in 38 M.R.S. § 480-B(6A); and wind energy development in accordance with 35-A M.R.S., Chapter 34-A in areas identified in Appendix F herein;
(27) Other structures, uses or services that are essential to the uses listed in Section 10.21,D,3,a through c; and
(28) Other structures, uses, or services which the Commission determines are consistent with the purposes of this subdistrict and of the Comprehensive Land Use Plan and are not detrimental to the resources and uses they protect, and are of similar type, scale and intensity as other allowed uses.

d. Special Exceptions

The following uses, and related accessory structures, may be allowed within D-GN2 subdistricts as special exceptions upon issuance of a permit from the Commission pursuant to 12 M.R.S. § 685-A(10), and subject to the applicable requirements set forth in Sub-Chapter III, provided that the applicant shows by substantial evidence that (a) the use can be buffered from those other uses within the subdistrict with which it is incompatible; and (b) such other conditions are met that the Commission may reasonably impose in accordance with the policies of the Comprehensive Land Use Plan:

(1) Commercial:
  (a) Commercial uses between 4,000 and 8,000 square feet in size, except as provided in Section 10.21,D,3,i; and
  (b) Commercial uses with a total of no more than 10,000 square feet of outdoor display or storage area combined; and
(2) Recreational lodging facilities having more than 4,000 but not more than 8,000 square feet of gross floor area:
  (a) Level B;
  (b) Level C;
  (c) Level C – Expanded Access;
  (d) Level D; and
  (e) Level D – Expanded Access;
(3) Residential: Multi-family dwellings with more than 6 units.

The following uses may be allowed as special exceptions provided the applicant also shows by substantial evidence that there is no alternative site which is both suitable to the proposed use and reasonably available to the applicant:

(4) Docking structures: New or expanded permanent docking structures;
(5) Marinas;
(6) Trailered ramps: Commercial and private trailered ramps; and
(7) Water-access ways.

e. Prohibited Uses

All uses not expressly allowed, with or without a permit, notification, or by special exception are prohibited in a D-GN2 subdistrict.

f. Water Quality Limiting Lakes

For information relative to water quality limiting lakes see Section 10.23,E,3,g.

g. Management Class 2 Lakes (Accessible, Undeveloped, High Value Lakes) as shown on the Commission's Land Use Guidance Maps.

With respect to single family dwelling proposals within 500 feet of the normal high water mark of Management Class 2 Lakes, the Commission will require an average density per landownership of no more than one dwelling unit per shore mile.

h. Management Class 4 Lakes (High Value, Developed Lakes) as shown on the Commission's Land Use Guidance Maps.

Within 250 feet of the normal high water mark of Management Class 4 lakes, the Commission will:

(1) Require applicants to indicate future plans for other undeveloped shorelands in their ownership when a subdivision or other non-residential use is proposed. The plans shall address, at a minimum, the next 10 years, and shall include, but not be limited to, the following information regarding the applicant's landownership on the lake:

(a) area and shoreline length;
(b) potential suitability for development based on an appropriate inventory of soils and significant natural and cultural resources; and
(c) development proposed or anticipated, if any.

These future plans shall be considered part of the proposal. Therefore, changes in such plans, for example a development proposal that was not originally included, will require approval of an application to amend the original proposal in which these future plans were indicated.

(2) Require cluster developments for all subdivisions that shall meet the requirements of Section 10.25,Q,4,b.

i. Management Class 5 Lakes (Heavily Developed Lakes) as shown on the Commission's Land Use Guidance Maps.

With respect to subdivision proposals within 250 feet of Management Class 5 lakes, the Commission will require cluster developments which meet the requirements of Section 10.25,Q,4,b.

j. Adaptive Reuse of Legally Existing Structures

Facilities allowed under Section 10.21,D,3,c and d may use legally existing structures that exceed dimensional requirements. However, structures exceeding the size limitations in Section 10.21,D,3,c and d may not be expanded.

E. RURAL SETTLEMENT DEVELOPMENT SUBDISTRICT (D-GN3)

1. Purpose

The purpose of the D-GN3 subdistrict is to provide for a range of complementary uses that have a similar size, scale, and character that make up a settlement area in remote or interior areas of the jurisdiction. It is designed to concentrate and control the rate of growth by prohibiting subdivision. This subdistrict seeks to limit the fiscal and visual impact of sprawling development and to provide a continuing sense of community in lightly settled areas. Adaptive reuse and rehabilitation of legally existing structures is encouraged in this subdistrict.

2. Description

Rural settlements are areas where there is a mix of complementary residential, commercial, and civic uses that create a focal point for community life. This subdistrict is similar to the D-GN2 subdistrict but allows uses of an appropriately smaller size and intensity, also subject to specific development standards. It is also different from the D-GN2 subdistrict as it prohibits subdivisions in order to maintain the remote and small-scale feel of these development nodes. Gradual lot creation is allowed via the existing exemptions in the Commission's statute and these rules and regulations.

The D-GN3 subdistrict shall be applied only in areas appropriate as centers of development in lightly settled and remote communities after a prospective planning process has been undertaken by the Commission.

Using Section 10.08 of these rules, the Commission shall designate areas for this subdistrict that are consistent with its purpose and suitable for supporting development when measured against the standards of 12 M.R.S. § 685-B(4) and the Commission's rules and regulations.

3. Land Uses

The provisions of the D-GN3 subdistrict will not apply to any applications that have been received and deemed complete for processing by the Commission staff on or before January 1, 2001.

a. Uses Allowed Without a Permit

The following uses are allowed without a permit from the Commission within D-GN3 subdistricts:

(1) Docking structures: Temporary docking structures for non-commercial use;
(2) Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations;
(3) Motorized vehicular traffic on roads and trails, and snowmobiling;
(4) Primitive recreational uses, including fishing, hiking, wildlife study and photography, wild crop harvesting, horseback riding, tent and shelter camping, canoe portaging, cross country skiing, and snowshoeing, but not including hunting or trapping;
(5) Surveying and other resource analysis;
(6) Trails, provided they are constructed and maintained so as to reasonably avoid sedimentation of water bodies; and
(7) Wildlife and fishery management practices.

b. Uses Allowed Without a Permit Subject to Standards

The following uses are allowed without a permit from the Commission within D-GN3 subdistricts subject to the applicable requirements set forth in Sub-Chapter III:

(1) Accessory structures: New or expanded structures accessory to, and located on the same lot as, any legally existing principal structures and uses, provided that:
  (a) The accessory structure is located in a subdistrict that allows the principal use; and
  (b) The total square footage of the footprint of all new or expanded accessory structures built on a lot within a two (2) year period is not more than 750 square feet and all other requirements and standards of Section 10.27,P are met;
(2) Agricultural activities: Agricultural management activities;
(3) Constructed ponds: Creation, alteration, or maintenance of constructed ponds of less than 4,300 square feet in size which are not fed or drained by flowing waters provided they are constructed and maintained in conformance with the vegetative buffer strip requirements of Section 10.27,C,2,a;
(4) Driveways associated with residential uses;
(5) Filling and grading;
(6) Forest management activities, provided that the buffering requirements in Section 10.25,B,2 are met;
(7) Hand-carry launches: Commercial and public hand-carry launches;
(8) Home-based businesses: Minor home-based businesses;
(9) Mineral exploration activities: Level A mineral exploration activities, excluding associated access ways;
(10) Road projects: Level A road projects;
(11) Service drops;
(12) Signs;
(13) Trailered ramps: Public trailered ramps;
(14) Utility services: Buildings or structures necessary for the furnishing of public utility services, provided they contain not more than 500 square feet of floor area, are less than 20 feet in height, and are not supplied with water; and
(15) Water crossings of minor flowing waters.

c. Uses Requiring a Permit

The following uses, and related accessory structures, may be allowed within D-GN3 subdistricts upon issuance of a permit from the Commission pursuant to 12 M.R.S. § 685-B, subject to the applicable requirements set forth in Sub-Chapter III and, where within 500 feet of Management Class 2 lakes or within 250 feet of Management Class 4 lakes, subject to the applicable requirements of Section 10.21,E,3,g and h below:

(1) Agricultural activities: Agricultural management activities which are not in conformance with the standards of Section 10.27,A;
(2) Campsites, Residential;
(3) Cemeteries, and family burying grounds in accordance with 13 M.R.S. § 1142;

(4) Commercial: General commercial facilities having not more than 2,500 square feet of gross floor area that are compatible with residential uses including:
- (a) Art studios or artisan shops;
- (b) Businesses related to forestry, farming, or natural resource extraction;
- (c) Commercial uses associated with a residence, other than home-based businesses;
- (d) Facilities offering food and beverages prepared on the premises;
- (e) Professional offices, financial institutions, health care facilities, nursing homes, and children's day care facilities, home child day care providers serving more than 12 children, and home adult day service providers serving more than 12 adults; and
- (f) Retail stores and services, laundromats, convenience stores, or retailing of gasoline with no more than 2 gas pumps where each pump can serve no more than 2 vehicles simultaneously;

(5) Commercial:
- (a) Recreational facilities having not more than 8,000 square feet of gross floor area, such as guide services; and
- (b) Recreational lodging facilities having not more than 8,000 square feet of gross floor area:
  - (i) Level A;
  - (ii) Level B; and
  - (iii) Level C;

(6) Constructed ponds: Creation, alteration or maintenance of constructed ponds 4,300 square feet or greater in size which are not fed or drained by flowing waters, or of such ponds less than 4,300 square feet in size which are not in conformance with the vegetative buffer strip requirements of Section 10.27,C,2,a;

(7) Draining, dredging, or alteration of the water table or water level for other than mineral extraction;

(8) Driveways associated with non-residential uses; driveways associated with residential uses which are not in conformance with the standards of Section 10.27,H;

(9) Filling and grading which is not in conformance with the standards of Section 10.27,F;

(10) Hand-carry launches: Private hand-carry launches, and hand-carry launches addressed in Section 10.21,E,3,b which are not in conformance with the standards of Section 10.27,L;

(11) Home-based businesses: Major home-based businesses;

(12) Mineral exploration activities: Access ways for Level A mineral exploration activities; Level A mineral exploration activities which are not in conformance with the standards for such activities in Section 10.27,C; and Level B mineral exploration activities;

(13) Public and institutional: Places of worship and other religious institutions; public, private and parochial day schools; non-profit children's day care and adult day service facilities; libraries; fire stations; post offices; solid waste transfer or recycling stations; community centers; parks; and playgrounds;

(14) Residential: Single and two-family dwellings;

(15) Road Projects: Level B and C road projects, except for water crossings as provided for in Section 10.21,E,3,b;

(16) Shoreland alterations, including reconstruction of permanent docking structures, and permanent on-shore structures used to secure docks and moorings; but excluding marinas, new or expanded permanent docking structures, water-access ways, trailered ramps, hand-carry launches, and water crossings of minor flowing waters;

(17) Signs which are not in conformance with the standards of Section 10.27,J;

(18) Trailered ramps: Trailered ramps addressed in Section 10.21,E,3,b which are not in conformance with the standards of Section 10.27,L;

(19) Utility facilities compatible with residential uses, other than service drops; and wire and pipeline extensions which do not meet the definition of service drops;
(20) Water crossings of minor flowing waters which are not in conformance with the standards of Section 10.27,D and water crossings of bodies of standing water and of major flowing waters;
(21) Water impoundments;
(22) Wind projects: Community-based offshore wind energy projects, as defined in 12 M.R.S. § 682(19); offshore wind power projects, as defined in 38 M.R.S. § 480-B(6A); and wind energy development in accordance with 35-A M.R.S., Chapter 34-A in areas identified in Appendix F herein;
(23) Other structures, uses or services that are essential to the uses listed in Section 10.21,E,3,a through c; and
(24) Other structures, uses, or services that the Commission determines are consistent with the purposes of this subdistrict and of the Comprehensive Land Use Plan and are not detrimental to the resources and uses they protect, and are of similar type, scale and intensity as other allowed uses.

d. Special Exceptions

The following uses, and related accessory structures, may be allowed within D-GN3 subdistricts as special exceptions upon issuance of a permit from the Commission pursuant to 12 M.R.S. § 685-A(10), and subject to the applicable requirements set forth in Sub-Chapter III, provided that the applicant shows by substantial evidence that (a) the use can be buffered from those other uses within the subdistrict with which it is incompatible; and (b) such other conditions are met that the Commission may reasonably impose in accordance with the policies of the Comprehensive Land Use Plan:

(1) Commercial:
  (a) Commercial facilities with a total of less than 5,000 square feet of outdoor display or storage area combined; and
  (b) Commercial uses with less than 2,500 square feet of gross floor area, other than those provided for in Section 10.21,E,3,c,(4); and
(2) Recreational lodging facilities having more than 8,000 but not more than 15,000 square feet of gross floor area:
  (a) Level B;
  (b) Level C;
  (c) Level C – Expanded Access;
  (d) Level D; and
  (e) Level D – Expanded Access.

The following uses may be allowed as special exceptions provided the applicant also shows by substantial evidence that there is no alternative site that is both suitable to the proposed use and reasonably available to the applicant:

(3) Docking structures: New or expanded permanent docking structures;
(4) Marinas;
(5) Trailered ramps: Commercial and private trailered ramps; and
(6) Water-access ways.

e. Prohibited Uses

All uses not expressly allowed, with or without a permit, notification, or by special exception are prohibited in a D-GN3 subdistrict.

f. Water Quality Limiting Lakes

For information relative to water quality limiting lakes see Section 10.23,E,3,g.

g. Management Class 2 Lakes (Accessible, Undeveloped, High Value Lakes) as shown on the Commission's Land Use Guidance Maps.

With respect to single family dwelling proposals within 500 feet of the normal high water mark of Management Class 2 Lakes, the Commission will require an average density per landownership of no more than one dwelling unit per shore mile.

h. Management Class 4 Lakes (High Value, Developed Lakes) as shown on the Commission's Land Use Guidance Maps.

Within 250 feet of the normal high water mark of Management Class 4 lakes, the Commission will:

(1) Require applicants to indicate future plans for other undeveloped shorelands in their ownership when a non-residential use is proposed. The plans shall address, at a minimum, the next 10 years, and shall include, but not be limited to, the following information regarding the applicant's landownership on the lake:

(a) area and shoreline length;
(b) potential suitability for development based on an appropriate inventory of soils and significant natural and cultural resources; and
(c) development proposed or anticipated, if any.

These future plans shall be considered part of the proposal. Therefore, changes in such plans, for example a development proposal that was not originally included, will require approval of an application to amend the original proposal in which these future plans were indicated.

i. Adaptive Reuse of Legally Existing Structures.

Facilities allowed under Section 10.21,E,3,c and d may use legally existing structures that exceed dimensional requirements. However, structures exceeding the size limitations in Section 10.21,E,3,c and d may not be expanded.

F. LOW-DENSITY DEVELOPMENT SUBDISTRICT (D-LD)

1. Purpose

The purpose of the D-LD subdistrict is to allow for development of well-designed, low-density subdivisions in suitable locations. Low-density subdivisions are compatible with settings that have patterns of dispersed residential development and do not include sensitive fish or wildlife habitats, or exceptional recreation resources. The D-LD subdistrict is designed to allow for the location of low-density subdivisions in areas that are easily accessible from towns and villages, but are not within the growth areas of towns or villages, or in other areas where land is in high demand, such as near major water bodies.

2. Description

The D-LD subdistrict shall include:

Areas that are proposed for development activities that are consistent with the purposes of this subdistrict; meet the criteria for redistricting to this subdistrict, pursuant to Section 10.08; and are generally suitable for development of the type associated with the uses allowed in the subdistrict when considered in light of the standards of 12 M.R.S. §685-B(4) and the Commission's Land Use Districts and Standards.

Areas within one-half mile of a body of standing water 10 acres or greater, a major flowing water, or areas within two miles of the boundary of a rural hub as described in Section 10.08-A,B, shall not be included within the D-LD subdistrict.

3. Land Uses

a. Uses Allowed Without a Permit

The following uses are allowed without a permit from the Commission within D-LD subdistricts:

(1) Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations;
(2) Forest management activities, except for timber harvesting;
(3) Motorized vehicular traffic on roads and trails, and snowmobiling;
(4) Primitive recreational uses, including fishing, hiking, hunting, wildlife study and photography, wild crop harvesting, horseback riding, tent and shelter camping, canoe portaging, cross country skiing and snowshoeing;
(5) Surveying and other resource analysis;
(6) Trails, provided they are constructed and maintained so as to reasonably avoid sedimentation of water bodies; and
(7) Wildlife and fishery management practices.

b. Uses Allowed Without a Permit Subject to Standards

The following uses are allowed without a permit from the Commission within D-LD subdistricts subject to the applicable requirements set forth in Sub-Chapter III:

(1) Accessory structures: New or expanded structures accessory to, and located on the same lot as, any legally existing principal structures and uses, provided that:

(a) The accessory structure is located in a subdistrict that allows the principal use; and

(b) The total square footage of the footprint of all new or expanded accessory structures built on a lot within a two-year period is not more than 750 square feet and all other requirements and standards of Section 10.27,P are met;

(2) Agricultural activities: Agricultural management activities;

(3) Constructed ponds: Creation, alteration or maintenance of constructed ponds of less than 4,300 square feet in size that are not fed or drained by flowing waters provided they are constructed and maintained in conformance with the vegetative buffer strip requirements of Section 10.27,C,2,a;

(4) Driveways associated with residential uses;

(5) Filling and grading;

(6) Home-based businesses: Minor home-based businesses;

(7) Land management roads that are in conformance with all applicable terms and conditions of a valid subdivision permit;

(8) Mineral exploration activities: Level A mineral exploration activities, excluding associated access ways;

(9) Road projects: Level A road projects;

(10) Service drops;

(11) Signs;

(12) Timber harvesting that is in conformance with all applicable terms and conditions of a valid subdivision permit;

(13) Utility services: Buildings or structures necessary for the furnishing of public utility services, provided they contain not more than 500 square feet of floor area, are less than 20 feet in height, and are not supplied with water; and

(14) Water crossings of minor flowing waters.

c. Uses Requiring a Permit

The following uses, and related accessory structures, may be allowed within D-LD subdistricts upon issuance of a permit from the Commission pursuant to 12 M.R.S. §685-B, subject to the applicable requirements set forth in Sub-Chapter III:

(1) Agricultural activities: Agricultural management activities that are not in conformance with the standards of Section 10.27,A;

(2) Campsites;

(3) Campsites, Residential;

(4) Cemeteries, and family burying grounds in accordance with 13 M.R.S. §1142;

(5) Constructed ponds: Creation, alteration or maintenance of constructed ponds 4,300 square feet or greater in size that are not fed or drained by flowing waters, or of such ponds less than 4,300 square feet in size that are not in conformance with the vegetative buffer strip requirements of Section 10.27,C,2,a;

(6) Draining, dredging, or alteration of the water table or water level for other than mineral extraction;

(7) Driveways associated with non-residential uses; driveways associated with residential uses that are not in conformance with the standards of Section 10.27,H;

(8) Filling and grading that is not in conformance with the standards of Section 10.27,F;

(9) Home-based businesses: Major home-based businesses;

(10) Land management roads that are not in conformance with the standards of Section 10.21,F,3,b;

(11) Mineral exploration activities: Access ways for Level A mineral exploration activities; Level A mineral exploration activities that are not in conformance with the standards of Section 10.27,C; and Level B mineral exploration activities;
(12) Residential: Single and two-family dwellings;
(13) Road projects: Level B and C road projects, except for water crossings as provided for in Section 10.21,F,3,b;
(14) Shoreland alterations, including water crossings of minor flowing waters;
(15) Signs that are not in conformance with the standards of Section 10.27,J;
(16) Subdivisions: Residential, low-density subdivisions;
(17) Timber harvesting that is not in conformance with the standards of Section 10.21,F,3,b;
(18) Utility facilities compatible with residential uses other than service drops; and wire and pipe line extensions that do not meet the definition of service drops;
(19) Water crossings of minor flowing waters that are not in conformance with the standards of Section 10.27,D and water crossings of bodies of standing water and of major flowing waters;
(20) Water impoundments;
(21) Wind projects: Community-based offshore wind energy projects, as defined in 12 M.R.S. §682(19); offshore wind power projects, as defined in 38 M.R.S. §480-B(6A); and wind energy development in accordance with 35-A M.R.S., Chapter 34-A in areas identified in Appendix F herein;
(22) Other structures, uses or services that are essential to the uses listed in Section 10.21,F,3,a through c; and
(23) Other structures, uses, or services which the Commission determines are consistent with the purposes of this subdistrict and of the Comprehensive Land Use Plan and are not detrimental to the resources and uses they protect, and are of similar type, scale and intensity as other allowed uses.

d. Special Exceptions

The following uses, and related accessory structures, may be allowed within the D-LD subdistricts as special exceptions upon issuance of a permit from the Commission pursuant to 12 M.R.S. § 685-A(10), and subject to the applicable requirements set forth in Sub-Chapter III, provided the applicant shows by substantial evidence, that (a) the use can be buffered from those other uses within the subdistrict with which it is incompatible; (b) such other conditions are met that the Commission may reasonably impose in accordance with the policies of the Comprehensive Land Use Plan; (c) that there is sufficient infrastructure to accommodate the additional traffic and activity generated by the facility; and (d) that surrounding resources and uses that may be sensitive to such increased traffic and activity are adequately protected:

(1) Recreational lodging facilities:
  (a) Level A; and
  (b) Level B.

e. Prohibited Uses

All uses not expressly allowed, with or without a permit or by special exception are prohibited in D-LD subdistricts.

G. MARITIME DEVELOPMENT SUBDISTRICT (D-MT)

1. Purpose

The purpose of the D-MT subdistrict is to reserve a reasonable portion of the waterfront in coastal plantations and townships for water-dependent uses. The intention is to protect commercial water dependent uses, particularly commercial fishing activities, from other competing but incompatible use; to conserve points of public access to coastal waters; and to give preference in identified areas to commercial water-dependent uses over recreational and residential uses.

2. Description

a. D-MT1: Areas above the normal high water mark of coastal wetlands in which the existing pattern of development is predominately commercial fishing activities and conforms with the specified purposes and allowed uses for this subdistrict and where there is a demonstrated need for this subdistrict.

Other areas which the Commission determines:

(1) meet the criteria for redistricting to this subdistrict, pursuant to Section 10.08 hereof,
(2) are proposed for development which is consistent with the purposes of this subdistrict,
(3) are suitable for the development activities proposed when measured against the standards of 12 M.R.S. § 685-B(4) and the Commission's Rules and Regulations relating thereto, with particular consideration given to:

(a) shelter from prevailing winds and waves,
(b) upland slopes within 250 feet of the normal high water mark, measured as a horizontal distance, which are not so steep as to make access to the water impracticable,
(c) adequate mean low water depth for boat movement and mooring within 150 feet of the shore measured as a horizontal distance, and
(d) historical use of the area for commercial fishing activities.

b. D-MT2: Areas above the normal high water mark of coastal wetlands in which the existing pattern of development is predominately water-dependent activities and conforms with the specified purposes and allowed uses for this subdistrict and where there is a demonstrated need for this subdistrict.

Other areas which the Commission determines:

(1) meet the criteria for redistricting to this subdistrict, pursuant to Section 10.08 hereof,
(2) are proposed for development which is consistent with the purposes of this subdistrict,
(3) are suitable for the development activities proposed when measured against the standards of 12 M.R.S. § 685-B(4) and the Commission's Rules and Regulations relating thereto, with particular consideration given to:

(a) shelter from prevailing winds and waves,
(b) upland slopes within 250 feet of the normal high water mark, measured as a horizontal distance, which are not so steep as to make access to the water impracticable,
(c) adequate mean low water depth for boat movement and mooring within 150 feet of the shore measured as a horizontal distance, and
(d) historical use of the area for water-dependent activities.

3. Land Uses

a. Uses Allowed Without a Permit

The following uses are allowed without a permit from the Commission within the D-MT subdistricts:

(1) Docking structures: Temporary docking structures for non-commercial use;
(2) Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations;
(3) Motorized vehicular traffic on roads;
(4) Primitive recreational uses;
(5) Surveying and other resource analysis; and
(6) Wildlife and fishery management practices.

b. Uses Allowed Without a Permit Subject to Standards

The following uses are allowed without a permit from the Commission within the D-MT subdistricts subject to the applicable requirements set forth in Sub-Chapter III:

(1) Filling and grading;
(2) Hand-carry launches: Commercial, private and public hand-carry launches;
(3) Service drops;
(4) Trailered ramps: Public trailered ramps;
(5) Utility services: Buildings or structures necessary for the furnishing of public utility services, provided they contain not more than 500 square feet of floor area, are less than 20 feet in height, and are not supplied with water; and
(6) Signs.

c. Uses Requiring a Permit

The following uses, and related accessory structures, may be allowed within D-MT subdistricts upon issuance of a permit from the Commission pursuant to 12 M.R.S. § 685-B, and subject to the applicable requirements set forth in Sub-Chapter III:

(1) Commercial fishing activities, except as provided for in Section 10.21,G,3,d below;
(2) Docking structures: Permanent docking structures;
(3) Draining, dredging, or alteration of the water table or water level;
(4) Driveways;
(5) Ferry service facilities;
(6) Filling and grading which is not in conformance with the standards of Section 10.27,F;
(7) Hand-carry launches: Hand-carry launches addressed in Section 10.21,G,3,b which are not in conformance with the standards of Section 10.27,L;
(8) Retail sales of shellfish and/or finfish, solely ancillary to a permitted use such as a finfish or shellfish buying or off-loading stations and under the same ownership as the permitted use;
(9) Signs which are not in conformance with the standards of Section 10.27,J;
(10) Trailered ramps: Commercial and private trailered ramps, and trailered ramps addressed in Section 10.21,G,3,b which are not in conformance with the standards of Section 10.27,L;
(11) Utility substation, including sewage collection and pumping stations, water pumping stations, transformer stations, wire and pipe line extensions, telephone electronic

equipment enclosures and other similar public utility structures which do not meet the definitions of Section 10.21,G,3,b,(3) and (5);

(12) Water-access ways;

(13) Water-dependent uses, except as provided for in Section 10.21,G,3,d below;

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

(15) Other structures, uses or services that are essential to the uses permitted; and

(16) Other structures, uses, or services which the Commission determines are consistent with the purposes of this subdistrict and of the Comprehensive Land Use Plan and are not detrimental to the resources and uses they protect, and are of similar type, scale and intensity as other allowed uses.

d. Special Exceptions

The following uses, and related accessory structures, may be allowed within D-MT subdistricts as special exceptions upon issuance of a permit from the Commission pursuant to 12 M.R.S. §685-A(10), and subject to the applicable requirements set forth in Sub-Chapter III, provided that the applicant shows by substantial evidence that (a) the proposed use will not unreasonably obstruct navigation channels or unreasonably preclude boating support facilities elsewhere in the harbor; and (b) the proposed use is designed and located, to the extent feasible, so that it does not significantly interfere with the needs of the local fishing industry; and (c) the proposed use, if not a water-dependent use: (i) will not replace an existing water-dependent use; and (ii) will not substantially reduce existing public access to coastal wetlands.

(1) Commercial

The following commercial uses shall be permitted as special exceptions in the D-MT2 subdistricts:

(a) On-premise restaurants, retail and service establishments provided they are accessory to ferry service facilities;

(b) Restaurants, occupying not more than 900 square feet of floor area, provided that such establishments cater primarily to persons directly associated with other permitted uses in this district; and

(c) Retail sales of packaged or bulk foods, toiletries, hardware and other daily necessities as an ancillary business to a permitted use.

(2) Industrial

The following industrial use shall be permitted as a special exception in both the D-MT1 and D-MT2 subdistricts:

(a) Facilities for combined marine and general construction provided that the primary use of the site is for the marine segment of the contractor's business.

(3) Marine

The following marine uses shall be permitted as special exceptions in both the D-MT1 and D-MT2 subdistricts:

(a) Fabrication of marine related goods, including fishboat equipment, provided that a location on the water is essential for their production; and

(b) Fish by-products processing.

The following marine uses shall be permitted as special exceptions in the D-MT2 subdistrict:

(c) Harbor and marine supplies and services, such as ship chandler, provided that sales are primarily for purpose of serving water-dependent uses or that the applicant can demonstrate that the business is essential to water dependent uses;

(d) Excursion services which do not displace existing water dependent uses, or occupy docking and berthing space which had been actively and substantially used by commercial fishing boats and vessels within the preceding twelve (12) month period; and which do not sell any product except for the excursion service; and which provide for all parking space outside of this zone or district; and

(e) Publicly owned wharves for general public access to the shore, provided that the facility or facilities do not unreasonably interfere with permitted commercial fishing uses and which provide for all parking space outside of this zone or district.

(4) Residential

The following residential use must be permitted as a special exception in the D-MT2 subdistrict:

(a) Single family detached dwelling units, home-based businesses, and transient accommodations of less than six units per principal building.

e. Prohibited Uses

All uses not expressly allowed, with or without a permit or by special exception, are prohibited in a D-MT subdistrict including without limitation the conversion of existing structures which are currently used for commercial fishing activities to any noncommercial fishing activities for use, including but not limited to residential or recreational uses.

H. PLANNED DEVELOPMENT SUBDISTRICT (D-PD)

1. Purpose

The purpose of the D-PD subdistrict is to allow for large scale, well-planned development (Planned Development). The Commission's intent is to consider Planned Development proposals, including those separated from existing developed areas, provided they can be shown to be of high quality and not detrimental to other values established in the Comprehensive Land Use Plan, and provided they depend on a particular natural feature or location that is available at the proposed site. A petition to establish a D-PD subdistrict will be granted when the Commission concludes the location of the site is the best reasonably available for the proposed use and that the goals and policies of the Comprehensive Land Use Plan are served.

The D-PD zoning process is intended to encourage creative and imaginative design and site planning, to promote efficient use of the land, and to accommodate well-designed, natural feature dependent development in appropriate locations.

Planned Development within a D-PD subdistrict must be consistent with a Development Plan approved as part of the subdistricting process. A Development Plan identifies land uses allowed within the subdistrict, specifying which uses require a development permit, and outlines the nature, location, and design of the Planned Development for which the subdistrict was created.

2. Description

D-PD subdistricts include areas potentially separated from existing development patterns for which the Commission has approved a Development Plan. Residential, recreational, commercial, or industrial uses, or some combination of these uses, may be allowed in the subdistrict. Depending on the nature of the activity within the subdistrict, the following limitations apply:

a. A D-PD subdistrict for predominantly residential and/or recreational land uses shall have a Development Plan for a minimum of 30,000 square feet of building floor area and shall include at least 150 contiguous acres. (A predominance of uses shall exist when the majority of the gross building floor area is devoted to such uses.)

b. A D-PD subdistrict for predominantly commercial and/or industrial land uses shall include at least 50 contiguous acres and, except wind energy generation facilities, shall have a Development Plan for a minimum of 30,000 square feet of gross building floor area.

c. A D-PD subdistrict for metallic mineral mining activity shall include at least 50 contiguous acres.

In any of the above cases, all development, other than access roads and utility lines shall be at least 400 feet from any property line. Upon a showing of good cause, the Commission may, at its discretion, increase or decrease this setback. Furthermore, the project shall be reasonably self-contained and self-sufficient and, to the extent practicable, provide for its own water and sewage services, road maintenance, fire protection, solid waste disposal and police security.

3. Allowed Uses

All uses approved in the Development Plan shall be allowed. No other use shall be allowed except where the Commission determines that such additional use is consistent with the Development Plan and with the purpose of the D-PD subdistrict.

4. Ownership

A petition for the creation of a D-PD subdistrict may be filed only by the owner or lessee of all lands to which the petition pertains.

5. Burden of Proof

The burden of proof is upon the petitioner to show by substantial evidence that the proposal satisfies the criteria established for the creation of D-PD subdistrict.

6. Procedure for Review of Planned Development

a. The Planned Development review procedure shall consist of three stages:

(1) Preapplication conference (see Section 10.21,H,7);
(2) Submission of a zoning petition, including the accompanying Development Plan[1] (see Section 10.21,H,8); and
(3) Submission of a permit application[2] to either the Commission or the Maine Department of Environmental Protection (DEP) (see Section 10.21,H,9).

b. Commission review of a zoning petition to establish a D-PD subdistrict for the purpose of metallic mineral mining activity is governed by Chapter 12 of the Commission's rules, and not by Section 10.21,H,8. Pursuant to the Maine Metallic Mineral Mining Act, DEP is responsible for reviewing permit applications filed by persons seeking to conduct metallic mineral mining activity within a D-PD subdistrict. The Commission is responsible for certifying proposed mining activity to DEP. Commission certification of metallic mineral mining activity is governed by Chapter 13 of its rules.

7. Preapplication Conference

A preapplication conference shall be held with the staff of the Commission and representatives from other relevant agencies prior to submission of a zoning petition and related Development Plan. The Commission shall notify DEP of any preapplication conference and provide DEP the opportunity to attend the conference. At this conference the procedures, regulations, and policies that will govern the rezoning process and Planned Development review shall be discussed. The conference shall provide a forum for an informal discussion on the acceptability of all aspects of the project proposal, prior to a person filing a zoning petition and associated Development Plan with the Commission. The conference proceedings shall be summarized in writing and made available to the petitioner.

8. Zoning Petition and Associated Development Plan

a. Petition Components

The zoning petition shall include: Evidence that the proposal is consistent with the Commission's Comprehensive Land Use Plan and the purpose and description of a D-PD subdistrict; evidence that the proposed subdistrict will have no undue adverse impact on existing uses or resources as required by 12 M.R.S. § 685-A(8-A); and the submission of various written and illustrative documents, as described below. Prior to any decision, the

[1] Prior to September 20, 2018, a Preliminary Development Plan was approved through the zoning process. In the existing rule, the term Development Plan replaces Preliminary Development Plan.

[2] Prior to September 20, 2018, a Final Development Plan was approved through the Commission's permitting process, the process that authorized activity within a D-PD subdistrict requiring a Commission permit. In the existing rule, the term Final Development Plan is no longer used in favor of referring to permitting or development permitting.

staff shall make known its findings and recommendations, in writing, to the Commission and a public hearing shall be held in accordance with Chapter 5 of the Commission's Rules.

The following items must be submitted with any D-PD zoning petition:

Written Statements

(1) A statement of the objectives to be achieved by locating the development in its proposed location distant from existing patterns of development. As it is a general policy of the Commission to encourage new development to locate with or adjacent to existing development, the rationale for promoting development away from such locations must be well documented. The statement should describe why the site is considered the best reasonably available for the proposed use(s). The fact that the applicant owns or leases the property shall not, of itself, be sufficient evidence to satisfy this last requirement.
(2) The expected development schedule that indicates the periods of time required to complete the project, and an approximate start date for construction.
(3) Statements demonstrating that the project is realistic, and can be financed and completed. Such statements shall demonstrate that the applicant has the financial resources and support to achieve the proposed development.
(4) A statement of the compatibility of the proposed development with existing uses and resources, the reasonably foreseeable adverse effects on those existing uses and resources, and measures to be taken by the applicant to minimize such effects.
(5) A general statement that indicates how the natural resources of the area will be managed and protected so as to reasonably assure that those resources currently designated within protection subdistricts will receive protection that is substantially equivalent to that under the original subdistrict designation.

Maps

(6) A location map showing all existing subdistricts and the proposed D-PD subdistrict boundaries, drawn on a Commission Land Use Guidance Map that indicates the area for which a D-PD subdistrict designation is sought.
(7) Maps showing the existing and proposed lot lines, noting the names of adjoining lot owners, and any lots in the project area proposed to be placed in common or private ownership.
(8) Maps showing the soils and slope at the development site, at a mapping intensity sufficient to show that the site has suitable soils to support the development. (Note: For projects in high mountain areas, if geotechnical borings to gather data will be necessary to prepare the final site plans for the development permit, the routes of any proposed access ways should be shown on this map, accompanied by a written description.)

Development Plan

The Development Plan is a document that identifies the future use of a property proposed for rezoning to a D-PD subdistrict and outlines the nature, location, and design of future development with sufficient specificity to allow the Commission to evaluate the consistency of the proposed zoning with the purpose of the D-PD subdistrict. A Development Plan must include the following:

(9) A legal description of the property boundaries proposed for redistricting, including a statement of present and proposed ownership.

(10) Statements establishing which land uses will be allowed in the D-PD subdistrict; whether each allowed use will be allowed without a permit, allowed without a permit subject to standards, allowed with a permit, or allowed by special exception; and where each land use will be allowed within the subdistrict. All existing and proposed land uses must be addressed. Any activities necessary to gather site information or data to be included in a subsequent permit application to either the Commission or DEP must be identified among the land uses included in the Development Plan. If the petitioner proposed that activities other than the gathering of site information and data be allowed in the subdistrict prior to issuance of a permit for the Planned Development, a statement explaining how these activities will be conducted in a manner consistent with the purpose of the subdistrict must be included in the Development Plan.

(11) A statement of the petitioner's intentions with regard to future selling, leasing or subdividing of all or portions of the project. The statement should describe the type of covenants, restrictions or conditions that are proposed to be imposed upon buyers, lessees or tenants of the property.

(12) If the proposed D-PD subdistrict would be located on a portion of a larger parcel, a statement of the anticipated future use of the remainder of the parcel outside the D-PD subdistrict.

(13) A site plan showing existing features within the development site, including the locations of:

(a) Buildings, roads, parking areas, and bridges;
(b) Above- and below-ground utility lines, and sewage disposal facilities;
(c) Drinking water wells serving the site, and any major water withdrawal sources;
(d) Recreational areas, open spaces, and conservation areas;
(e) Streams, lakes and ponds, wetlands, and other protected natural resources;
(f) Stormwater drainage areas and an approximation of the expected phosphorus contribution to the watershed; and
(g) The vegetated edge of the cleared areas.

(14) A site plan showing proposed features, with the approximate locations of:

(a) Buildings, roads, parking areas, and bridges;
(b) Utility lines, if known, and areas to be used for sewage disposal facilities (Note: If a public sewage disposal system will be used, evidence that the system can support the proposed development must be supplied);
(c) New drinking water wells, and other major water withdrawal sources;
(d) Recreational areas, open spaces, and conservation areas;
(e) Streams, lakes and ponds, wetlands, and other protected natural resources;
(f) Stormwater drainage areas and an approximation of the expected phosphorus contribution to the watershed; and
(g) The vegetated edge of the cleared areas.

(15) A statement of any steps the petitioner will take to avoid or minimize the effects of the rezoning for the Planned Development on existing uses or resources.

(16) A statement of any design requirements or other standards that will ensure future development and uses meet the purposes of the subdistrict.

Where the petitioner is proposing a phased Planned Development and maps showing the level of detail required in Section 10.21,H,8,a,(14) are not feasible for all future phases of the development, the petitioner shall submit maps for the first phase of development. For all future phases of development, the petitioner shall submit a narrative describing the intended future use, along with information and sketch plans sufficient for the Commission to determine if the area proposed to be rezoned can support the entire development with regard to: the subdivision rules, if applicable; soil suitability and slope; subsurface waste water disposal; access and traffic circulation; drinking water supply; any other proposed major water withdrawal source; and the 400 foot setback from the proposed D-PD subdistrict boundaries. A narrative describing the anticipated timeline for all phases of the development must accompany the sketch plans.

b. Hearings and Criteria for the Approval of Zoning Petition and Associated Development Plan

The Commission shall schedule a public hearing within 45 days after a complete zoning petition is filed, unless the petitioner requests, in writing, that this time be extended.

The public hearing notification and proceedings shall meet the requirements of Chapter 5 of the Commission's Rules and Regulations and the applicable provisions of the Administrative Procedures Act. Within 90 days after the close of the record of the public hearing, the Commission may approve, approve with conditions, or deny the petition in writing. In making this decision, the Commission shall ensure that the proposal:

(1) Satisfies the statutory rezoning standards in 12 M.R.S. § 685-A(8-A);
(2) Incorporates, where the land proposed for inclusion in the D-PD subdistrict is in a protection subdistrict, a substantially equivalent level of environmental and resource protection as was afforded under the protection subdistrict;
(3) Utilizes the best reasonably available site for the proposed use;
(4) Conserves productive forest and/or farm land;
(5) Incorporates high quality site planning and design in accordance with accepted contemporary planning principles;
(6) Envisions a project that is reasonably self-sufficient in terms of necessary public services; and
(7) Provides for safe and efficient traffic circulation.

c. Approval or Denial of Zoning Petition and Associated Development Plan

(1) If, after weighing all the evidence, the Commission approves the zoning petition and associated Development Plan, the D-PD subdistrict shall be designated on the official district map and recorded in accordance with the provisions of Section 10.04. The approval may contain such reasonable conditions as the Commission deems appropriate and will specify the conditions for approval of subsequent Commission permits or certifications. The terms of the approval will be in writing and shall be deemed to be incorporated in the D-PD subdistrict and the Development Plan.
(2) If, after weighing all the evidence, the Commission finds the submission does not meet the criteria established above for its approval, the petition shall be denied and the reasons for the denial shall be stated in writing.
(3) Within a maximum of 18 months following a Commission decision to designate an area as a D-PD subdistrict, the petitioner, or another person with title, right, or interest, shall file a development permit application with the Commission or a Site Location of Development Law (Site Law) permit application with DEP for development consistent with the approved Development Plan. Upon a showing of good cause, the Commission

may, at its discretion, extend the deadline for filing a permit application with the Commission or DEP.

(4) If, for any reason, no person files a permit application for the Planned Development within the prescribed time, the D-PD subdistrict designation shall be deemed to be revoked and the original subdistrict(s) shall again apply.

9. Permit for Planned Development

Land uses within a D-PD subdistrict that are allowed by permit or by special exception pursuant to an approved Development Plan must be permitted either by the Commission or by DEP. Within a D-PD subdistrict all metallic mineral mining activity is permitted by DEP. For other types of land uses, within D-PD subdistricts created prior to September 1, 2012 and within D-PD subdistricts created September 1, 2012 and later where the development within the subdistrict does not trigger Site Law permitting, the Commission possesses permitting authority. DEP is responsible for permitting development triggering Site Law in D-PD subdistricts created September 1, 2012 or later. The procedures set forth in Section 10.21,H,9, apply to Commission permitting of activities within a D-PD subdistrict.

a. Application

The development permit application procedure serves to ensure that an applicant's detailed design and construction plans conform with the approved zoning petition and Development Plan.

(1) An application for a development permit may be for all of the land that is the subject of the Development Plan or for a section thereof. The application, once deemed complete for processing by the staff, shall be reviewed and acted upon by the Commission within 90 days.

(2) The development permit application shall include statements, drawings, specifications, covenants and conditions sufficient to fully detail the nature and scope of the proposed development. Without limitation of the foregoing, the submission shall include:

(a) Drawings that include all the information required on the site plan under the Development Plan [Section 10.21,H,8,a,(14)], plus the dimensions and heights, foundation design, material specifications, and elevations and colors of all buildings and structures. If the plan proposes any subdivision, all boundaries of easements and lots are to be surveyed and plotted.

(b) Drawings that illustrate all roads, parking service and traffic circulation areas. The dimensions of curve radii, grades and number of parking spaces are to be specified. Any structures (such as bridges) related to the street system should be shown as scaled engineering plans and sections. Detailed traffic volume estimates and traffic studies may be required, at the discretion of the Commission.

(c) If individual sewage disposal system are proposed, an on-site soil report for each proposed lot is required from the applicant. The reports are to be on Maine Department of Health and Human Services form HHE-200 or any amended or replacement version thereof. Where a central sewage collection and/or treatment system or central or public water supply system or fire hydrant system is proposed, reasonably full engineering drawings shall be required to conform with all applicable governmental requirements.

(d) High intensity soil surveys and drawings that indicate all surface water runoff and storm drainage systems, soil stabilization procedures, and landscape plans

for planting, screening, revegetation and erosion control and lighting of outdoor spaces.

(e) To the extent reasonably available, copies of the restrictions, covenants, conditions, and/or contractual agreements that will be imposed upon persons buying, leasing, using, maintaining, or operating land or facilities within the Planned Development.

b. Review Process and Criteria for Approval

(1) The development permit shall comply with the approved zoning petition and Development Plan and shall conform with applicable state law, including 12 M.R.S. § 685-B(4), and applicable Commission rules, including Chapter 10.

(2) A public hearing shall not be held on a development permit application provided the proposed activity is in substantial compliance with the Development Plan. The burden shall, nevertheless, be on the applicant to show good cause for any variation between the Development Plan and activity proposed in the development permit application

c. Approval or Denial of Development Permit Application

Upon accepting a development permit application as complete for processing, the Commission shall review and, in writing, approve, approve with conditions, or deny the application.

d. Amendments to Development Permit

After issuance of the initial development permit authorizing Planned Development within a D-PD subdistrict, the Director of the Commission may issue permit amendments. No change shall be so authorized which may cause any of the following:

(1) The addition of a land use not previously approved in the Development Plan;
(2) A material change in the site, scope or nature of the project;
(3) A material increase in traffic volume;
(4) A material reduction in open space, landscaping, or parking; or
(5) A material change giving rise to adverse environmental impact.

All amendments to the Development Plan proposed by the applicant shall require submission to and the approval of the Commission after consultation with the staff and due consideration of the standards set forth in Section 10.21,H,8,b.

e. Time for Construction

If no substantial start has occurred pursuant to the initial development permit by the later of: (a) 24 months after the date of approval by the Commission or (b) expiration of any extension of time for making a substantial start granted by the Commission, the approved permit and previously approved Development Plan shall become null and void and the D-PD subdistrict designation shall be deemed to be revoked and the original subdistrict(s) shall again apply. The deadline for making a substantial start on activity authorized in any permit amendment shall be specified in the amendment or, if not, shall be governed by Section 10.17.

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

1. Purpose

The purpose of the D-PR subdistrict is to allow for large scale, well-planned recreation lodging and facility development (Planned Recreation Facility Development). The Commission's intent is to consider Planned Recreation Facility Development proposals, including those separated from existing developed areas, provided they can be shown to be of high quality and not detrimental to other values established in the Comprehensive Land Use Plan, and provided they depend on a particular natural feature or location that is available at the proposed site. A petition to establish a D-PR subdistrict will be granted when the Commission concludes the location of the site is the best reasonably available for the proposed use and that the goals and policies of the Comprehensive Land Use Plan are served, including a careful consideration of the classification of any waterbodies contained within or located near the proposed development.

The D-PR Subdistrict is intended to encourage creative design and site planning, to promote efficient use of the land, and to accommodate well-designed, natural feature dependent recreation facility development in appropriate locations.

Development within a D-PR subdistrict must be consistent with a Development Plan approved as part of the subdistricting process. A Development Plan identifies land uses allowed within the subdistrict, specifying which uses require a development permit, and outlines the nature, location, and design of the Planned Recreation Development for which the subdistrict was created.

2. Description

D-PR subdistricts include areas potentially separated from existing development patterns for which the Commission has approved a Development Plan. Recreational lodging facilities and recreational uses, and any associated commercial development, or some combination of these uses, may be allowed in the subdistrict. A D-PR Subdistrict must contain a maximum of 40,000 square feet of building floor area. All development, other than access roads, utility lines, trails, and waterfront structures must be at least 400 feet from any property line. (This dimension may be increased or decreased, at the Commission's discretion, provided good cause can be shown.)

Level E Recreational Lodging Facilities in existence as of (May 1, 2013) may also be a basis for rezoning to the D-PR subdistrict, provided that any proposed expansions of or additions to the existing structures and uses can be shown to meet the criteria for approval.

3. Allowed Uses

All uses approved in the Development Plan will be allowed. No other use will be allowed except where the Commission determines that such additional use is consistent with the Development Plan and with the purpose of the D-PR subdistrict.

4. Ownership

A petition for the creation of a D-PR subdistrict may be filed only by the owner or lessee of all lands to which the petition pertains, or by the staff with the owner or lessee’s consent.

5. Burden of Proof

The burden of proof is upon the petitioner to show by substantial evidence that the proposal satisfies the criteria established for the creation of D-PR subdistricts.

6. Procedure for Review of Planned Recreation Development

The Planned Recreation Facility review procedure must consist of three stages:

(1) Preapplication conference (see Section 10.21,I,6);
(2) Submission of a zoning petition, including the accompanying Development Plan (see Section 10.21,I,7); and
(3) Submission of a permit application to either the Commission or the Maine Department of Environmental Protection (the DEP) (see Section 10.21,I,8).

7. Preapplication Conference

A preapplication conference must be held with the staff of the Commission and representatives from other relevant agencies prior to submission of a zoning petition and related Development Plan. The Commission must notify the DEP of any preapplication conference and provide the DEP the opportunity to attend the conference. At this conference the procedures, regulations, and policies that will govern the rezoning process and Planned Recreation Facility Development review must be discussed. The conference must provide a forum for an informal discussion on the acceptability of all aspects of the project proposal, prior to a person filing a zoning petition and associated Development Plan with the Commission. The conference proceedings must be summarized in writing and made available to the petitioner.

8. Zoning Petition and Associated Development Plan

a. Petition Components

The zoning petition must include: Evidence that the proposal is consistent with the Commission's Comprehensive Land Use Plan and the purpose and description of the D-PR subdistrict; evidence that the proposed subdistrict will have no undue adverse impact on existing uses or resources as required by 12 M.R.S. § 685-A(8-A); and the submission of various written and illustrative documents, as described below. Prior to any decision, the staff must make known its findings and recommendations, in writing, to the Commission.

The following items are required to be submitted with any Development Plan petition. The staff, at its discretion, may waive portions of the petition requirements for existing Recreational Lodging Facilities that are proposing expansions that increase floor area by not more than 25%:

The following items must be submitted with any D-PR zoning petition:

Written Statements

(1) A statement of the objectives to be achieved by locating the development in its proposed location distant from existing patterns of development. As it is a general policy of the Commission to encourage new development to locate with or adjacent to existing development, the rationale for promoting development away from such locations must be well documented. The statement should describe why the site is considered the best reasonably available for the proposed use(s). The fact that the applicant owns or leases the property must not, of itself, be sufficient evidence to satisfy this last requirement.

(2) The expected development schedule that indicates the periods of time required to complete the project, and an approximate start date for construction.

(3) Statements demonstrating that the project is realistic, and can be financed and completed. Such statements must demonstrate that the applicant has the financial resources and support to achieve the proposed development.

(4) A statement of the compatibility of the proposed development with existing uses and resources, the reasonably foreseeable adverse effects on those existing uses and resources, and measures to be taken by the applicant to minimize such effects.

(5) A general statement that indicates how the natural resources of the area will be managed and protected so as to reasonably assure that those resources currently designated within protection subdistricts will receive protection that is substantially equivalent to that under the original subdistrict designation.

Maps

(6) A location map showing all existing subdistricts and the proposed D-PR subdistrict boundaries, drawn on a Commission Land Use Guidance Map that indicates the area for which a D-PR subdistrict designation is sought.

(7) Maps showing the existing and proposed lot lines, noting the names of adjoining lot owners, and any lots in the project area proposed to be placed in common or private ownership.

(8) Maps showing the soils and slope at the development site, at a mapping intensity sufficient to show that the site has suitable soils to support the development.

Development Plan

The Development Plan is a document that identifies the future use of a property proposed for rezoning to a D-PR subdistrict and outlines the nature, location, and design of future development with sufficient specificity to allow the Commission to evaluate the consistency of the proposed zoning with the purpose of the D-PR subdistrict. A Development Plan must include the following:

(9) A legal description of the property boundaries proposed for redistricting, including a statement of present and proposed ownership.

(10) Statements establishing which land uses will be allowed in the D-PR subdistrict; whether each allowed use will be allowed without a permit, allowed without a permit subject to standards, allowed with a permit, or allowed by special exception; and where each land use will be allowed within the subdistrict. All existing and proposed land uses must be addressed. Any activities necessary to gather site information or data to be included in a subsequent permit application to either the Commission or the DEP must be identified among the land uses included in the Development Plan. If the

petitioner proposed that activities other than the gathering of site information and data be allowed in the subdistrict prior to issuance of a permit for the Planned Recreation Development, a statement explaining how these activities will be conducted in a manner consistent with the purpose of the subdistrict must be included in the Development Plan.

(11) A statement of the petitioner's intentions with regard to future selling, leasing or subdividing of all or portions of the project. The statement should describe the type of covenants, restrictions or conditions that are proposed to be imposed upon buyers, lessees or tenants of the property.

(12) If the proposed D-PR subdistrict would be located on a portion of a larger parcel, a statement of the anticipated future use of the remainder of the parcel outside the D-PR subdistrict.

(13) A site plan showing existing features within the development site, including the locations of:

(a) Buildings, roads, parking areas, and bridges;
(b) Above- and below-ground utility lines, and sewage disposal facilities;
(c) Drinking water wells serving the site, and any major water withdrawal sources;
(d) Recreational areas, open spaces, and conservation areas;
(e) Streams, lakes and ponds, wetlands, and other protected natural resources;
(f) Stormwater drainage areas and an approximation of the expected phosphorus contribution to the watershed; and
(g) The vegetated edge of the cleared areas.

(14) A site plan showing proposed features, with the approximate locations of:

(a) Buildings, roads, parking areas, and bridges;
(b) Utility lines, if known, and areas to be used for sewage disposal facilities (Note: If a public sewage disposal system will be used, evidence that the system can support the proposed development must be supplied);
(c) New drinking water wells, and other major water withdrawal sources;
(d) Recreational areas, open spaces, and conservation areas;
(e) Streams, lakes and ponds, wetlands, and other protected natural resources;
(f) Stormwater drainage areas and an approximation of the expected phosphorus contribution to the watershed; and
(g) The vegetated edge of the cleared areas.

(15) A statement of any steps the petitioner will take to avoid or minimize the effects of the rezoning for the Planned Recreation Development on existing uses or resources.

(16) A statement of any design requirements or other standards that will ensure future development and uses meet the purposes of the subdistrict.

Where the petitioner is proposing a phased Planned Recreation Development and maps showing the level of detail required in Section 10.21,I,8,a,(14) are not feasible for all future phases of the development, the petitioner must submit maps for the first phase of development. For all future phases of development, the petitioner must submit a narrative describing the intended future use, along with information and sketch plans sufficient for the Commission to determine if the area proposed to be rezoned can support the entire development with regard to: the subdivision rules, if applicable; soil suitability and slope;

subsurface waste water disposal; access and traffic circulation; drinking water supply; any other proposed major water withdrawal source; and the 400 foot setback from the proposed D-PR subdistrict boundaries. A narrative describing the anticipated timeline for all phases of the development must accompany the sketch plans.

b. Criteria for the Approval of a Zoning Petition and Associated Development Plan

After following the procedures for petitions for Subdistrict changes, consistent with Chapter 4 and 5 of the Commission's rules, the Commission may approve, approve with conditions, or deny the application in writing. In making this decision, the Commission must ensure that the proposal:

(1) Satisfies the statutory rezoning standards in 12 M.R.S. § 685-A(8-A);
(2) Incorporates, where the land proposed for inclusion in the D-PR subdistrict is in a protection subdistrict, a substantially equivalent level of environmental and resource protection as was afforded under the protection subdistrict;
(3) Utilizes the best reasonably available site for the proposed use;
(4) Conserves productive forest and/or farm land;
(5) Incorporates high quality site planning and design in accordance with accepted contemporary planning principles;
(6) Envisions a project that is reasonably self-sufficient in terms of necessary public services; and
(7) Provides for safe and efficient traffic circulation.

c. Performance-based Standards

The applicant may propose that certain of the Commission's land use standards, as described in Chapter 10 of the Commission's rules, be replaced with alternative standards that measure the performance of a particular design or technology in achieving the relevant goals. The applicant may propose such a substitution for all or portions of the project area. In making such a proposal, the applicant must consult with Commission staff regarding the purpose of the particular standard and must demonstrate that the alternative standard will provide substantially equivalent or increased effectiveness.

d. Approval or Denial of Zoning Petition and Associated Development Plan

(1) If, after weighing all the evidence, the Commission approves the zoning petition and associated Development Plan, the D-PR subdistrict must be designated on the official district map and recorded in accordance with the provisions of Section 10.04. The approval may contain such reasonable conditions as the Commission deems appropriate and will specify the conditions for approval of subsequent Commission permits or certifications. The terms of the approval will be in writing and must be deemed to be incorporated in the D-PR subdistrict and the Development Plan.
(2) If, after weighing all the evidence, the Commission finds the submission does not meet the criteria established above for its approval, the petition must be denied and the reasons for the denial must be stated in writing.
(3) Within a maximum of 18 months following a Commission decision to designate an area as a D-PR subdistrict, the petitioner, or another person with title, right, or interest, must file a development permit application with the Commission or a Site Location of Development Law (Site Law) permit application with the DEP for development consistent with the approved Development Plan. Upon a showing of good cause, the Commission may, at its discretion, extend the deadline for filing a permit application

with the Commission or the DEP, and may exempt from the filing deadline those plan areas where the area designated as a D-PR subdistrict is already developed.

(4) If no person files a permit application for the planned recreation development within the prescribed time, the Commission will deem the D-PR subdistrict designation to be revoked and the original subdistrict(s) will again apply.

9. Permit for Planned Recreation Development

Land uses within a D-PR subdistrict that are allowed by permit or by special exception pursuant to an approved Development Plan must be permitted either by the Commission or by the DEP. For land uses within D-PR subdistricts created prior to September 1, 2012 and within D-PR subdistricts created September 1, 2012 and later where the development within the subdistrict does not trigger Site Law permitting, the Commission possesses permitting authority. The DEP is responsible for permitting development triggering Site Law in D-PR subdistricts created September 1, 2012 or later. The procedures set forth in Section 10.21,I,8, apply to Commission permitting of activities within a D-PR subdistrict.

a. Application

The development permit application procedure serves to ensure that an applicant's detailed design and construction plans conform with the approved zoning petition and Development Plan.

(1) An application for a development permit may be for all of the land that is the subject of the Development Plan or for a section thereof. The application, once deemed complete for processing by the staff, must be reviewed and acted upon by the Commission within 90 days.

(2) The development permit application must include statements, drawings, specifications, covenants and conditions sufficient to fully detail the nature and scope of the proposed development. Without limitation of the foregoing, the submission must include:

(a) Drawings that include all the information required on the site plan under the Development Plan [Section 10.21,I,7,a,(14)] plus the dimensions and heights, foundation design, material specifications, and elevations and colors of all buildings and structures. If the plan proposes any subdivision, all boundaries of easements and lots are to be surveyed and plotted.

(b) Drawings that illustrate all roads, parking service and traffic circulation areas. The dimensions of curve radii, grades and number of parking spaces are to be specified. Any structures (such as bridges) related to the street system should be shown as scaled engineering plans and sections. Detailed traffic volume estimates and traffic studies may be required, at the discretion of the Commission.

(c) If individual sewage disposal systems are proposed, an on-site soil report for each proposed lot is required from the applicant. The reports are to be on Maine Department of Health and Human Services form HHE-200 or any amended or replacement version thereof. Where a central sewage collection and/or treatment system or central or public water supply system or fire hydrant system is proposed, reasonably full engineering drawings must be required to conform with all applicable governmental requirements.

(d) High intensity soil surveys and drawings that indicate all surface water runoff and storm drainage systems, soil stabilization procedures, and landscape plans for planting, screening, revegetation and erosion control and lighting of outdoor spaces.

(e) To the extent reasonably available, copies of the restrictions, covenants, conditions, and/or contractual agreements that will be imposed upon persons buying, leasing, using, maintaining, or operating land or facilities within the Planned Recreation Development.

b. Review Process and Criteria for Approval

(1) The development permit must comply with the approved zoning petition and Development Plan and must conform with applicable state law, including 12 M.R.S. § 685-B(4), and applicable Commission rules, including Chapter 10.

(2) A public hearing is not required on a development permit application provided the proposed activity is in substantial compliance with the Development Plan. The burden must, nevertheless, be on the applicant to show good cause for any variation between the Development Plan and activity proposed in the development permit application.

c. Approval or Denial of Development Permit Application

Upon accepting a development permit application as complete for processing, the Commission must review and, in writing, approve, approve with conditions, or deny the application.

d. Amendments to Development Permit

After issuance of the initial development permit authorizing Planned Recreation Development within a D-PR subdistrict, the Director of the Commission may issue permit amendments. No change will be so authorized which will cause any of the following:

(1) The addition of a land use not previously approved in the Development Plan;
(2) A material change in the site, scope, or nature of the project;
(3) A material increase in traffic volume;
(4) A material reduction in open space, landscaping, or parking; or
(5) A material change giving rise to adverse environmental impact.

All amendments to the Development Plan proposed by the applicant must require submission to and the approval of the Commission after consultation with the staff and due consideration of the standards set forth in Section 10.21,I,8,b.

e. Time for Construction

If no substantial start has occurred pursuant to the initial development permit by the later of: (a) 24 months after the date of approval by the Commission or (b) expiration of any extension of time for making a substantial start granted by the Commission, the approved permit and previously approved Development Plan must become null and void and the D-PR subdistrict designation must be deemed to be revoked and the original subdistrict(s) must again apply. The deadline for making a substantial start on development authorized in any permit amendment must be specified in the amendment or, if not, must be governed by Section 10.17.

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J. RURAL BUSINESS DEVELOPMENT SUBDISTRICT (D-RB)

(Applies only to certain locations within Aroostook County and Washington County)

1. Purpose

The purpose of the D-RB is to encourage an appropriate range of business development in rural areas, and locate development in or at the edge of existing development and in concentrated areas along appropriate portions of major transportation corridors. The locations for development are selected to maintain the rural character of the region and avoid significant visual, natural resource, and fiscal impacts of unplanned growth.

Where a D-RB subdistrict petition is granted, subsequent development in that subdistrict shall not provide the basis for redistricting of the area to another development subdistrict, nor shall it serve to satisfy those requirements for redistricting surrounding areas to development subdistricts pursuant to Section 10.08.

2. Description

a. The D-RB subdistrict shall include areas to accommodate a range of small commercial, light manufacturing, and institutional facilities and businesses that are generally compatible with, and complementary to, natural resource-based land uses but may create some adverse impacts to residential uses, recreation uses, or resource protection. Businesses are typically larger than a permissible home-based business, but are not large-scale commercial or industrial developments, and may generate some level of nuisance-type impacts (e.g., noise, vibration, smoke, fumes, dust, odors, heat, light, glare, electrical interference) that extend beyond the property lines of the business.

The D-RB subdistrict encourages the commercial expansion of new and existing facilities in locations that are suitable for growth because of proximity to existing development, infrastructure, services, and major transportation corridors. The D-RB subdistrict is not designed to facilitate strip development along highways.

The designated D-RB subdistrict boundaries shall include all buildings, paved or other compacted surfaces, and areas directly related to, and necessary for, the conduct of those activities associated with the above described uses and buildings, as well as other intervening areas between such buildings, paved or other compacted surfaces, and areas.

The D-RB subdistrict shall include areas that contain small commercial, light manufacturing, and institutional facilities and businesses that meet the purpose and other provisions of the subdistrict. The D-RB subdistrict shall also include areas which the Commission determines meet the criteria for redistricting to this subdistrict, pursuant to Section 10.08 hereof, are proposed for development which is consistent with the purposes of this subdistrict, and are suitable for the development activities proposed when measured against the standards of 12 M.R.S. § 685-B(4) and the Commission's Rules and Regulations relating thereto.

Areas within ¼ mile of Management Class 1 lakes or within ½ mile of Management Class 6 lakes shall not be included within the D-RB Subdistrict.

The D-RB subdistrict distinguishes between three types of rural businesses with differing impact categories, as provided in Section 10.27,R,1.

b. Eligible Locations

(1) The following townships, plantations, and towns are eligible for the D-RB subdistrict:

(a) Aroostook County

Bancroft Twp., Benedicta Twp., Cary Plt., Connor Twp., Cross Lake Twp., Cyr Plt., E Twp., Forkstown Twp., Garfield Plt., Glenwood Plt., Hamlin, Hammond, Macwahoc Plt., Madawaska Lake Twp., Molunkus Twp., Moro Plt., Nashville Plt., North Yarmouth Academy Grant Twp., Oxbow Plt., Reed Plt., Silver Ridge Twp., St. John Plt., TA R2 WELS, T1 R5 WELS, T9 R5 WELS, T14 R6 WELS, T15 R6 WELS, T17 R4 WELS, Upper Molunkus Twp., and Winterville Plt.

For purposes of this section, "Category 2 & 3 towns, plantations and townships" are:

Bancroft Twp., Benedicta Twp., Cary Plt., Connor Twp., Cross Lake Twp., Cyr Plt., Garfield Plt., Hamlin, Hammond, Macwahoc Plt., Madawaska Lake Twp., Molunkus Twp., Moro Plt., Nashville Plt., Oxbow Plt., Reed Plt., St. John Plt., T15 R6 WELS, T17 R4 WELS, and Winterville Plt.

Except as provided in Section 10.21,J,2,b,(2), the D-RB subdistrict must be fully located within one mile from public roads, measured from the traveled portion of the road, in eligible townships, plantations and towns.

(b) Washington County

Baring Plt., Brookton Twp., Cathance Twp., Edmunds Twp., Marion Twp., and Trescott, Twp.

Except as provided in Section 10.21,J,2,b,(2) below, the D-RB subdistrict must be fully located within one half mile of the following public roads, measured from the traveled portion of the road, in eligible townships, plantations and towns: Routes 1, 86, 189, and 191.

To be eligible, the parcel or at least one parcel in a contiguous group of parcels proposed for re-zoning to a D-RB subdistrict in Washington County must have frontage on at least one of the public roads listed in Section 10.21,J,2,b,(1),(b) above.

(2) Modification of Locational Criteria. The depth of this subdistrict, and the distance a Category 2 and Category 3 rural business may be located from a public road, may be extended farther from a public road to allow development design in the project area that better meets the purpose of this subdistrict; or to locate subdistrict boundary lines along established property or parcel lines. Adjustments will only be made that do not increase the distance of the subdistrict from the public road, and the distance a Category 2 and Category 3 rural business may be located from a public road, by more than five percent.

3. Land Uses

a. Uses Allowed Without a Permit

The following uses are allowed without a permit from the Commission within D-RB subdistricts:

(1) Docking structures: Temporary docking structures for non-commercial use;
(2) Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations;
(3) Forest management activities, except for timber harvesting;
(4) Land application of septage, sludge and other residuals, and related storage and composting activities in compliance with regulations promulgated by the Maine Department of Environmental Protection under 38 M.R.S. § 13: Maine Hazardous Waste, Septage and Solid Waste Management Act;
(5) Motorized vehicular traffic on roads and trails, and snowmobiling;
(6) Primitive recreational uses, including fishing, hiking, hunting, wildlife study and photography, wild crop harvesting, trapping, horseback riding, tent and shelter camping, canoe portaging, cross country skiing, and snowshoeing;
(7) Surveying and other resource analysis;
(8) Trails, provided they are constructed and maintained so as to reasonably avoid sedimentation of water bodies; and
(9) Wildlife and fishery management practices.

b. Uses Allowed Without a Permit Subject to Standards

The following uses are allowed without a permit from the Commission within D-RB subdistricts subject to the applicable requirements set forth in Sub-Chapter III:

(1) Accessory structures: New or expanded structures accessory to, and located on the same lot as, any legally existing principal structures and uses, provided that:
  (a) The accessory structure is located in a subdistrict that allows the principal use; and
  (b) The total square footage of the footprint of all new or expanded accessory structures built on a lot within a two-year period is not more than 750 square feet and all other requirements and standards of Section 10.27,P are met;
(2) Agricultural activities: 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;
(3) Campsites;
(4) Checkpoint buildings;
(5) Constructed ponds: Creation, alteration or maintenance of constructed ponds, other than those described in Section 10.21,J,3,b,(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;
(6) Driveways associated with residential uses;
(7) Filling and grading;
(8) Forest management activities, except for timber harvesting, involving 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 forest management activities;

(9) Hand-carry launches: Commercial and public hand-carry launches;
(10) Home-based businesses: Minor home-based businesses;
(11) Mineral exploration activities: Level A and B mineral exploration activities, including associated access ways;
(12) Natural resource extraction: Mineral extraction operations, less than 5 acres in size;
(13) Road projects: Level A and B road projects;
(14) Service drops;
(15) Signs;
(16) Trailered ramps: Public trailered ramps;
(17) Utility services: Buildings or structures necessary for the furnishing of public utility services, provided they contain not more than 500 square feet of floor area, are less than 20 feet in height, and are not supplied with water; and
(18) Water crossings of minor flowing waters.

c. Uses Requiring a Permit

The following uses, and related accessory structures, may be allowed within D-RB subdistricts upon issuance of a permit from the Commission pursuant to 12 M.R.S. § 685-B, subject to the applicable requirements set forth in Sub-Chapter III and, where within 500 feet of Management Class 2 lakes or within 250 feet of Management Class 4 and Management Class 5 lakes, subject to the applicable requirements of Section 10.21,J,3,g, h and i below:

(1) Campsites, Residential;
(2) Commercial and industrial:
  (a) Aroostook County: Rural Businesses in conformance with the requirements of Section 10.27,R:
    i. Category 1; and
    ii. Category 2, within one quarter mile of a public road in Category 2 & 3 townships, plantations and towns, or in accordance with Section 10.21,J,2,b(2);
  (b) Washington County: Rural Businesses in conformance with the requirements of Section 10.27,R:
    i. Category 1; and
    ii. Category 2, within one quarter mile of a public road listed in Section 10.21,J,2,b,(1),(b), or in accordance with Section 10.21,J,2,b,(2);
(3) Constructed ponds: Creation, alteration or maintenance of constructed ponds, other than those described in Section 10.21,J,3,b, above, which are 1 acre or more in size, or such ponds less than 1 acre which are not in conformance with the vegetative buffer strip requirements of Section 10.27,C,2,a;
(4) Draining, dredging, and alteration of the water table or water level for other than mineral extraction;
(5) Driveways associated with non-residential uses; driveways associated with residential uses which are not in conformance with the standards of Section 10.27,H;
(6) Family burying grounds of not more than ¼ acre, in accordance with 13 M.R.S. §1142;
(7) Filling and grading which is not in conformance with the standards of Section 10.27,F;
(8) Hand-carry launches: Private hand-carry launches and hand-carry launches addressed in Section 10.21,J,3,b which are not in conformance with the standards of Section 10.27,L;

(9) Home-based businesses: Major home-based businesses, except in the townships or plantations listed in Section 10.21,J,3,d;
(10) Maple sugar processing operations;
(11) Metallic mineral mining activities: Tier one advanced exploration;
(12) Mineral exploration activities: Level A and B mineral exploration activities, including associated access ways, which are not in conformance with the standards of Section 10.27,C;
(13) Natural resource extraction: Mineral extraction operations:
  (a) affecting an area less than 5 acres in size and which are not in conformance with the standards of Section 10.27,C;
  (b) affecting an area between 5 and 30 acres provided the unreclaimed area is less than 15 acres; and
  (c) structures essential to the extraction activity having a total gross floor area of no more than 2,000 square feet;
(14) Peat extraction affecting an area less than 30 acres in size;
(15) Portable mineral processing equipment;
(16) Recreational lodging facilities:
  (a) Level A;
  (b) Level B;
  (c) Level C; and
  (d) Level D (inside the geographic allowance area);
(17) Road projects: Level C road projects;
(18) Sawmills and chipping mills on sites of less than 5 acres;
(19) Shoreland alterations, including reconstruction of permanent docking structures, and permanent on-shore structures used to secure docks and moorings; but excluding marinas, new or expanded permanent docking structures, water-access ways, trailered ramps, hand-carry launches, and water crossings of minor flowing waters;
(20) Signs which are not in conformance with the standards of Section 10.27,J;
(21) Solid waste disposal facilities affecting an area less than 2 acres in size;
(22) Structures: Non-commercial structures utilized for educational, scientific, or nature observation purposes; structures devoted to composting of sludge, septage or other residuals affecting an area less than 5 acres in size; and structures devoted to the storage of sand or salt;
(23) Subdivisions: Commercial and industrial subdivisions for rural businesses within Bancroft Twp., Benedicta Twp., Cary Plt., Connor Twp., Cross Lake Twp., Cyr Plt., E Twp., Garfield Plt., Hamlin, Hammond, Macwahoc Plt., Madawaska Lake Twp., Molunkus Twp., Moro Plt., Nashville Plt., Oxbow Plt., Reed Plt., Silver Ridge Twp., St. John Plt., T15 R6 WELS, T17 R4 WELS, and Winterville Plt.;
(24) Timber harvesting;
(25) Trailered ramps: Commercial trailered ramps and trailered ramps addressed in Section 10.21,J,3,b which are not in conformance with the standards of Section 10.27,L;
(26) Utility facilities, excluding service drops; and wire and pipe line extensions which do not meet the definition of service drops;
(27) Water crossings of minor flowing waters which are not in conformance with the standards of Section 10.27,D and water crossings of bodies of standing water and of major flowing waters;
(28) Water impoundments;
(29) Wind projects: Community-based offshore wind energy projects, as defined in 12 M.R.S. § 682(19); offshore wind power projects, as defined in 38 M.R.S. § 480-B(6A); and wind energy development in accordance with 35-A M.R.S., Chapter 34-A in areas identified in Appendix F herein;

(30) Other structures, uses, or services that are essential to the uses listed in Section 10.21,J,3,a through c; and

(31) Other structures, uses, or services which the Commission determines are consistent with the purposes of this subdistrict and of the Comprehensive Land Use Plan and are not detrimental to the resources or uses they protect, and are of similar type, scale and intensity as other allowed uses.

d. Special Exceptions

The following uses, and related accessory structures, may be allowed within the D-RB subdistricts as special exceptions upon issuance of a permit from the Commission pursuant to 12 M.R.S. §685-A(10), and subject to the applicable requirements set forth in Sub-Chapter III, provided that the applicant shows by substantial evidence that such other conditions are met that the Commission may reasonably impose in accordance with the policies of the Comprehensive Land Use Plan:

(1) Subdivisions: Maple Sugar Processing Subdivisions;

The following uses may be allowed as special exceptions, either singly or in combination, provided the applicant shows by substantial evidence, that (a) the use can be buffered from those other uses within the subdistrict with which it is incompatible; (b) such other conditions are met that the Commission may reasonably impose in accordance with the policies of the Comprehensive Land Use Plan; (c) that there is sufficient infrastructure to accommodate the additional traffic and activity generated by the facility; and (d) that surrounding resources and uses that may be sensitive to such increased traffic and activity are adequately protected:

(2) Commercial and industrial:
- (a) Aroostook County: Rural Businesses in conformance with the requirements of Section 10.27,R:
  - (i) Category 3, within one half mile of a public road in Category 2 & 3 townships, plantations and towns, or in accordance with Section 10.21,J,2,b(2);
- (b) Washington County: Rural Businesses in conformance with the requirements of Section 10.27,R:
  - (i) Category 3, within one quarter mile of a public road listed in Section 10.21,J,2,b,(1),(b), or in accordance with Section 10.21,J,2,b,(2);

(3) Recreational lodging facilities:
- (a) Level C (occupancy may exceed the standard in Section 10.27,Q,1, Table A up to the Expanded Access occupancy limit, provided that the majority of occupancy is accommodated at campsites);
- (b) Level C – Expanded Access (inside the geographic allowance area); and
- (c) Level D – Expanded Access (inside the geographic allowance area).

The following uses may be allowed as special exceptions provided the applicant also shows by substantial evidence that there is no alternative site which is both suitable to the proposed use and reasonably available to the applicant:

(4) Docking structures: New or expanded permanent docking structures;

(5) Trailered ramps: Private trailered ramps; and

(6) Water-access ways.

The following uses may be allowed as special exceptions provided the applicant shows by substantial evidence, in addition to (a), (b), (c) and (d) above, and the provisions of Section10.25,D,2, that (e) the project will not result in traffic safety or capacity deficiencies in the vicinity of the project site.

(7) Subdivisions: Commercial and industrial subdivisions for rural businesses within Forkstown Twp., Glenwood Plt., North Yarmouth Academy Grant Twp., TA R2 WELS, T1 R5 WELS, T9 R5 WELS, T14 R6 WELS, and Upper Molunkus Twp..

The following uses may be allowed as special exceptions provided the applicant shows by substantial evidence that either: (a) the use is integral to the business; or (b) the use predates May 9, 2016.

(8) Residential: Single family dwellings.

e. Prohibited Uses

All uses not expressly allowed, with or without a permit or by special exception are prohibited in a D-RB subdistrict.

f. Water Quality Limiting Lakes

For information relative to water quality limiting lakes see Section 10.23,E,3,g.

g. Management Class 2 Lakes (Accessible, Undeveloped, High Value Lakes) as shown on the Commission's Land Use Guidance Maps.

With respect to single family dwelling proposals within 500 feet of the normal high water mark of Management Class 2 Lakes, the Commission will require an average density per landownership of no more than one dwelling unit per shore mile.

h. Management Class 4 Lakes (High Value, Developed Lakes) as shown on the Commission's Land Use Guidance Maps.

Within 250 feet of the normal high water mark of Management Class 4 lakes, the Commission will:

(1) With respect to subdivisions and commercial, industrial, and other non-residential structures, require the applicant to indicate future plans for other undeveloped shorelands on the lake that are owned by the applicant. Such indication of future plans shall address, at a minimum, the next 10 years, and shall include, but not be limited to, the following information regarding the applicant's landownership on the lake:

(a) area and shoreline length;
(b) potential suitability for development based on an appropriate inventory of soils and significant natural and cultural resources; and
(c) development proposed or anticipated, if any.

This indication of future plans shall be considered part of the proposal. Therefore, changes in such plans, evidenced by a development proposal not included in the description of future plans, will require approval of an application to amend the original proposal in which these future plans were indicated.

i. **Management Class 1 and 6 Lakes** (Least Accessible, Undeveloped High Value Lakes and Remote Ponds) as shown on the Commission's Land Use Guidance Maps. Areas around these lakes are not eligible for the D-RB subdistrict (see Section 10.21,J,2).

K. RESOURCE-DEPENDENT DEVELOPMENT SUBDISTRICT (D-RD)

1. Purpose

The purpose of the D-RD subdistrict is to allow for resource-dependent development in locations near natural resources that would not be suitable for other types of commercial development. Resource-dependent development may be located near raw materials to facilitate extraction, processing, or refinement to reduce bulk before transportation, or near recreational resources, provided development does not result in undue adverse impacts to existing uses or resources. The D-RD subdistrict is designed to allow for the location of recreation supply facilities, recreation day use facilities, grid-scale solar energy facilities; natural resource extraction, or natural resource processing facilities in areas that are distant from other development, but where the location of such a land use (i) will not unreasonably interfere with existing uses, such as forestry and agricultural activities, or with fish and wildlife habitat or other recreation opportunities, and (ii) will not substantially increase the demand for public services.

2. Description

The D-RD Subdistrict must include:

a. Areas the Commission determines meet the applicable criteria for redistricting to this subdistrict in Section 10.08, are generally suitable for the development activities proposed, and are proposed for one of the following land uses meeting the associated locational requirements:

(1) Natural resource extraction or natural resource processing, except that no area will be designated a D-RD subdistrict for either of these uses, other than gravel extraction, if the area is less than one-half mile from: (i) the normal high-water mark of any major water body or (ii) four or more dwellings within a 500-foot radius.

(2) Recreation day use facilities near a topographic feature or natural resource that is generally not found throughout the Commission's service area, and on which the facility depends, or within one-quarter mile of a publicly accessible water access point for a Management Class 4, 5, or 7 lake, and not within one-quarter mile of a Management Class 1 or Management Class 2 lake, and not within one-half mile of a Management Class 6 lake.

(3) Recreation supply facilities within one-quarter mile of trailheads serving permanent trails that support motorized vehicle, nonmotorized vehicle, or equestrian use; or within one-quarter mile of publicly accessible points of access to a body of standing water greater than ten acres in size, and not within one-quarter mile of Management Class 1, or Management Class 2 lakes, and not within one-half mile of Management Class 6 lakes.

(4) Grid-scale solar energy facilities in an area:

(i) accessible from a public road by a legal right of access satisfying Section 10.08-A,E;

(ii) located a reasonable distance from emergency service providers to allow for adequate response in the event of an emergency; and

(iii) within one mile of the proposed point of interconnection with the existing transmission grid if no other area suitable for the facility and closer to a point of interconnection is reasonably available to the petitioner seeking to establish a D-RD subdistrict, unless the petitioner demonstrates that redistricting an area no more than three miles from the point of interconnection would result in a project location that is compatible with current land uses and does not expand the pattern of development beyond already developed areas.

b. Reversion of Subdistrict. Once a D-RD subdistrict is no longer used for the land use for which it was created, the subdistrict shall automatically revert to the prior subdistrict(s), unless otherwise rezoned in conformance with 12 M.R.S. §685-A(8-A) and the Commission's rules.

3. Land Uses

a. Uses Allowed Without a Permit

The following uses are allowed without a permit from the Commission within D-RD subdistricts:

(1) Docking structures: Temporary docking structures for non-commercial use;
(2) Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations;
(3) Forest management activities, except for timber harvesting;
(4) Land application of septage, sludge and other residuals, and related storage and composting activities in compliance with regulations promulgated by the Maine Department of Environmental Protection under 38 M.R.S. §13: Maine Hazardous Waste, Septage and Solid Waste Management Act;
(5) Motorized vehicular traffic on roads and trails, and snowmobiling;
(6) Primitive recreational uses, including fishing, hiking, hunting, wildlife study and photography, wild crop harvesting, trapping, horseback riding, tent and shelter camping, canoe portaging, cross country skiing, and snowshoeing;
(7) Surveying and other resource analysis;
(8) Trails, provided they are constructed and maintained so as to reasonably avoid sedimentation of water bodies; and
(9) Wildlife and fishery management practices.

b. Uses Allowed Without a Permit Subject to Standards

The following uses are allowed without a permit from the Commission within D-RD subdistricts subject to the applicable requirements set forth in Sub-Chapter III:

(1) Accessory structures: New or expanded structures accessory to, and located on the same lot as, any legally existing principal structures and uses, provided that:
  (a) The accessory structure is located in a subdistrict that allows the principal use; and
  (b) The total square footage of the footprint of all new or expanded accessory structures built on a lot within a two-year period is not more than 750 square feet and all other requirements and standards of Section 10.27,P are met;
(2) Agricultural activities: Agricultural management activities;
(3) Campsites;
(4) Checkpoint buildings;

(5) Constructed ponds: Creation, alteration or maintenance of constructed ponds, other than those described in Section 10.21,K,3,b above, less than 1 acre in size that are not fed or drained by flowing waters, in conformance with the vegetative buffer strip requirements of Section 10.27,C,2,a;
(6) Driveways associated with residential uses;
(7) Filling and grading;
(8) Forest management activities, except for timber harvesting, involving 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 forest management activities;
(9) Hand-carry launches: Commercial and public hand-carry launches;
(10) Land management roads;
(11) Mineral exploration activities: Level A and Level B mineral exploration activities, excluding associated access ways;
(12) Natural resource extraction: Mineral extraction operations, less than 5 acres in size;
(13) Road projects: Level A and B road projects;
(14) Service drops;
(15) Signs;
(16) Timber harvesting;
(17) Trailered ramps: Public trailered ramps;
(18) Utility services: Buildings or structures necessary for the furnishing of public utility services, provided they contain not more than 500 square feet of floor area, are less than 20 feet in height, and are not supplied with water; and
(19) Water crossings of minor flowing waters.

c. Uses Requiring a Permit

The following uses, and related accessory structures, may be allowed within D-RD subdistricts upon issuance of a permit from the Commission pursuant to 12 M.R.S. §685-B, subject to the applicable requirements set forth in Sub-Chapter III, and if within 250 feet of Management Class 4 lakes, subject to the applicable requirements of Section 10.21,K,3,g:

(1) Agricultural activities: Agricultural management activities that are not in conformance with the standards of Section 10.27,A;
(2) Campsites, Residential;
(3) Commercial and industrial:
  (a) Natural resource processing facilities that may involve structural development, in conformance with the requirements of Section 10.27,S;
  (b) Recreation day use facilities that may involve structural development; and
  (c) Recreation supply facilities that may involve structural development;
(4) Constructed ponds: Creation, alteration or maintenance of constructed ponds, other than those described in Section 10.21,K,3,b, above, that are 1 acre or more in size, or such ponds less than 1 acre that are not in conformance with the vegetative buffer strip requirements of Section 10.27,C,2,a;
(5) Driveways associated with non-residential uses; driveways associated with residential uses which are not in conformance with the standards of Section 10.27,H;
(6) Filling and grading that is not in conformance with the standards of Section 10.27,F;
(7) Hand-carry launches: Private hand-carry launches and hand-carry launches addressed in Section 10.21,K,3,b that are not in conformance with the standards of Section 10.27,L;
(8) Land management roads which are not in conformance with the standards of Section 10.21,K,3,b;

(9) Maple sugar processing operations;
(10) Metallic mineral mining activities: Tier one advanced exploration;
(11) Mineral exploration activities: Access ways for Level A and Level B mineral exploration activities, and Level A and Level B mineral exploration activities that are not in conformance with the standards of Section 10.27,C;
(12) Natural resource extraction, other than those described in Section 10.21,K,3,b;
(13) Portable mineral processing;
(14) Road projects: Level C road projects;
(15) Shoreland alterations, including reconstruction of permanent docking structures, and permanent on-shore structures used to secure docks and moorings; but excluding marinas, new or expanded permanent docking structures, water-access ways, trailered ramps, hand-carry launches, and water crossings of minor flowing waters;
(16) Signs that are not in conformance with the standards of Section 10.27,J;
(17) Solar energy generation facility: grid-scale solar energy generation facility not located on soils recognized by the U.S. Department of Agriculture as prime farmland soils;
(18) Structures: Non-commercial structures utilized for educational, scientific, or nature observation purposes; structures devoted to composting of sludge, septage or other residuals affecting an area less than 5 acres in size; and structures devoted to the storage of sand or salt;
(19) Subdivisions:
    (a) Commercial and industrial subdivisions for uses allowed in this subdistrict; and
    (b) Maple sugar processing subdivisions;
(20) Timber harvesting which is not in conformance with the standards of Section 10.21,K,3,b;
(21) Trailered ramps: Commercial trailered ramps and trailered ramps addressed in Section 10.21,K,3,b that are not in conformance with the standards of Section 10.27,L;
(22) Utility facilities, excluding service drops; and wire and pipe line extensions that do not meet the definition of service drops;
(23) Water crossings of minor flowing waters that are not in conformance with the standards of Section 10.27,D and water crossings of bodies of standing water and of major flowing waters;
(24) Water impoundments;
(25) Wind projects: Community-based offshore wind energy projects, as defined in 12 M.R.S. §682(19); offshore wind power projects, as defined in 38 M.R.S. §480-B(6A); and wind energy development in accordance with 35-A M.R.S., Chapter 34-A in areas identified in Appendix F herein;
(26) Other structures, uses, or services that are essential to the uses listed in Section 10.21,K,3,a through c; and
(27) Other structures, uses, or services that the Commission determines are consistent with the purposes of this subdistrict and of the Comprehensive Land Use Plan and are not detrimental to the resources or uses they protect, and are of similar type, scale and intensity as other allowed uses.

d. Special Exceptions

The following uses, and related accessory structures, may be allowed within D-RD subdistricts as special exceptions upon issuance of a permit from the Commission pursuant to 12 M.R.S. §685-A(10), and subject to the applicable requirements set forth in Sub-Chapter III, provided that the applicant shows by substantial evidence that (a) upon decommissioning of the facility all structures and materials associated with the development will be removed, and affected soils will be replaced or restored to a state such that they could

be utilized for active agricultural production; and (b) such other conditions are met that the Commission may reasonably impose in accordance with the policies of the Comprehensive Land Use Plan:

(1) Solar energy generation facility: grid-scale solar energy generation facility located on soils recognized by the U.S. Department of Agriculture as prime agricultural soils.

e. Prohibited Uses

All uses not expressly allowed, with or without a permit or by special exception are prohibited in a D-RD subdistrict.

f. Water Quality Limiting Lakes

For information relative to water quality limiting lakes see Section 10.23,E,3,g.

g. Management Class 4 Lakes (High Value, Developed Lakes) as shown on the Commission's Land Use Guidance Maps.

Within 250 feet of the normal high water mark of Management Class 4 lakes, the Commission will:

(1) With respect to recreation day use or recreation supply facilities, require the applicant to indicate future plans for other undeveloped shorelands on the lake that are owned by the applicant. Such indication of future plans shall address, at a minimum, the next 10 years, and shall include, but not be limited to, the following information regarding the applicant's landownership on the lake:

(a) area and shoreline length;
(b) potential suitability for development based on an appropriate inventory of soils and significant natural and cultural resources; and
(c) development proposed or anticipated, if any.

This indication of future plans shall be considered part of the proposal. Therefore, changes in such plans, evidenced by a development proposal not included in the description of future plans, will require approval of an application to amend the original proposal in which these future plans were indicated.

L. RECREATION FACILITY DEVELOPMENT SUBDISTRICT (D-RF)

1. Purpose

The purpose of the D-RF subdistrict is to allow for development of moderate intensity recreation facilities in locations that would not be suitable for other types of commercial development. Moderate intensity recreation facilities often rely on, and are compatible with, settings which are distant from existing patterns of development, but are relatively accessible to visitors. Such development may be appropriate in locations that provide access to recreational opportunities that are not overly sensitive to increased public use but are not present in developed areas. The D-RF Subdistrict is designed to allow for the location of moderate intensity recreation facilities in areas that are distant from other development, but where the location of such a facility would not unreasonably interfere with existing uses such as forestry and agriculture activities, fish and wildlife habitat or other recreation opportunities; and will not substantially increase the demand for public services in areas that are distant from existing patterns of development.

2. Description

The D-RF subdistrict shall include:

Areas that contain existing recreation facilities that meet the purpose and other provisions of the Subdistrict; and

Areas which are proposed for development activities which are consistent with the purposes of this subdistrict; meet the criteria for redistricting to this subdistrict, pursuant to Section 10.08 hereof; and are suitable for the development activities proposed when measured against the standards of 12 M.R.S. § 685-B(4) and the Commission's Rules and Regulations relating thereto.

Areas within ¼ mile of Management Class 1 lakes or within ½ mile of Management Class 6 lakes shall not be included as within the D-RF Subdistrict.

3. Land Uses

a. Uses Allowed Without a Permit

The following uses are allowed without a permit from the Commission within D-RF subdistricts:

(1) Docking structures: Temporary docking structures for non-commercial use;
(2) Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations;
(3) Forest management activities, except for timber harvesting;
(4) Motorized vehicular traffic on roads and trails, and snowmobiling;
(5) Primitive recreational uses, including fishing, hiking, hunting, wildlife study and photography, wild crop harvesting, trapping, horseback riding, tent and shelter camping, canoe portaging, cross country skiing, and snowshoeing;
(6) Surveying and other resource analysis;
(7) Trails, provided they are constructed and maintained so as to reasonably avoid sedimentation of water bodies; and
(8) Wildlife and fishery management practices.

b. Uses Allowed Without a Permit Subject to Standards

The following uses are allowed without a permit from the Commission within D-RF subdistricts subject to the applicable requirements set forth in Sub-Chapter III:

(1) Accessory structures: New or expanded structures accessory to, and located on the same lot as, any legally existing principal structures and uses, provided that:
  (a) The accessory structure is located in a subdistrict that allows the principal use; and
  (b) The total square footage of the footprint of all new or expanded accessory structures built on a lot within a two-year period is not more than 750 square feet and all other requirements and standards of Section 10.27,P are met;
(2) Agricultural activities: Agricultural management activities;
(3) Campsites;
(4) Constructed ponds: Creation, alteration or maintenance of constructed ponds of less than 4,300 square feet in size which are not fed or drained by flowing waters provided they are constructed and maintained in conformance with the vegetative buffer strip requirements of Section 10.27,C,2,a;
(5) Filling and grading;
(6) Hand-carry launches: Commercial and public hand-carry launches except on Management Class 1 and 2 lakes;
(7) Mineral exploration activities: Level A mineral exploration activities, excluding associated access ways;
(8) Road projects: Level A road projects;
(9) Service drops;
(10) Signs;
(11) Trailered ramps: Public trailered ramps except on Management Class 1 and 2 lakes;
(12) Utility services: Buildings or structures necessary for the furnishing of public utility services, provided they contain not more than 500 square feet of floor area, are less than 20 feet in height, and are not supplied with water;
(13) Water crossings of minor flowing waters; and
(14) Water-dependent structures for recreational lodging facilities in conformance with Section 10.27,Q,7.

c. Uses Requiring a Permit

The following uses, and related accessory structures, may be allowed within D-RF subdistricts upon issuance of a permit from the Commission pursuant to 12 M.R.S. § 685-B, subject to the applicable requirements set forth in Sub-Chapter III and, where within 500 feet of Management Class 2 lakes or within 250 feet of Management Class 4 lakes, subject to the applicable requirements of Section 10.21,L,3,g and h below:

(1) Agricultural activities: Agricultural management activities which are not in conformance with the standards of Section 10.27,A;
(2) Constructed ponds: Creation, alteration or maintenance of constructed ponds 4,300 square feet or greater in size which are not fed or drained by flowing waters, or of such ponds less than 4,300 square feet in size which are not in conformance with the vegetative buffer strip requirements of Section 10.27,L,2,a;
(3) Draining, dredging, or alteration of the water table or water level for other than mineral extraction;
(4) Driveways associated with non-residential uses;
(5) Filling and grading which is not in conformance with the standards of Section 10.27,F;

(6) Hand-carry launches: Private hand-carry launches and hand-carry launches addressed in Section 10.21,L,3,b which are not in conformance with the standards of Section 10.27,L;
(7) Land management roads;
(8) Mineral exploration activities: Access ways for Level A mineral exploration activities, Level A mineral exploration activities which are not in conformance with the standards for such activities in Section 10.27,C;
(9) Recreational lodging facilities:
  (a) Level A;
  (b) Level B;
  (c) Level C; and
  (d) Level D;
(10) Road projects: Level B and C road projects, except for water crossings as provided for in Section 10.21,L,3,b;
(11) Shoreland alterations, including reconstruction of permanent docking structures, and permanent on-shore structures used to secure docks and moorings; but excluding marinas, new or expanded permanent docking structures, water-access ways, trailered ramps, hand-carry launches, and water crossings of minor flowing waters;
(12) Signs which are not in conformance with the standards of Section 10.27,J;
(13) Subdivisions: Commercial and industrial subdivisions for uses allowed in this subdistrict;
(14) Timber harvesting;
(15) Trailered ramps addressed in Section 10.21,L,3,b which are not in conformance with the standards of Section 10.27,L;
(16) Utility facilities compatible with recreational uses, other than service drops, and wire and pipe line extensions which do not meet the definition of service drops;
(17) Water crossings of minor flowing waters which are not in conformance with the standards of Section 10.27,D and water crossings of bodies of standing water and of major flowing waters;
(18) Water impoundments;
(19) Wind projects: Community-based offshore wind energy projects, as defined in 12 M.R.S. § 682(19); offshore wind power projects, as defined in 38 M.R.S. § 480-B(6A); and wind energy development in accordance with 35-A M.R.S., Chapter 34-A in areas identified in Appendix F herein;
(20) Other structures, uses or services that are essential to the uses listed in Section 10.21,L,3,a through c; and
(21) Other structures, uses, or services which the Commission determines are consistent with the purposes of this subdistrict and of the Comprehensive Land Use Plan and are not detrimental to the resources and uses they protect, and are of similar type, scale and intensity as other allowed uses.

d. Special Exceptions

The following uses, and related accessory structures, may be allowed as special exceptions, either singly or in combination, provided the applicant shows by substantial evidence, that (a) the use can be buffered from those other uses within the subdistrict with which it is incompatible; (b) such other conditions are met that the Commission may reasonably impose in accordance with the policies of the Comprehensive Land Use Plan; (c) that there is sufficient infrastructure to accommodate the additional traffic and activity generated by the facility; and (d) that surrounding resources and uses that may be sensitive to such increased traffic and activity are adequately protected:

(1) Commercial: Recreation supply facilities that are not within one-quarter mile of Management Class 1, or Management Class 2 lakes, and not within one-half mile of Management Class 6 lakes;
(2) Recreational lodging facilities:
  (a) Level C – Expanded Access; and
  (b) Level D – Expanded Access;

The following uses may be allowed as special exceptions provided the applicant in addition to (a) through (d) above, shows by substantial evidence that there is no alternative site which is both suitable to the proposed use and reasonably available to the applicant:

(3) Docking structures: New or expanded permanent docking structures;
(4) Hand-carry launches: Commercial and public hand-carry launches on Management Class 1 and 2 lakes;
(5) Marinas;
(6) Trailered ramps: Commercial and private trailered ramps and public trailered ramps on Management Class 1 and 2 lakes; and
(7) Water-access ways.

e. Prohibited Uses

All uses not expressly allowed, with or without a permit or by special exception are prohibited in a D-RF subdistrict.

f. Water Quality Limiting Lakes

For information relative to water quality limiting lakes see Section 10.23,E,3,g.

g. Management Class 2 Lakes (Accessible, Undeveloped, High Value Lakes) as shown on the Commission's Land Use Guidance Maps.

With respect to proposals for development units within 500 feet of the normal high water mark of Management Class 2 Lakes, the Commission will require an average density per landownership of no more than one development unit per shore mile as provided for in Section 10.23,A,3.

h. Management Class 4 Lakes (High Value, Developed Lakes) as shown on the Commission's Land Use Guidance Maps.

Within 250 feet of the normal high water mark of Management Class 4 lakes, the Commission will:

(1) With respect to subdivisions and recreation facilities, recreation lodging facilities, and other non-residential structures, require the applicant to indicate future plans for other undeveloped shorelands on the lake that are owned by the applicant. Such indication of future plans shall address, at a minimum, the next 10 years, and shall include, but not be limited to, the following information regarding the applicant's landownership on the lake:

  (a) area and shoreline length;
  (b) potential suitability for development based on an appropriate inventory of soils and significant natural and cultural resources; and
  (c) development proposed or anticipated, if any.

This indication of future plans shall be considered part of the proposal. Therefore, changes in such plans, evidenced by a development proposal not included in the description of future plans, will require approval of an application to amend the original proposal in which these future plans were indicated.

i. **Management Class 1 and 6 Lakes** (Least Accessible, Undeveloped High Value Lakes and Remote Ponds) as shown on the Commission's Land Use Guidance Maps. Areas around these lakes are not eligible to be zoned D-RF (see Section 10.21,L,2).

M. RESIDENTIAL DEVELOPMENT SUBDISTRICT (D-RS)

1. Purpose

The purpose of the D-RS subdistrict is to set aside certain areas for residential and other appropriate uses so as to provide for residential activities apart from areas of commercial development. The intention is to encourage the concentration of residential type development in locations where public services may be provided efficiently or where residential development can be integrated with a recreational resource that is suitable for additional use associated with proximate residential development.

2. Description

The D-RS subdistrict shall include:

a. Areas with the following existing patterns of intensive residential development:

(1) Areas where four or more single family dwelling units exist within a 500 foot radius; or

(2) Recorded and legally existing single family residential subdivisions, including mobile home parks, having 4 or more lots; or

(3) Areas surrounding those described in Section 10.21,M,2,a,(1) or (2) above which contain neighborhood or associated uses that primarily serve such residences. Such areas may include, without limitation, residential accessory buildings, neighborhood parks and public open spaces, schools, day nurseries, places of worship, cemeteries, but shall not include industrial uses.

The designated D-RS subdistrict boundaries shall include all single family dwelling units and accessory buildings and uses, paved areas and areas directly related to, and necessary for, the conduct of those activities associated with the above described single family dwelling units, as well as other intervening areas between such buildings, paved surfaces and areas. Furthermore, in the case of recorded and legally existing single family residential subdivisions, the D-RS subdistrict boundaries shall encompass the entire subdivision.

b. Areas which the Commission determines both meet the criteria for redistricting to this subdistrict, pursuant to Section 10.08 hereof, are proposed for development which is consistent with the purposes of this subdistrict, and are suitable for the development activities proposed when measured against the standards of 12 M.R.S. §685-B(4) and the Commission's Rules and Regulations relating thereto.

3. Land Uses

a. Uses Allowed Without a Permit

The following uses are allowed without a permit from the Commission within D-RS subdistricts:

(1) Docking structures: Temporary docking structures for non-commercial use;
(2) Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations;
(3) Forest management activities, except for timber harvesting;
(4) Motorized vehicular traffic on roads and trails, and snowmobiling;
(5) Primitive recreational uses, including fishing, hiking, wildlife study and photography, wild crop harvesting, horseback riding, tent and shelter camping, canoe portaging, cross country skiing and snowshoeing, excluding hunting and trapping;
(6) Surveying and other resource analysis;
(7) Trails, provided they are constructed and maintained so as to reasonably avoid sedimentation of water bodies; and
(8) Wildlife and fishery management practices.

b. Uses Allowed Without a Permit Subject to Standards

The following uses are allowed without a permit from the Commission within D-RS subdistricts subject to the applicable requirements set forth in Sub-Chapter III:

(1) Accessory structures: New or expanded structures accessory to, and located on the same lot as, any legally existing principal structures and uses, provided that:
  (a) The accessory structure is located in a subdistrict that allows the principal use; and
  (b) The total square footage of the footprint of all new or expanded accessory structures built on a lot within a two-year period is not more than 750 square feet and all other requirements and standards of Section 10.27,P are met;
(2) Agricultural activities: Agricultural management activities;
(3) Constructed ponds: Creation, alteration or maintenance of constructed ponds of less than 4,300 square feet in size which are not fed or drained by flowing waters provided they are constructed and maintained in conformance with the vegetative buffer strip requirements of Section 10.27,C,2,a;
(4) Driveways associated with residential uses;
(5) Filling and grading;
(6) Hand-carry launches: Public hand-carry launches except on Management Class 1 and 2 lakes;
(7) Home-based businesses: Minor home-based businesses;
(8) Mineral exploration activities: Level A mineral exploration activities, excluding associated access ways;
(9) Road projects: Level A road projects;
(10) Service drops;
(11) Signs;
(12) Trailered ramps: Public trailered ramps except on Management Class 1 and 2 lakes;
(13) Utility services: Buildings or structures necessary for the furnishing of public utility services, provided they contain not more than 500 square feet of floor area, are less than 20 feet in height, and are not supplied with water; and
(14) Water crossings of minor flowing waters.

c. Uses Requiring a Permit

The following uses, and related accessory structures, may be allowed within D-RS subdistricts upon issuance of a permit from the Commission pursuant to 12 M.R.S. §685-B, subject to the applicable requirements set forth in Sub-Chapter III and, where within 500 feet of Management Class 2 lakes or within 250 feet of Management Class 4 lakes, subject to the applicable requirements of Section 10.21,M,3,g and h below:

(1) Agricultural activities: Agricultural management activities which are not in conformance with the standards of Section 10.27,A;
(2) Campsites;
(3) Campsites, Residential;
(4) Cemeteries, and family burying grounds in accordance with 13 M.R.S. §1142;
(5) Constructed ponds: Creation, alteration or maintenance of constructed ponds 4,300 square feet or greater in size which are not fed or drained by flowing waters, or of such ponds less than 4,300 square feet in size which are not in conformance with the vegetative buffer strip requirements of Section 10.27,C,2,a;
(6) Draining, dredging, or alteration of the water table or water level for other than mineral extraction;
(7) Driveways associated with non-residential uses; driveways associated with residential uses which are not in conformance with the standards of Section 10.27,H;
(8) Filling and grading which is not in conformance with the standards of Section 10.27,F;
(9) Hand-carry launches: Hand-carry launches addressed in Section 10.21,M,3,b which are not in conformance with the standards of Section 10.27,L;
(10) Home-based businesses: Major home-based businesses;
(11) Land management roads;
(12) Mineral exploration activities: Access ways for Level A mineral exploration activities; Level A mineral exploration activities which are not in conformance with the standards of Section 10.27,C; and Level B mineral exploration activities;
(13) Public and Institutional: Places of worship, public, private and parochial schools, day nurseries, and public parks and recreation areas;
(14) Residential: Single and two-family dwellings;
(15) Road projects: Level B and C road projects, except for water crossings as provided for in Section 10.21,M,3,b;
(16) Shoreland alterations, including reconstruction of permanent docking structures, and permanent on-shore structures used to secure docks and moorings; but excluding marinas, new or expanded permanent docking structures, water-access ways, trailered ramps, hand-carry launches, and water crossings of minor flowing waters;
(17) Signs which are not in conformance with the standards of Section 10.27,J;
(18) Subdivisions, Residential:
    (a) Moderate-density subdivisions; and
    (b) High-density subdivisions in primary and secondary locations, or within applicable concept plan areas;
(19) Timber harvesting;
(20) Trailered ramps: Trailered ramps addressed in Section 10.21,M,3,b which are not in conformance with the standards of Section 10.27,L;
(21) Utility facilities compatible with residential uses other than service drops; and wire and pipe line extensions which do not meet the definition of service drops;
(22) Water crossings of minor flowing waters which are not in conformance with the standards of Section 10.27,D and water crossings of bodies of standing water and of major flowing waters;
(23) Water impoundments;

(24) Wind projects: Community-based offshore wind energy projects, as defined in 12 M.R.S. §682(19); offshore wind power projects, as defined in 38 M.R.S. §480-B(6A); and wind energy development in accordance with 35-A M.R.S., Chapter 34-A in areas identified in Appendix F herein;
(25) Other structures, uses or services that are essential to the uses listed in Section 10.21,M,3,a through c; and
(26) Other structures, uses, or services which the Commission determines are consistent with the purposes of this subdistrict and of the Comprehensive Land Use Plan and are not detrimental to the resources and uses they protect, and are of similar type, scale and intensity as other allowed uses.

d. Special Exceptions

The following uses, and related accessory structures, may be allowed within D-RS subdistricts as special exceptions upon issuance of a permit from the Commission pursuant to 12 M.R.S. §685-A(10), and subject to the applicable requirements set forth in Sub-Chapter III, provided that the applicant shows by substantial evidence that (a) there is no alternative site which is both suitable to the proposed use and reasonably available to the applicant; (b) the use can be buffered from those uses within the vicinity or area likely to be affected by the proposal with which it is or may be incompatible; and (c) such other conditions are met that the Commission may reasonably impose in accordance with the policies of the Comprehensive Land Use Plan:

(1) Docking structures: New or expanded permanent docking structures;
(2) Hand-carry launches: Public hand-carry launches on Management Class 1 and 2 lakes;
(3) Marinas;
(4) Residential: Multi-family dwellings;
(5) Trailered ramps: Commercial and private trailered ramps, and public trailered ramps on Management Class 1 and 2 lakes; and
(6) Water-access ways.

e. Prohibited Uses

All uses not expressly allowed, with or without a permit or by special exception, are prohibited in D-RS subdistricts.

f. Water Quality Limiting Lakes

For information relative to water quality limiting lakes see Section 10.23,E,3,g.

g. Management Class 2 Lakes (Accessible, Undeveloped, High Value Lakes) as shown on the Commission's Land Use Guidance Maps.

With respect to single family dwelling proposals within 500 feet of the normal high water mark of Management Class 2 Lakes, the Commission will require an average density per landownership of no more than one dwelling unit per shore mile.

h. Management Class 4 Lakes (High Value, Developed Lakes) as shown on the Commission's Land Use Guidance Maps.

Within 250 feet of the normal high water mark of Management Class 4 lakes, the Commission will:

(1) With respect to subdivisions and commercial and other non-residential structures, require the applicant to indicate future plans for other undeveloped shorelands on the lake that are owned by the applicant. Such indication of future plans shall address, at a minimum, the next 10 years, and shall include, but not be limited to, the following information regarding the applicant's landownership on the lake:

(a) area and shoreline length;
(b) potential suitability for development based on an appropriate inventory of soils and significant natural and cultural resources; and
(c) development proposed or anticipated, if any.

This indication of future plans shall be considered part of the proposal. Therefore, changes in such plans, evidenced by a development proposal not included in the description of future plans, will require approval of an application to amend the original proposal in which these future plans were indicated.

N. COMMUNITY RESIDENTIAL DEVELOPMENT SUBDISTRICT (D-RS2)

1. Purpose

The purpose of the D-RS2 subdistrict is to designate residential areas that can accommodate an appropriate range of low-impact commercial and public uses that are compatible with residential uses. This subdistrict seeks to promote residential living and thriving neighborhoods with a limited range of services.

2. Description

The D-RS2 subdistrict shall be located adjacent to a D-GN2 subdistrict in order to limit the fiscal and visual impacts of sprawling development. Adjacent is interpreted as within a distance of one road mile. This subdistrict is similar to the D-RS subdistrict but it allows for commercial development such as bed and breakfasts, health care facilities, and golf courses.

This subdistrict will be applied only in communities located in the fringe of the Commission's jurisdiction as defined in the Comprehensive Land Use Plan, and in areas appropriate as centers of growth after a prospective planning process has been undertaken by the Commission.

The Commission shall, using Section 10.08 of these rules, designate areas for this subdistrict that are consistent with its purpose and suitable for supporting development when measured against the standards of 12 M.R.S. § 685-B(4) and the Commission's rules and regulations.

3. Land Uses

The provisions of the D-RS2 subdistrict will not apply to any applications that have been received and deemed complete for processing by the Commission staff on or before January 1, 2001.

a. Uses Allowed Without a Permit

The following uses are allowed without a permit from the Commission within D-RS2 subdistricts:

(1) Docking structures: Temporary docking structures for non-commercial use;
(2) Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations;
(3) Forest management activities, except for timber harvesting;
(4) Motorized vehicular traffic on roads and trails, and snowmobiling;
(5) Primitive recreational uses, including fishing, hiking, wildlife study and photography, wild crop harvesting, horseback riding, tent and shelter camping, canoe portaging, cross country skiing and snowshoeing, excluding hunting and trapping;
(6) Surveying and other resource analysis;
(7) Trails, provided they are constructed and maintained so as to reasonably avoid sedimentation of water bodies; and
(8) Wildlife and fishery management practices.

b. Uses Allowed Without a Permit Subject to Standards

The following uses are allowed without a permit from the Commission within D-RS2 subdistricts subject to the applicable requirements set forth in Sub-Chapter III:

(1) Accessory structures: New or expanded structures accessory to, and located on the same lot as, any legally existing principal structures and uses, provided that:
  (a) The accessory structure is located in a subdistrict that allows the principal use; and
  (b) The total square footage of the footprint of all new or expanded accessory structures built on a lot within a two (2) year period is not more than 750 square feet and all other requirements and standards of Section 10.27,P are met;
(2) Agricultural activities: Agricultural management activities;
(3) Constructed ponds: Creation, alteration, or maintenance of constructed ponds of less than 4,300 square feet in size which are not fed or drained by flowing waters provided they are constructed and maintained in conformance with the vegetative buffer strip requirements of Section 10.27,C,2,a;
(4) Driveways associated with residential uses;
(5) Filling and grading;
(6) Hand-carry launches: Public hand-carry launches;
(7) Home-based businesses: Minor home-based businesses;
(8) Mineral exploration activities: Level A mineral exploration activities, excluding associated access ways;
(9) Road projects: Level A road projects;
(10) Service drops;
(11) Signs;
(12) Trailered ramps: Public trailered ramps;
(13) Utility services: Buildings or structures necessary for the furnishing of public utility services, provided they contain not more than 500 square feet of floor area, are less than 20 feet in height, and are not supplied with water; and
(14) Water crossings of minor flowing waters.

c. Uses Requiring a Permit

The following uses, and related accessory structures, may be allowed within D-RS2 subdistricts upon issuance of a permit from the Commission pursuant to 12 M.R.S. § 685-B, subject to the applicable requirements set forth in Sub-Chapter III and, where within 500 feet of Management Class 2 lakes or within 250 feet of Management Class 4 and Management Class 5 lakes, subject to the applicable requirements of Section 10.21,N,3,g, h and i below:

(1) Agricultural activities: Agricultural management activities which are not in conformance with the standards of Section 10.27,A;
(2) Bed and breakfast facilities;
(3) Campsites;
(4) Campsites, Residential;
(5) Cemeteries, and family burying grounds in accordance with 13 M.R.S. § 1142;
(6) Community living facilities;
(7) Constructed ponds: Creation, alteration or maintenance of constructed ponds 4,300 square feet or greater in size which are not fed or drained by flowing waters, or of such ponds less than 4,300 square feet in size which are not in conformance with the vegetative buffer strip requirements of Section 10.27,C,2,a;
(8) Draining, dredging, or alteration of the water table or water level for other than mineral extraction;

(9) Driveways associated with non-residential uses; driveways associated with residential uses which are not in conformance with the standards of Section 10.27,H;
(10) Filling and grading which is not in conformance with the standards of Section 10.27,F;
(11) Hand-carry launches: Hand-carry launches addressed in Section 10.21,N,3,b which are not in conformance with the standards of Section 10.27,L;
(12) Home-based businesses: Major home-based businesses;
(13) Land management roads;
(14) Mineral exploration activities: Access ways for Level A mineral exploration activities; Level A mineral exploration activities which are not in conformance with the standards of Section 10.27,C; and Level B mineral exploration activities;
(15) Public and Institutional: Places of worship and other religious institutions; public, private and parochial day schools; non-profit children's day care facilities; local parks and local public recreation areas;
(16) Residential: Single and two-family dwellings;
(17) Road projects: Level B and C road projects, except for water crossings as provided for in Section 10.21,N,3,b;
(18) Shoreland alterations, including reconstruction of permanent docking structures, and permanent on-shore structures used to secure docks and moorings; but excluding marinas, new or expanded permanent docking structures, water-access ways, trailered ramps, hand-carry launches, and water crossings of minor flowing waters;
(19) Signs which are not in conformance with the standards of Section 10.27,J;
(20) Subdivisions, Residential: High- and moderate-density subdivisions;
(21) Timber harvesting;
(22) Trailered ramps: Trailered ramps addressed in Section 10.21,N,3,b which are not in conformance with the standards of Section 10.27,L;
(23) Utility facilities compatible with residential uses other than service drops; and wire and pipe line extensions which do not meet the definition of service drops;
(24) Water crossings of minor flowing waters which are not in conformance with the standards of Section 10.27,D and water crossings of bodies of standing water and of major flowing waters;
(25) Water impoundments;
(26) Wind projects: Community-based offshore wind energy projects, as defined in 12 M.R.S. § 682 (19); offshore wind power projects, as defined in 38 M.R.S. § 480-B(6A); and wind energy development in accordance with 35-A M.R.S., Chapter 34-A in areas identified in Appendix F herein;
(27) Other structures, uses or services that are essential to the uses listed in Section 10.21,N,3,a through c; and
(28) Other structures, uses, or services which the Commission determines are consistent with the purposes of this subdistrict and of the Comprehensive Land Use Plan and are not detrimental to the resources and uses they protect, and are of similar type, scale and intensity as other allowed uses.

d. Special Exceptions

The following uses, and related accessory structures, may be allowed within D-RS2 subdistricts as special exceptions upon issuance of a permit from the Commission pursuant to 12 M.R.S. § 685-A(10), and subject to the applicable requirements set forth in Sub-Chapter III, provided that the applicant shows by substantial evidence that (a) there is no alternative site which is both suitable to the proposed use and reasonably available to the applicant; (b) the use can be buffered from those uses within the vicinity or area likely to be affected by the proposal with which it is or may be incompatible; and (c) such other

conditions are met that the Commission may reasonably impose in accordance with the policies of the Comprehensive Land Use Plan:

(1) Docking structures: New or expanded permanent docking structures;
(2) Golf courses: Private and public golf courses;
(3) Health care facilities up to 4,000 square feet of gross floor area;
(4) Marinas;
(5) Post offices up to 1,250 square feet of gross floor area;
(6) Residential: Three and four unit multi-family dwellings;
(7) Trailered ramps: Commercial and private trailered ramps; and
(8) Water-access ways.

e. Prohibited Uses

All uses not expressly allowed, with or without a permit or by special exception, are prohibited in D-RS2 subdistricts.

f. Water Quality Limiting Lakes

For information relative to water quality limiting lakes see Section 10.23,E,3,g.

g. Management Class 2 Lakes (Accessible, Undeveloped, High Value Lakes) as shown on the Commission's Land Use Guidance Maps.

With respect to single family dwelling proposals within 500 feet of the normal high water mark of Management Class 2 Lakes, the Commission will require an average density per landownership of no more than one dwelling unit per shore mile.

h. Management Class 4 Lakes (High Value, Developed Lakes) as shown on the Commission's Land Use Guidance Maps.

Within 250 feet of the normal high water mark of Management Class 4 lakes, the Commission will:

(1) With respect to subdivisions and commercial and other non-residential structures, require the applicant to indicate future plans for other undeveloped shorelands on the lake that are owned by the applicant. Such indication of future plans shall address, at a minimum, the next 10 years, and shall include, but not be limited to, the following information regarding the applicant's landownership on the lake:

(a) area and shoreline length;
(b) potential suitability for development based on an appropriate inventory of soils and significant natural and cultural resources; and
(c) development proposed or anticipated, if any.

This indication of future plans shall be considered part of the proposal. Therefore, changes in such plans, evidenced by a development proposal not included in the description of future plans, will require approval of an application to amend the original proposal in which these future plans were indicated.

(2) With respect to subdivision proposals, require cluster developments which meet the requirements of Section 10.25,Q,4,b.

i. Management Class 5 Lakes (Heavily Developed Lakes) as shown on the Commission's Land Use Guidance Maps.

With respect to subdivision proposals within 250 feet of Management Class 5 lakes, the Commission will require cluster developments which meet the requirements of Section 10.25,Q,4,b.

O. RESIDENTIAL RECREATION DEVELOPMENT SUBDISTRICT (D-RS3)

1. Purpose

The purpose of the D-RS3 subdistrict is to accommodate seasonal and year-round recreational development in high value resource areas without compromising the recreational setting. This subdistrict allows a restricted range of allowed uses in order to ensure attractive residential recreational opportunities.

2. Description

The D-RS3 subdistrict shall be applied only in high natural resource value areas appropriate for residential or closely related uses in a community and shall be applied after a prospective planning process has been undertaken by the Commission. The D-RS3 subdistrict shall be located in areas that are inappropriate for intensive mixed development.

The D-RS3 subdistrict area will be located along or near the shorelines of Management Class 3, 4, 5, or 7 lakes or in other high value natural resource areas designated for growth by the Commission or zoned D-RS before January 1, 2001. The D-RS3 subdistrict will not be located in relatively remote or lightly settled areas of the jurisdiction.

Using Section 10.08 of these rules, the Commission shall designate areas for this subdistrict that are consistent with its purpose and suitable for supporting development when measured against the standards of 12 M.R.S. § 685-B(4) and the Commission's rules and regulations.

3. Land Uses

The provisions of the D-RS3 subdistrict will not apply to any applications that have been received and deemed complete for processing by the Commission staff on or before January 1, 2001.

a. Uses Allowed Without a Permit

The following uses are allowed without a permit from the Commission within D-RS3 subdistricts:

(1) Docking structures: Temporary docking structures for non-commercial use;
(2) Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations;
(3) Forest management activities, except for timber harvesting;
(4) Motorized vehicular traffic on roads and trails, and snowmobiling;
(5) Primitive recreational uses, including fishing, hiking, wildlife study and photography, wild crop harvesting, horseback riding, tent and shelter camping, canoe portaging, cross country skiing and snowshoeing, excluding hunting and trapping;
(6) Surveying and other resource analysis;
(7) Trails, provided they are constructed and maintained so as to reasonably avoid sedimentation of water bodies; and
(8) Wildlife and fishery management practices.

b. Uses Allowed Without a Permit Subject to Standards

The following uses are allowed without a permit from the Commission within D-RS3 subdistricts subject to the applicable requirements set forth in Sub-Chapter III:

(1) Accessory structures: New or expanded structures accessory to, and located on the same lot as, any legally existing principal structures and uses, provided that:
  (a) The accessory structure is located in a subdistrict that allows the principal use; and
  (b) The total square footage of the footprint of all new or expanded accessory structures built on a lot within a two (2) year period is not more than 750 square feet and all other requirements and standards of Section 10.27,P are met;
(2) Agricultural activities: Agricultural management activities;
(3) Constructed ponds: Creation, alteration, or maintenance of constructed ponds of less than 4,300 square feet in size which are not fed or drained by flowing waters provided they are constructed and maintained in conformance with the vegetative buffer strip requirements of Section 10.27,C,2,a;
(4) Driveways associated with residential uses;
(5) Filling and grading;
(6) Hand-carry launches: Public hand-carry launches;
(7) Home-based businesses: Minor home-based businesses, provided that any tractor truck, semitrailer or heavy equipment allowed with this use is completely buffered from view from adjacent properties, roads, and water bodies, or is completely enclosed in an accessory structure;
(8) Mineral exploration activities: Level A mineral exploration activities, excluding associated access ways;
(9) Road projects: Level A road projects;
(10) Service drops;
(11) Signs;
(12) Utility services: Buildings or structures necessary for the furnishing of public utility services, provided they contain not more than 500 square feet of floor area, are less than 20 feet in height, and are not supplied with water; and
(13) Water crossings of minor flowing waters.

c. Uses Requiring a Permit

The following uses, and related accessory structures, may be allowed within D-RS3 subdistricts upon issuance of a permit from the Commission pursuant to 12 M.R.S. § 685-B, subject to the applicable requirements set forth in Sub-Chapter III and, where within 500 feet of Management Class 2 lakes or within 250 feet of Management Class 4 and Management Class 5 lakes, subject to the applicable requirements of Section 10.21,O,3,g, h and i below:

(1) Agricultural activities: Agricultural management activities which are not in conformance with standards of Section 10.27,A;
(2) Campsites;
(3) Campsites, Residential;
(4) Constructed ponds: Creation, alteration or maintenance of constructed ponds 4,300 square feet or greater in size which are not fed or drained by flowing waters, or of such ponds less than 4,300 square feet in size which are not in conformance with the vegetative buffer strip requirements of Section 10.27,C,2,a;
(5) Draining, dredging, or alteration of the water table or water level for other than mineral extraction;

(6) Driveways associated with non-residential uses; driveways associated with residential uses which are not in conformance with the standards of Section 10.27,H;
(7) Filling and grading which are not in conformance with the standards of Section 10.27,F;
(8) Hand-carry launches: Hand-carry launches addressed in Section 10.21,O,3,b which are not in conformance with the standards of Section 10.27,L;
(9) Land management roads;
(10) Mineral exploration activities: Access ways for Level A mineral exploration activities; Level A mineral exploration activities which are not in conformance with the standards of Section 10.27,C; and Level B mineral exploration activities;
(11) Public and institutional: Local public parks and local public recreation areas;
(12) Residential: Single family dwellings;
(13) Road projects: Level B and C road projects, except for water crossings as provided for in Section 10.21,O,3,b;
(14) Shoreland alterations, including reconstruction of permanent docking structures, and permanent on-shore structures used to secure docks and moorings; but excluding marinas, new or expanded permanent docking structures, water-access ways, trailered ramps, hand-carry launches, and water crossings of minor flowing waters;
(15) Signs which are not in conformance with the standards of Section 10.27,J;
(16) Subdivisions, Residential: High- and moderate-density subdivisions;
(17) Timber harvesting;
(18) Utility facilities compatible with residential uses other than service drops; and wire and pipe line extensions which do not meet the definition of service drops;
(19) Water crossings of minor flowing waters which are not in conformance with the standards of Section 10.27,D and water crossings of bodies of standing water and of major flowing waters;
(20) Water impoundments;
(21) Wind projects: Community-based offshore wind energy projects, as defined in 12 M.R.S. §682(19); offshore wind power projects, as defined in 38 M.R.S. §480-B(6A); and wind energy development in accordance with 35-A M.R.S., Chapter 34-A in areas identified in Appendix F herein;
(22) Other structures, uses or services that are essential to the uses listed in Section 10.21,O,3,a through c; and
(23) Other structures, uses, or services which the Commission determines are consistent with the purposes of this subdistrict and of the Comprehensive Land Use Plan and are not detrimental to the resources and uses they protect, and are of similar type, scale and intensity as other allowed uses.

d. Special Exceptions

The following uses, and related accessory structures, may be allowed within D-RS3 subdistricts as special exceptions upon issuance of a permit from the Commission pursuant to 12 M.R.S. §685-A(10), and subject to the applicable requirements set forth in Sub-Chapter III, provided that the applicant shows by substantial evidence that (a) there is no alternative site which is both suitable to the proposed use and reasonably available to the applicant; (b) the use can be buffered from those uses within the vicinity or area likely to be affected by the proposal with which it is or may be incompatible; and (c) such other conditions are met that the Commission may reasonably impose in accordance with the policies of the Comprehensive Land Use Plan:

(1) Docking structures: New or expanded permanent docking structures;
(2) Trailered ramps: Private trailered ramps; and

(3) Water-access ways associated with residential level 1 subdivisions.

e. Prohibited Uses

All uses not expressly allowed, with or without a permit or by special exception, are prohibited in D-RS3 subdistricts.

f. Water Quality Limiting Lakes

For information relative to water quality limiting lakes see Section 10.23,E,3,g

g. Management Class 2 Lakes (Accessible, Undeveloped, High Value Lakes) as shown on the Commission's Land Use Guidance Maps.

With respect to single family dwelling proposals within 500 feet of the normal high water mark of Management Class 2 Lakes, the Commission will require an average density per landownership of no more than one dwelling unit per shore mile.

h. Management Class 4 Lakes (High Value, Developed Lakes) as shown on the Commission's Land Use Guidance Maps.

Within 250 feet of the normal high water mark of Management Class 4 lakes, the Commission will:

(1) With respect to subdivisions and commercial and other non-residential structures, require the applicant to indicate future plans for other undeveloped shorelands on the lake that are owned by the applicant. Such indication of future plans shall address, at a minimum, the next 10 years, and shall include, but not be limited to, the following information regarding the applicant's landownership on the lake:

(a) area and shoreline length;
(b) potential suitability for development based on an appropriate inventory of soils and significant natural and cultural resources; and
(c) development proposed or anticipated, if any.

This indication of future plans shall be considered part of the proposal. Therefore, changes in such plans, evidenced by a development proposal not included in the description of future plans, will require approval of an application to amend the original proposal in which these future plans were indicated.

(2) With respect to subdivision proposals, require cluster developments which meet the requirements of Section 10.25,Q,4,b.

i. Management Class 5 Lakes (Heavily Developed Lakes) as shown on the Commission's Land Use Guidance Maps.

With respect to subdivision proposals within 250 feet of Management Class 5 lakes, the Commission will require cluster developments which meet the requirements of Section 10.25,Q,4,b.

10.22 MANAGEMENT SUBDISTRICTS

Pursuant to the Commission's Comprehensive Land Use Plan, the following management subdistricts are established:

A. GENERAL MANAGEMENT SUBDISTRICT (M-GN)

1. Purpose

The purpose of the M-GN subdistrict is to permit forestry and agricultural management activities to occur with minimal interferences from unrelated development in areas where the Commission finds that the resource protection afforded by protection subdistricts is not required.

2. Description

These are areas which are appropriate for forest or agricultural management activities and that do not require the special protection afforded by the protection subdistricts or the M-NC or M-HP subdistricts. Also included within M-GN subdistricts shall be areas which do not qualify for inclusion in any other subdistrict.

3. Land Uses

a. Uses Allowed Without a Permit

The following uses are allowed without a permit from the Commission within M-GN subdistricts:

(1) Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations;
(2) Forest management activities, except for timber harvesting[3];
(3) Land application of septage, sludge and other residuals, and related storage and composting activities in compliance with regulations promulgated by the Maine Department of Environmental Protection under 38 M.R.S. § 13: Maine Hazardous Waste, Septage and Solid Waste Management Act;
(4) Motorized vehicular traffic on roads and trails, and snowmobiling;
(5) Primitive recreational uses, including fishing, hiking, hunting, wildlife study and photography, wild crop harvesting, trapping, horseback riding, tent and shelter camping, canoe portaging, cross country skiing, and snowshoeing;
(6) Surveying and other resource analysis;
(7) Trails, provided they are constructed and maintained so as to reasonably avoid sedimentation of water bodies; and
(8) Wildlife and fishery management practices.

[3] Explanatory note: Timber harvesting is not prohibited in this subdistrict, but instead is regulated by the Maine Forest Service. (See P.L. 2011, ch. 599.) Refer to subsection "e. Uses Regulated by the Maine Forest Service."

b. Uses Allowed Without a Permit Subject to Standards

The following uses are allowed without a permit from the Commission within M-GN subdistricts subject to the applicable requirements set forth in Sub-Chapter III:

(1) Accessory structures: New or expanded structures accessory to, and located on the same lot as, any legally existing principal structures and uses, provided that:
  (a) The accessory structure is located in a subdistrict that allows the principal use; and
  (b) The total square footage of the footprint of all new or expanded accessory structures built on a lot within a two-year period is not more than 750 square feet and all other requirements and standards of Section 10.27,P are met;

(2) Agricultural activities:
  (a) 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; and
  (b) Small-scale agritourism;

(3) Campsites;

(4) Checkpoint buildings;

(5) Commercial: Natural resource processing facilities that do not involve structural development, in conformance with the requirements of Section 10.27,S;

(6) Constructed ponds: Creation, alteration or maintenance of constructed ponds, other than those described in Section 10.22,A,3,b,(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;

(7) Driveways associated with residential uses;

(8) Filling and grading;

(9) Forest management activities, except for timber harvesting[4], involving 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 forest management activities;

(10) Hand-carry launches: Parking areas, roads, signs and similar facilities associated with private and commercial hand-carry launches;

(11) Home-based businesses: Minor home-based businesses;

(12) Mineral exploration activities: Level A and B mineral exploration activities, including associated access ways;

(13) Natural resource extraction: Mineral extraction operations, less than 5 acres in size, except for gravel extraction less than 5 acres in size;

(14) Road projects: Level A and B road projects;

(15) Service drops;

(16) Signs;

(17) Trailered ramps: Parking areas, roads, signs and similar facilities associated with public trailered ramps; and

(18) Utility services: Buildings or structures necessary for the furnishing of public utility services, provided they contain not more than 500 square feet of floor area, are less than 20 feet in height, and are not supplied with water.

[4] Explanatory note: Timber harvesting is not prohibited in this subdistrict, but instead is regulated by the Maine Forest Service. (See P.L. 2011, ch. 599.) Refer to subsection "e. Uses Regulated by the Maine Forest Service."

c. Uses Requiring a Permit

The following uses, and related accessory structures, may be allowed within M-GN subdistricts upon issuance of a permit from the Commission pursuant to 12 M.R.S. §685-B, and subject to the applicable requirements set forth in Sub-Chapter III:

(1) Agricultural activities:
  (a) Small-scale agricultural processing facilities;
  (b) Small-scale agritourism not in conformance with the requirements for such activities in Section 10.27,A; and
  (c) Medium-scale agritourism;
(2) Campsites, Residential;
(3) Commercial:
  (a) Natural resource processing facilities that do not involve structural development, not in conformance with the requirements of Section 10.27,S;
  (b) Natural resource processing facilities that may involve structural development, in conformance with the requirements of Section 10.27,S; and
  (c) Recreation supply facilities that do not involve structural development and are not within one-quarter mile of Management Class 1, or Management Class 2 lakes, and not within one-half mile of Management Class 6 lakes;
(4) Constructed ponds: Creation, alteration or maintenance of constructed ponds, other than those described in Section 10.22,A,3,b, above, which are 1 acre or more in size, or such ponds less than 1 acre which are not in conformance with the vegetative buffer strip requirements of Section 10.27,C,2,a;
(5) Draining, dredging, and alteration of the water table or water level for other than mineral extraction;
(6) Driveways associated with non-residential uses; driveways associated with residential uses which are not in conformance with the standards of Section 10.27,H;
(7) Family burying grounds of not more than ¼ acre, in accordance with 13 M.R.S. § 1142;
(8) Filling and grading which is not in conformance with the standards of Section 10.27,F;
(9) Home-based businesses: Major home-based businesses, except in the townships or plantations listed in Section 10.22,A,3,d;
(10) Maple sugar processing operations;
(11) Metallic mineral mining activities: Tier one advanced exploration;
(12) Mineral exploration activities: Level A and B mineral exploration activities, including associated access ways, which are not in conformance with the standards of Section 10.27,C;
(13) Natural resource extraction: Mineral extraction operations, except for gravel extraction less than 5 acres in size,
  (a) affecting an area less than 5 acres in size and which are not in conformance with the standards of Section 10.27,C;
  (b) affecting an area between 5 and 30 acres provided the unreclaimed area is less than 15 acres; and
  (c) structures essential to the extraction activity having a total gross floor area of no more than 2,000 square feet;
(14) Peat extraction affecting an area less than 30 acres in size;
(15) Portable mineral processing equipment;
(16) Recreational lodging facilities:
  (a) Level A;
  (b) Level B;
  (c) Level C; and

(d) Level D (inside the geographic allowance area);

(17) Residential: Single and two-family dwellings;

(18) Road projects: Level C road projects;

(19) Sawmills and chipping mills on sites of less than 5 acres;

(20) Signs which are not in conformance with the standards of Section 10.27,J;

(21) Solid waste disposal facilities affecting an area less than 2 acres in size;

(22) Structures: Non-commercial structures utilized for educational, scientific, or nature observation purposes; structures devoted to composting of sludge, septage or other residuals affecting an area less than 5 acres in size; and structures devoted to the storage of sand or salt;

(23) Subdivisions: General management subdivisions;

(24) Trailered ramps: Parking areas, roads, signs and similar facilities associated with commercial and private trailered ramps and such facilities addressed in Section 10.22,A,3,b which are not in conformance with the standards of Section 10.27,L;

(25) Truck and equipment storage;

(26) Utility facilities, excluding service drops; and wire and pipe line extensions which do not meet the definition of service drops;

(27) Water impoundments;

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

(29) Other structures, uses, or services that are essential to the uses listed in Section 10.22,A,3,a through c; and

(30) Other structures, uses, or services which the Commission determines are consistent with the purposes of this subdistrict and of the Comprehensive Land Use Plan and are not detrimental to the resources or uses they protect, and are of similar type, scale and intensity as other allowed uses.

d. Special Exceptions

The following uses, and related accessory structures, may be allowed within the M-GN subdistricts as special exceptions upon issuance of a permit from the Commission pursuant to 12 M.R.S. §685-A(10), and subject to the applicable requirements set forth in Sub-Chapter III, provided that the applicant shows by substantial evidence that there is no alternative site in a development subdistrict which is both suitable to the proposed use and reasonably available to the applicant:

(1) Home-based businesses: Major home-based businesses in the following plantations:
- Dallas Plantation,
- Rangeley Plantation, and
- Sandy River Plantation.

The following uses may be allowed as special exceptions provided the applicant also shows by substantial evidence that such other conditions are met that the Commission may reasonably impose in accordance with the policies of the Comprehensive Land Use Plan:

(2) Subdivisions: Maple sugar processing subdivisions;

The following uses may be allowed as special exceptions, either singly or in combination, provided the applicant shows by substantial evidence, that (a) the use can be buffered from those other uses within the subdistrict with which it is incompatible; (b) such other conditions are met that the Commission may reasonably impose in accordance with the

policies of the Comprehensive Land Use Plan; (c) that there is sufficient infrastructure to accommodate the additional traffic and activity generated by the facility; and (d) that surrounding resources and uses that may be sensitive to such increased traffic and activity are adequately protected:

(3) Recreational lodging facilities:
  (a) Level C (occupancy may exceed the standard in Section 10.27,Q,1, Table A up to the Expanded Access occupancy limit, provided that the majority of occupancy is accommodated at campsites);
  (b) Level C – Expanded Access (inside the geographic allowance area); and
  (c) Level D – Expanded Access (inside the geographic allowance area);

(4) Agricultural activities:
  (a) Large-scale agricultural processing facilities; and
  (b) Large-scale agritourism.

e. Uses Regulated by the Maine Forest Service

Pursuant to Statute, the following uses are not regulated by the Commission within M-GN subdistricts but are regulated by the Maine Forest Service.

(1) Land management roads;
(2) Natural resource extraction: Gravel extraction less than 5 acres in size; and
(3) Timber harvesting.

f. Prohibited Uses

All uses not expressly allowed, with or without a permit or by special exception, shall be prohibited in M-GN subdistricts.

B. HIGHLY PRODUCTIVE MANAGEMENT SUBDISTRICT (M-HP)

1. Purpose

The purpose of the M-HP subdistrict is to ensure the continued availability of products from high yield or high value forest and/or agricultural lands by reserving areas for these uses.

2. Description

Areas identified by the Commission, not including those in protection subdistricts or in existing patterns of development, that are identified as prime or unique forest or agricultural land of national, statewide or local importance. In selecting areas for designation in this subdistrict, the Commission shall consider the following:

a. Prime or unique agricultural lands currently in use for food, fiber, feed, forage, and oil seed crops that are determined in accordance with rules and regulations hereinafter adopted by the Commission as amendments to these standards.

b. Prime or unique forest lands currently held for commercial production of forest trees that are determined in accordance with the rules and regulations hereinafter adopted by the Commission as amendments to these standards.

3. Land Uses

a. Uses Allowed Without a Permit

The following uses shall be allowed without a permit from the Commission within M-HP subdistricts:

(1) Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations;
(2) Forest management activities, except for timber harvesting[5];
(3) Land application of septage, sludge and other residuals, and related storage and composting activities in compliance with regulations promulgated by the Maine Department of Environmental Protection under 38 M.R.S. § 13: Maine Hazardous Waste, Septage and Solid Waste Management Act;
(4) Motorized vehicular traffic on roads and trails, and snowmobiling;
(5) Primitive recreational uses, including fishing, hiking, hunting, wildlife study and photography, wild crop harvesting, trapping, horseback riding, tent and shelter camping, canoe portaging, cross country skiing, and snowshoeing;
(6) Surveying and other resource analysis;
(7) Trails, provided they are constructed and maintained so as to reasonably avoid sedimentation of water bodies; and
(8) Wildlife and fishery management practices.

[5] Explanatory note: Timber harvesting is not prohibited in this subdistrict, but instead is regulated by the Maine Forest Service. (See P.L. 2011, ch. 599.) Refer to subsection "e. Uses Regulated by the Maine Forest Service."

b. Uses Allowed Without a Permit Subject to Standards

The following uses shall be allowed without a permit from the Commission within M-HP subdistricts subject to the applicable requirements set forth in Sub-Chapter III:

(1) Agricultural activities: 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;
(2) Constructed ponds: Creation, alteration or maintenance of constructed ponds, other than those described in Section 10.22,B,3,b,(1) 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;
(3) Filling and grading;
(4) Forest management activities, except for timber harvesting[6], involving 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 forest management activities;
(5) Mineral exploration activities: Level A and B mineral exploration activities, including associated access ways;
(6) Road projects: Level A road projects;
(7) Service drops; and
(8) Signs.

c. Uses Requiring a Permit

The following uses, and related accessory structures, may be allowed within M-HP subdistricts upon issuance of a permit from the Commission pursuant to 12 M.R.S. § 685-B, and subject to the applicable requirements set forth in Sub-Chapter III:

(1) Campsites;
(2) Campsites, Residential;
(3) Constructed ponds: Creation, alteration or maintenance of constructed ponds, other than those in Section 10.22,B,3,b above, which are 1 acre or more in size, or such ponds less than 1 acre which are not in conformance with the vegetative buffer strip requirements of Section 10.27,C,2,a;
(4) Driveways;
(5) Home-based businesses;
(6) Metallic mineral mining activities: Tier one advanced exploration;
(7) Mineral exploration activities: Level A and B mineral exploration activities, including associated access ways, which are not in conformance with the standards of Section 10.27,C;
(8) Natural resource extraction: Mineral extraction operations for road purposes, except for gravel extraction for road purposes less than 5 acres in size;
(9) Residential: Single-family dwellings;
(10) Road projects: Level B road projects;
(11) Signs which are not in conformance with the standards of Section 10.27,J;

[6] Explanatory note: Timber harvesting is not prohibited in this subdistrict, but instead is regulated by the Maine Forest Service. (See P.L. 2011, ch. 599.) Refer to subsection "e. Uses Regulated by the Maine Forest Service."

(12) Structures: Structures devoted to composting of sludge, septage or other residuals affecting an area less than 5 acres in size;
(13) Wind projects: Community-based offshore wind energy projects, as defined in 12 M.R.S. § 682(19); offshore wind power projects, as defined in 38 M.R.S. § 480-B(6A); and wind energy development in accordance with 35-A M.R.S., Chapter 34-A in areas identified in Appendix F herein;
(14) Other structures, uses, or services that are essential for the uses listed in Section 10.22,B,3,a through c; and
(15) Other structures, uses, or services which the Commission determines are consistent with the purposes of this subdistrict and of the Comprehensive Land Use Plan and are not detrimental to the resources or uses they protect, and are of similar type, scale and intensity as other allowed uses.

d. Special Exceptions

The following uses, and related accessory structures, may be allowed within M-HP subdistricts as special exceptions upon issuance of a permit from the Commission pursuant to 12 M.R.S. § 685-A(10), and subject to the applicable requirements set forth in Sub-Chapter III, provided that the applicant shows by substantial evidence that (a) there is no alternative site which is both suitable to the proposed use and reasonably available to the applicant, (b) the use can be buffered from those other uses and resources within the subdistrict with which it is incompatible, and (c) such other conditions are met that the Commission may reasonably impose in accordance with the policies of the Comprehensive Land Use Plan:

(1) Draining or altering the water table or water level for other than mineral extraction;
(2) Filling and grading which is not in conformance with the standards of Section 10.27,F;
(3) Road projects: Level C road projects;
(4) Sawmills and chipping mills on sites of less than 2 acres;
(5) Utility facilities excluding service drops; and
(6) Water impoundments.

e. Uses Regulated by the Maine Forest Service

Pursuant to Statute, the following uses are not regulated by the Commission within M-HP subdistricts but are regulated by the Maine Forest Service.

(1) Land management roads;
(2) Natural resource extraction: Gravel extraction for road purposes less than 5 acres in size; and
(3) Timber harvesting.

f. Prohibited Uses

All uses not expressly allowed, with or without a permit or by special exception, shall be prohibited in M-HP subdistricts.

C. NATURAL CHARACTER MANAGEMENT SUBDISTRICT (M-NC)

1. Purpose

The purpose of the M-NC subdistrict is to maintain some of the areas that characterize the natural outdoor flavor and spirit of certain large undeveloped areas of the jurisdiction and to permit only forestry and agricultural practices and primitive recreation. Unrelated development that might interfere with these activities and natural values will not be permitted.

2. Description

Areas which the Commission determines:

a. are appropriate for forest management activities;

b. shall comprise certain few large areas which are remote and have a natural and wild character; the area is significant because of a variety and concentration of important features which in the aggregate include significant topographic features and distinctive recreation resources characteristic of the "Maine Woods" in their totality; such resources include, but are not limited to, hiking trails, canoe streams, and scenic overviews; such features include, but are not limited to, lakes, remote ponds, mountains and valleys;

c. comprise at least 10,000 contiguous acres of land and water area; and

d. support only those land use activities which do not appreciably detract from the natural character of the area.

Any proposal for inclusion of an area within an M-NC subdistrict, unless it is made by the owner or owners of such area, shall be considered by the Commission only when a written statement has been made stating how such area meets the criteria stated above. Such statements shall be available to the public at the time of publication of notice for the public hearing at which such proposal shall be heard.

The M-NC subdistrict may surround different protection, management, and development subdistricts. In delineating boundaries for the M-NC subdistrict, the Commission may consider property ownership or township boundaries, ridge lines, shorelines, watershed boundaries, roadways, or other rights of way or other appropriate natural or man-made features.

3. Land Uses

a. Uses Allowed Without a Permit

The following uses shall be allowed without a permit from the Commission within M-NC subdistricts:

(1) Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations;
(2) Forest management activities, except for timber harvesting[7];

[7] Explanatory note: Timber harvesting is not prohibited in this subdistrict, but instead is regulated by the Maine Forest Service. (See P.L. 2011, ch. 599.) Refer to subsection “e. Uses Regulated by the Maine Forest Service.”

(3) Land application of septage, sludge and other residuals, and related storage and composting activities in compliance with regulations promulgated by the Maine Department of Environmental Protection under 38 M.R.S. § 13: Maine Hazardous Waste, Septage and Solid Waste Management Act;
(4) Motorized vehicular traffic on roads and trails, and snowmobiling;
(5) Primitive recreational uses, including fishing, hiking, hunting, wildlife study and photography, wild crop harvesting, trapping, horseback riding, tent and shelter camping, canoe portaging, cross country skiing, and snowshoeing;
(6) Surveying and other resource analysis;
(7) Trails, provided they are constructed and maintained so as to reasonably avoid sedimentation of water bodies; and
(8) Wildlife and fishery management practices.

b. Uses Allowed Without a Permit Subject to Standards

The following uses shall be allowed without a permit from the Commission within M-NC subdistricts subject to the applicable requirements set forth in Sub-Chapter III:

(1) Agricultural activities: 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;
(2) Campsites;
(3) Constructed ponds: Creation, alteration or maintenance of constructed ponds, other than those described in Section 10.22,C,3,b,(1) 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;
(4) Filling and grading;
(5) Forest management activities, except for timber harvesting[8], involving 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 forest management activities;
(6) Mineral exploration activities: Level A and B mineral exploration activities, including associated access ways;
(7) Road projects: Level A and B road projects;
(8) Service drops; and
(9) Signs.

c. Uses Requiring a Permit

The following uses, and related accessory structures, may be allowed within M-NC subdistricts upon issuance of a permit from the Commission pursuant to 12 M.R.S. § 685-B, and subject to the applicable requirements set forth in Sub-Chapter III:

(1) Constructed ponds: Creation, alteration or maintenance of constructed ponds, other than those in Section 10.22,C,3,b above, which are 1 acre or more in size, or such ponds less than 1 acre which are not in conformance with the vegetative buffer strip requirements of Section 10.27,C,2,a;

[8] Explanatory note: Timber harvesting is not prohibited in this subdistrict, but instead is regulated by the Maine Forest Service. (See P.L. 2011, ch. 599.) Refer to subsection "e. Uses Regulated by the Maine Forest Service."

(2) Driveways;
(3) Metallic mineral mining activities: Tier one advanced exploration;
(4) Mineral exploration activities: Level A and B mineral exploration activities, including associated access ways, which are not in conformance with the standards of Section 10.27,C;
(5) Natural resource extraction: Mineral extraction operations affecting an area 5 acres or greater in size, for road purposes;
(6) Recreational lodging facilities: Level A
(7) Remote Camps;
(8) Structures: Structures devoted to composting of sludge, septage or other residuals affecting an area less than 5 acres in size;
(9) Wind projects: Community-based offshore wind energy projects, as defined in 12 M.R.S. § 682(19); offshore wind power projects, as defined in 38 M.R.S. § 480-B(6A); and wind energy development in accordance with 35-A M.R.S., Chapter 34-A in areas identified in Appendix F herein;
(10) Other structures, uses, or services that are essential for the uses listed in Section 10.22,B,3,a through c; and
(11) Other structures, uses, or services which the Commission determines are consistent with the purposes of this subdistrict and of the Comprehensive Land Use Plan and are not detrimental to the resources or uses they protect, and are of similar type, scale and intensity as other allowed uses.

d. Special Exceptions

The following uses, and related accessory structures, may be allowed within M-NC subdistricts as special exceptions upon issuance of a permit from the Commission pursuant to 12 M.R.S. § 685-A(10), and subject to the applicable requirements set forth in Sub-Chapter III, provided that the applicant shows by substantial evidence that (a) there is no alternative site which is both suitable to the proposed use and reasonably available to the applicant; (b) the use can be buffered from those other uses and resources within the subdistrict with which it is incompatible; and (c) such other conditions are met that the Commission may reasonably impose in accordance with the policies of the Comprehensive Land Use Plan:

(1) Road projects: Level C road projects;
(2) Signs which are not in conformance with the standards of Section 10.27,J; and
(3) Utility facilities.

e. Uses Regulated by the Maine Forest Service

Pursuant to Statute, the following uses are not regulated by the Commission within M-NC subdistricts but are regulated by the Maine Forest Service.

(1) Land management roads;
(2) Natural resource extraction: Gravel extraction for road purposes less than 5 acres in size; and
(3) Timber harvesting.

f. Prohibited Uses

All uses not expressly allowed, with or without a permit or by special exception, shall be prohibited in M-NC subdistricts.

10.23 PROTECTION SUBDISTRICTS

Pursuant to the Commission's Comprehensive Land Use Plan, the following protection subdistricts are established:

A. ACCESSIBLE LAKE PROTECTION SUBDISTRICT (P-AL)

1. Purpose

The purpose of the P-AL subdistrict is to maintain and protect the existing natural values of the accessible, undeveloped, high value lakes within the Commission's jurisdiction. This is the class of lakes described as Management Class 2 lakes in the Commission's Comprehensive Land Use Plan. It is the intent of this subdistrict to restrict development.

2. Description

Areas surrounding bodies of standing water classified as Management Class 2 Lakes (Accessible, Undeveloped, High Value Lakes).

The protection subdistrict shall extend 500 feet from and around the water body measured from the normal high water mark.

3. Land Uses

a. Uses Allowed Without a Permit

The following uses are allowed without a permit from the Commission within P-AL subdistricts:

(1) Docking structures: Temporary docking structures for non-commercial use;
(2) Emergency operations conducted for the public health, safety, or general welfare, such as resource protection, law enforcement, and search and rescue operations;
(3) Forest management activities, except for timber harvesting[9];
(4) Motorized vehicular traffic on roads and trails, and snowmobiling;
(5) Primitive recreational uses, including fishing, hiking, hunting, wildlife study and photography, wild crop harvesting, trapping, horseback riding, tent and shelter camping, canoe portaging, cross country skiing, and snowshoeing;
(6) Surveying and other resource analysis; and
(7) Wildlife and fishery management practices.

[9] Explanatory note: Timber harvesting is not prohibited in this subdistrict, but instead is regulated by the Maine Forest Service. (See P.L. 2011, ch. 599.) Refer to subsection "e. Uses Regulated by the Maine Forest Service."

b. Uses Allowed Without a Permit Subject to Standards

The following uses are allowed without a permit from the Commission within P-AL subdistricts, subject to the applicable requirements set forth in Sub-Chapter III:

(1) Agricultural activities: Agricultural management activities;
(2) Constructed ponds: Creation, alteration or maintenance of constructed ponds of less than 4,300 square feet in size which are not fed or drained by flowing waters provided they are constructed and maintained in conformance with the vegetative buffer strip requirements of Section 10.27,C,2,a;
(3) Driveways associated with residential uses;
(4) Home-based businesses: Minor home-based businesses;
(5) Mineral exploration activities: Level A mineral exploration activities, including associated access ways;
(6) Road projects: Level A road projects;
(7) Service drops;
(8) Signs;
(9) Trails, provided that any associated vegetation clearing or filling and grading are in conformance with the standards of 10.27,B,1,c and d,2, and 4 and 10.27,F, and provided the trails are constructed and maintained so as to reasonably avoid sedimentation of water bodies; and
(10) Water crossings of minor flowing waters, except for water crossings of minor flowing waters on/for land management roads.

c. Uses Requiring a Permit

The following uses, and related accessory structures, may be allowed within P-AL subdistricts upon issuance of a permit from the Commission pursuant to 12 M.R.S. § 685-B, and subject to the applicable requirements set forth in Sub-Chapter III:

(1) Agricultural activities: Agricultural management activities which are not in conformance with the standards of Section 10.27,A;
(2) Campsites;
(3) Campsites, Residential;
(4) Constructed ponds: Creation, alteration or maintenance of constructed ponds 4,300 square feet or greater in size which are not fed or drained by flowing waters, or of such ponds less than 4,300 square feet in size which are not in conformance with the vegetative buffer strip requirements of Section 10.27,C,2,a;
(5) Draining, dredging or alteration of the water table or water level for other than mineral extraction;
(6) Driveways associated with non-residential uses; driveways associated with residential uses which are not in conformance with the standards of Section 10.27,H;
(7) Filling and grading;
(8) Home-based businesses: Major home-based businesses, except in those plantations and townships listed in Section 10.23,A,3,d;
(9) Land application of septage, sludge and other residuals, and related storage and composting activities;
(10) Mineral exploration activities: Level A mineral exploration activities, including associated access ways, which are not in conformance with the standards of Section 10.27,C; and Level B mineral exploration activities;

(11) Residential: Single family dwellings provided that such dwelling units are limited to an average density per landownership of no more than one dwelling unit per shore mile. Parcels existing as of November 17, 1988 that have less than 1 mile of shoreline are allowed one dwelling unit within that shoreline area provided that other applicable standards are met. The shoreline is measured by following the shoreline of the lake, including all the shoreline irregularities, on the Commission's Land Use Guidance Map;

(12) Road projects: Level B and C road projects, except for water crossings of minor flowing waters as provided for in Section 10.23,A,3,b;

(13) Shoreland alterations, including reconstruction of permanent docking structures, and permanent on-shore structures used to secure docks and moorings; but excluding marinas, new or expanded permanent docking structures, water-access ways, trailered ramps, hand-carry launches, and water crossings of minor flowing waters;

(14) Signs which are not in conformance with the standards of Section 10.27,J;

(15) Structures: Non-commercial structures for scientific, educational and/or nature observation purposes, which are not of a size or nature which would adversely affect the resources protected by this subdistrict;

(16) Trails which are not in conformance with the standards of Section 10.27,B,1,c and d,2, and 4 and 10.27,F;

(17) Water crossings of minor flowing waters which are not in conformance with the standards of Section 10.27,D, except for water crossings of minor flowing waters on/for land management roads; and water crossings of bodies of standing water and major flowing waters except for water crossings of bodies of standing water and major flowing waters on/for land management roads;

(18) Water impoundments;

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

(20) Other structures, uses or services that are essential for the exercise of uses listed in Section 10.23,A,3,a through c; and

(21) Other structures, uses or services which the Commission determines are consistent with the purpose of this subdistrict and of the Comprehensive Land Use Plan and are not detrimental to the uses or resources they protect, and are of similar type, scale and intensity as other allowed uses.

d. Special Exceptions

The following uses, and related accessory structures, may be allowed within P-AL subdistricts as special exceptions upon issuance of a permit from the Commission pursuant to 12 M.R.S. § 685-A(10), and subject to the applicable requirements set forth in Sub-Chapter III, provided that the applicant shows by substantial evidence that (a) the use can be buffered from those other uses and resources within the subdistrict with which it is incompatible; and (b) such other conditions are met that the Commission may reasonably impose in accordance with the policies of the Comprehensive Land Use Plan; and further provided that there shall be no more than one development unit per shore mile except as provided in Section 10.23,A,3,c, such distance measured by following the shoreline of the lake, including all shoreline irregularities, on the Commission's Land Use Guidance Map:

(1) Recreational lodging facilities:
   (a) Level A; and
   (b) Level B.

The following uses may be allowed as special exceptions provided the applicant shows, in addition to the criteria listed above, by substantial evidence that there is no alternative site which is both suitable to the proposed use and reasonably available to the applicant:

(2) Docking structures: New or expanded permanent docking structures;
(3) Hand-carry launches;
(4) Home-based businesses: Major home-based businesses in the following plantations and townships provided there is no suitable or reasonably available location in a development subdistrict:
- Dallas Plantation,
- Rangeley Plantation, and
- Sandy River Plantation;

(5) Trailered ramps;
(6) Utility facilities other than service drops; and
(7) Water-access ways.

e. Uses Regulated by the Maine Forest Service

Pursuant to Statute, the following uses are not regulated by the Commission within P-AL subdistricts but are regulated by the Maine Forest Service.

(1) Land management roads;
(2) Natural resource extraction: Gravel extraction for road purposes less than 5 acres in size;
(3) Timber harvesting; and
(4) Water crossings of minor flowing waters, major flowing waters, and bodies of standing water on/for land management roads.

f. Prohibited Uses

All uses not expressly allowed, with or without a permit or by special exception, shall be prohibited in P-AL subdistricts.

g. Water Quality Limiting Lakes

For information relative to water quality limiting lakes see Section 10.23,E,3,g.

B. AQUIFER PROTECTION SUBDISTRICT (P-AR)

1. Purpose

The purpose of the P-AR subdistrict is to protect the quantity and quality of ground water supply used or potentially available for human or industrial consumption.

2. Description

Areas identified by the Commission as having soil rated as highly permeable and/or surficial geologic units that are highly permeable and are hydrologically connected through highly fractured bedrock units to a ground water supply which is currently, or anticipated to be, used for public, industrial or agricultural purposes, or areas identified by the Commission as aquifer recharge areas based on studies by appropriate qualified persons or agencies where the Commission determines that such areas warrant water quality protection.

3. Land Uses

a. Uses Allowed Without a Permit

The following uses shall be allowed without a permit from the Commission within P-AR subdistricts:

(1) Docking structures: Temporary docking structures for non-commercial use;
(2) Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations;
(3) Forest management activities, except for fertilizer application and timber harvesting[10];
(4) Motorized vehicular traffic on roads and trails, and snowmobiling;
(5) Primitive recreational uses, including fishing, hiking, hunting, wildlife study and photography, wild crop harvesting, trapping, horseback riding, tent and shelter camping, canoe portaging, cross country skiing, and snowshoeing;
(6) Surveying and other resource analysis;
(7) Trails, provided they are constructed and maintained so as to reasonably avoid sedimentation of water bodies; and
(8) Wildlife and fishery management practices.

b. Uses Allowed Without a Permit Subject to Standards

The following uses shall be allowed without a permit from the Commission within P-AR subdistricts subject to the applicable requirements set forth in Sub-Chapter III:

(1) Agricultural activities: Agricultural management activities, except for fertilizer application;
(2) Driveways associated with residential uses;
(3) Filling and grading;
(4) Hand-carry launches: Commercial, private and public hand-carry launches;
(5) Home-based businesses: Minor home-based businesses;
(6) Mineral exploration activities: Level A mineral exploration activities, including associated access ways;

[10] Explanatory note: Timber harvesting is not prohibited in this subdistrict, but instead is regulated by the Maine Forest Service. (See P.L. 2011, ch. 599.) Refer to subsection "e. Uses Regulated by the Maine Forest Service."

(7) Road projects: Level A road projects;
(8) Service drops; and
(9) Signs.

c. Uses Requiring a Permit

The following uses, and related accessory structures, may be allowed within P-AR subdistricts upon issuance of a permit from the Commission pursuant to 12 M.R.S. § 685-B, subject to the applicable requirements set forth in Sub-Chapter III, and provided that the recharge capability of the area remains the same as it would be under the area's natural state:

(1) Agriculture management activities which are not in conformance with the standards of Section 10.27,A;
(2) Campsites, provided that sewage is disposed of in such a manner as not to endanger the water quality of the aquifer;
(3) Campsites, Residential, provided that sewage is disposed of in such a manner as not to endanger the water quality of the aquifer;
(4) Constructed ponds: Creation, alteration or maintenance of constructed ponds which are not fed or drained by flowing waters;
(5) Driveways associated with non-residential uses; driveways associated with residential uses which are not in conformance with the standards of Section 10.27,H;
(6) Fertilizer application for forest or agricultural management activities;
(7) Hand-carry launches: Hand-carry launches addressed in Section 10.23,B,3,b which are not in conformance with the standards of Section 10.27,L;
(8) Home-based businesses: Major home-based businesses, except in those plantations and townships listed in Section 10.23,B,3,d;
(9) Mineral exploration activities: Level A mineral exploration activities, including associated access ways, which are not in conformance with the standards of Section 10.27,C;
(10) Natural resource extraction: Mineral extraction for road purposes affecting an area less than 30 acres in size, provided the unreclaimed area is less than 15 acres, except for gravel extraction for road purposes less than 5 acres in size;
(11) Peat extraction affecting an area less than 30 acres in size;
(12) Recreational lodging facilities: Level A (campground only) and Level B (campground only), at both facility levels provided that sewage is disposed of in such a manner as not to endanger the water quality of the aquifer;
(13) Residential: Single-family dwellings provided that sewage is disposed of in such a manner as not to endanger the water quality of the aquifer;
(14) Road projects: Level B road projects;
(15) Shoreland alterations, including reconstruction of permanent docking structures, and permanent on-shore structures used to secure docks and moorings; but excluding marinas, new or expanded permanent docking structures, water-access ways, trailered ramps, and hand-carry launches;
(16) Signs which are not in conformance with the standards of Section 10.27,J;
(17) Utility facilities, excluding service drops;
(18) Water crossings, except for water crossings on/for land management roads;
(19) Water impoundments;
(20) Wind projects: Community-based offshore wind energy projects, as defined in 12 M.R.S. § 682(19); offshore wind power projects, as defined in 38 M.R.S. § 480-B(6A); and wind energy development in accordance with 35-A M.R.S., Chapter 34-A in areas identified in Appendix F herein;

(21) Other structures, uses or services that are essential for uses listed in Section 10.23,B,3,a through c; and

(22) Other structures, uses, or services which the Commission determines are consistent with the purposes of this subdistrict and of the Comprehensive Land Use Plan and are not detrimental to the resources or uses which they protect, and are of similar type, scale and intensity as other allowed uses.

d. Special Exceptions

The following uses, and related accessory structures, may be allowed within P-AR subdistricts as special exceptions upon issuance of a permit from the Commission pursuant to 12 M.R.S. § 685-A(10), and subject to the applicable requirements set forth in Sub-Chapter III, provided that the applicant shows by substantial evidence that (a) there is no alternative site which is both suitable to the proposed use and reasonably available to the applicant; (b) the use can be buffered from those other uses and resources within the subdistrict with which it is incompatible; and (c) such other conditions are met that the Commission may reasonably impose in accordance with the policies of the Comprehensive Land Use Plan:

(1) Docking structures: New or expanded permanent docking structures;

(2) Draining, dredging, or alteration of the water table or water level for purposes other than mineral extraction;

(3) Filling and grading, that is not in conformance with the standards of Section 10.27,F;

(4) Home-based businesses: Major home-based businesses in the following plantations and townships provided there is no suitable or reasonably available location in a development subdistrict:
- Dallas Plantation,
- Rangeley Plantation, and
- Sandy River Plantation;

(5) Mineral exploration activities: Level B mineral exploration activities;

(6) Road projects: Level C road projects;

(7) Trailered ramps: Commercial, private and public trailered ramps; and

(8) Water-access ways.

The following use, and related accessory structures, may be allowed within P-AR subdistricts as a special exception upon issuance of a permit from the Commission pursuant to 12 M.R.S. § 685-A(10), and subject to the applicable requirements set forth in Sub-Chapter III, provided that the applicant shows by substantial evidence that (a) the use can be buffered from those other uses and resources within the subdistrict with which it is incompatible; (b) the use will not pose an unreasonable risk to a valuable groundwater resource; (c) the P-AR subdistrict in which the use is proposed does not protect a sole source aquifer; and (d) such other conditions are met that the Commission may reasonably impose in accordance with the policies of the Comprehensive Land Use Plan:

(9) Portable rock crushing equipment provided that:

(a) The seasonal high water table elevation is at least 5 feet below the surface in the area within 50 feet of the portable rock crusher, as determined by a test pit or monitoring well;

(b) An impermeable spill containment pad or container sufficient to accommodate the maximum capacity of fluids contained in the motor and fuel tank is installed under the fuel tank, motor, and refueling area;

(c) The borrow pit is internally drained and appropriate steps are taken to prevent any water produced during mineral washing or processing from contaminating surface water resources;
(d) No storage of fuel or other hazardous materials occurs in the P-AR subdistrict;
(e) No washing of equipment occurs in the P-AR subdistrict;
(f) Operations are conducted in accordance with a Commission approved spill prevention, control and countermeasures plan. A copy of the plan and an adequately stocked oil and hazardous materials spill response kit are kept on site; and
(g) The portable rock crushing equipment is setback from existing drinking water sources at least:
  (i) 100 feet from a bedrock private drinking water well;
  (ii) 200 feet from a point driven or dug private drinking water well;
  (iii) 300 feet from a public drinking water source serving 500 or fewer people;
  (iv) 500 feet from a public drinking water source serving between 501 and 1,000 people;
  (v) 1,000 feet from a public drinking water source serving more than 1,000 people; and
  (vi) 1,000 feet from a public drinking water source with a valid filtration waiver issued by the EPA in accordance with the Safe Drinking Water Act;

e. Uses Regulated by the Maine Forest Service

Pursuant to Statute, the following uses are not regulated by the Commission within P-AR subdistricts but are regulated by the Maine Forest Service.

(1) Land management roads;
(2) Natural resource extraction: Gravel extraction for road purposes less than 5 acres in size;
(3) Timber harvesting; and
(4) Water crossings on/for land management roads.

f. Prohibited Uses

All uses not expressly allowed, with or without a permit or by special exception, shall be prohibited in P-AR subdistricts.

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

1. Purpose

The purpose of the P-FP subdistrict is to regulate in all flood prone areas, including areas of special flood hazard, certain land use activities in order to minimize the human, environmental, and financial costs of floods and flood cleanup programs, by protecting on-site, adjacent, upstream and downstream property from flood damage; and by minimizing danger from malfunctioning water supply and waste disposal systems in flood prone areas; and to comply with the cooperative agreement between the Land Use Planning Commission and the Federal Emergency Management Agency (FEMA) regarding the regulation of land use according to the requirements of 44 CFR Part 60.3 of the National Flood Insurance Program, so that flood insurance can be made available to persons in flood prone areas.

2. Description

Areas located within the 100-year frequency floodplain, also known as areas of special flood hazard, as identified by the Commission after consideration of relevant data including, without limitation, areas determined to be flood prone by state or federal agencies, including the Flood Insurance Studies and accompanying Flood Insurance Rate Maps, Flood Boundary and Floodway Maps or Flood Hazard Boundary Maps prepared by the Federal Emergency Management Agency, historical data, and the National Cooperative Soil Survey.

The areas identified by FEMA as areas of special flood hazard (Zones A, AE, A1-30, VE) on Flood Insurance Rate Maps, Flood Boundary and Floodway Maps or Flood Hazard Boundary Maps for townships, plantations, or towns qualify as flood prone areas appropriate for protection within this subdistrict. The Commission adopts the FEMA maps as listed in Appendix E, and a note on the Official Land Use Guidance Map shall refer to maps so adopted. In any case where the boundaries of the P-FP subdistrict on the Commission map differ from the boundaries of the FEMA zones, the FEMA boundaries shall apply. The FEMA zones shall be regulated according to the provisions of the P-FP subdistrict.

3. Land Uses

a. Uses Allowed Without a Permit

The following uses shall be allowed without a permit from the Commission within P-FP subdistricts or FEMA zones A, AE, A1-30, or VE:

(1) Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations;
(2) Forest management activities, except for timber harvesting[11];
(3) Motorized vehicular traffic on roads and trails, and snowmobiling;
(4) Primitive recreational uses, including fishing, hunting, hiking, wildlife study and photography, wild crop harvesting, trapping, horseback riding, tent and shelter camping, canoe portaging, cross country skiing, and snowshoeing;
(5) Surveying and other resource analysis; and
(6) Wildlife and fishery management practices.

[11] Explanatory note: Timber harvesting is not prohibited in this subdistrict, but instead is regulated by the Maine Forest Service. (See P.L. 2011, ch. 599.) Refer to subsection "e. Uses Regulated by the Maine Forest Service."

b. Uses Allowed Without a Permit Subject to Standards

The following uses shall be allowed without a permit from the Commission within P-FP subdistricts or FEMA zones A, AE, A1-30, or VE subject to the applicable requirements set forth in Sub-Chapter III:

(1) Agricultural activities: Agricultural management activities;
(2) Home-based businesses: Minor home-based businesses;
(3) Normal maintenance and repair or renovation less than $1,000 in cost; and
(4) Service drops.

c. Uses Requiring a Permit

The following uses, and related accessory structures, may be allowed within P-FP subdistricts or FEMA zones A, AE, A1-30, or VE upon issuance of a permit from the Commission pursuant to 12 M.R.S., §685-B, and subject to the applicable requirements set forth in Sub-Chapter III:

(1) Agriculture management activities which are not in conformance with the standards of Section 10.27,A;
(2) Campsites;
(3) Campsites, Residential;
(4) Constructed ponds: Creation, alteration or maintenance of constructed ponds;
(5) Draining, dredging, or alteration of the water table or water level for other than mineral extraction;
(6) Driveways;
(7) Filling and grading;
(8) Hand-carry launches: Commercial, private and public hand-carry launches;
(9) Home-based businesses: Major home-based businesses;
(10) Mineral exploration activities: Level A mineral exploration activities, including associated access ways; and Level B mineral exploration activities;
(11) Natural resource extraction: Mineral extraction operations affecting an area up to 30 acres in size provided the unreclaimed area is less than 15 acres, for road purposes, except for gravel extraction for road purposes less than 5 acres in size;
(12) Normal maintenance and repair or renovation equaling or exceeding $1,000 in cost, or additions and expansions to any legally existing structure or use that do not meet the definition of substantial improvement;
(13) Recreational lodging facilities having not more than 1,000 square feet of gross floor area:
  (a) Level A; and
  (b) Level B;
(14) Road projects: Level A, B and C road projects;
(15) Shoreland alterations, including temporary docking structures, on-shore structures used to secure docks and moorings, and reconstruction of permanent docking structures; but excluding marinas, new or expanded permanent docking structures, water-access ways, trailered ramps, and hand-carry launches;
(16) Signs;
(17) Trailered ramps: Commercial and public trailered ramps;
(18) Trails, provided they are constructed and maintained so as to reasonably avoid sedimentation of water bodies;
(19) Utility facilities, except for service drops;
(20) Water crossings, except for water crossings on/for land management roads;
(21) Water impoundments;

(22) Wind projects: Community-based offshore wind energy projects, as defined in 12 M.R.S. § 682(19); offshore wind power projects, as defined in 38 M.R.S. § 480-B(6A); and wind energy development in accordance with 35-A M.R.S., Chapter 34-A in areas identified in Appendix F herein;
(23) Other structures, uses or services that are essential for the exercise of uses listed in Section 10.23,C,3,a through c; and
(24) Other structures, uses, or services which the Commission determines are consistent with the purposes of this subdistrict and of the Comprehensive Land Use Plan and are not detrimental to the resources or uses which they protect, and are of similar type, scale and intensity as other allowed uses.

d. Special Exceptions

The following uses, and related accessory structures, may be allowed within P-FP subdistricts or FEMA zones A, AE, A1-30, or VE as special exceptions upon issuance of a permit from the Commission pursuant to 12 M.R.S. § 685-A(10), and subject to the applicable requirements set forth in Sub-Chapter III, provided that the applicant shows by substantial evidence that (a) there is no alternative site which is both suitable to the proposed use and reasonably available to the applicant; (b) the use can be buffered from those other uses and resources within the subdistrict with which it is incompatible; and (c) such other conditions are met that the Commission may reasonably impose in accordance with the policies of the Comprehensive Land Use Plan:

(1) Commercial and industrial: Commercial and industrial structures of less than 8,000 square feet which rely upon the water resource for their existence, including their reconstruction, relocation, or replacement; new construction, reconstruction or replacement of a permanent foundation; substantial improvement or accessory structures;
(2) Docking structures: New or expanded permanent docking structures;
(3) Recreational lodging facilities: Level B except as provided for in Section 10.23,C,3,c, and Level C having not more than 10,000 square feet of gross floor area for all principal buildings; provided that any recreational lodging facility must rely upon the water resource for their existence, including their reconstruction, relocation, or replacement; new construction, reconstruction or replacement of a permanent foundation; substantial improvement or accessory structures;
(4) Residential: Single family dwellings, including their reconstruction, relocation, or replacement; new construction, reconstruction or replacement of a permanent foundation; substantial improvement or accessory structures;
(5) Trailered ramps: Private trailered ramps; and
(6) Water-access ways.

e. Uses Regulated by the Maine Forest Service

Pursuant to Statute, the following uses are not regulated by the Commission within P-FP subdistricts but are regulated by the Maine Forest Service.

(1) Land management roads;
(2) Natural resource extraction: Gravel extraction for road purposes less than 5 acres in size;
(3) Timber harvesting; and
(4) Water crossings on/for land management roads.

f. Prohibited Uses

All uses not expressly allowed, with or without a permit or by special exception, shall be prohibited in P-FP subdistricts and FEMA zones A, AE, A1-30, and VE.

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

1. Purpose

The purpose of the P-FW subdistrict is to conserve important fish and wildlife habitats essential to the citizens of Maine because of their economic, recreational, aesthetic, educational or scientific value.

2. Description

This subdistrict shall include wildlife and fishery habitat the Commission determines are in need of special protection pursuant to the following standards:

a. Significant fish spawning nursery and feeding areas, critical habitat of endangered and threatened fish and wildlife species ascertained by state or federal agencies, and habitat of fish or wildlife species needing special protection by other means, including by a state fish or wildlife conservation plan.

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) Documentation of use as a deer wintering area during a minimum of two years over the most recent 10 year period at the time of designation; for at least one of such years, such documentations shall be based upon ground observation by a wildlife biologist of the Maine Department of Inland Fisheries and Wildlife during or following a period of winter conditions, but no later than May 1 in any year, showing extent of deer use for winter shelter as evidenced by deer tracks, current and past deer browsing, deer pellet depositions, and/or bedding sites, such that a population of at least 20 deer per square mile in the shelter area may be estimated. A P-FW subdistrict may be established for an area with an estimated population of fewer than 20 deer per square mile if, in the Commission's judgment, it is necessary to meet the purpose of the P-FW subdistrict. 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; and

(b) Occurrence of forest stands that are composed of over 50 percent conifer stems and contain a conifer crown closure of over 50 percent with predominant tree heights of over 35 feet; and

(2) The Maine Department of Inland Fisheries and Wildlife (MDIFW) has submitted to the Commission a status report containing the following information:

(a) Deer population and deer habitat goals for the state and the applicable Wildlife Management District (WMD) – see Map 10.23,D-1;
(b) Estimated current population of deer in the state and the applicable WMD;
(c) Amount of land designated as P-FW subdistricts in the applicable WMD;
(d) Existing information on the amount of deer wintering habitat in organized towns within the applicable WMD;

(e) Amount and location of land designated as P-FW subdistricts in the subject township and all townships abutting the subject township;

(f) A qualitative and, if available, quantitative assessment, based on existing information, of the importance of the area proposed as a P-FW subdistrict to other wildlife species of particular significance, including those identified by state or federal agencies as Endangered, Threatened, Special Concern, Indeterminate Status, or Watch List; and

(3) The combined area of the shelter portions of deer wintering areas designated as P-FW subdistrict within the applicable WMD must not exceed 3.5% of the area of that WMD; and

(4) The Maine Department of Inland Fisheries and Wildlife has consulted with the landowner in one of the following ways:

(a) The Maine Department of Inland Fisheries and Wildlife has offered, in writing, to the landowner whose land is under consideration for designation as a P-FW subdistrict the opportunity to accompany the Department and observe its ground survey of the area proposed for designation, and has met with the landowner following such survey for the purpose of reaching agreement as to the area to be designated as a P-FW subdistrict. In making its offer, the Department may require prior agreement by the landowner to reasonably limit activities that would affect designation of the area while it remains under consideration:

(i) If the parties have reached agreement regarding the area to be designated, the terms of such agreement must be submitted to the Commission. Such agreement will not compel the landowner to join in a petition to designate the area as a P-FW subdistrict;

(ii) If the parties are unable to reach agreement, the substance of and reasons for the disagreement must be reported in writing to the Commission by the Department and the landowner; or

(b) The Maine Department of Inland Fisheries and Wildlife has not offered, in writing, to the landowner whose land is under consideration for designation as a P-FW subdistrict the opportunity to accompany the Department and observe its ground survey of the area proposed for designation, but has met with the landowner following its ground survey for the purpose of reaching agreement as to the area to be designated as a P-FW subdistrict:

(i) If the parties have reached agreement regarding the area to be designated, the terms of such agreement must be submitted to the Commission. Such agreement will not compel the landowner to join in a petition to designate the area as a P-FW subdistrict;

(ii) If the parties are unable to reach agreement, the substance of and reasons for the disagreement must be reported to the Commission by the Department and the landowner. Notwithstanding that disagreement, if the Commission finds that the area meets the criteria for designation as a P-FW subdistrict and applies the P-FW designation to the area, within two years of the date of that subdistrict designation, the landowner may request reconsideration of the designation if the landowner has obtained new information indicating the area did not meet the criteria set forth in Section 10.23,D,2,b,(1) at the time of designation. The Commission will give the Department at least 90 days notice of its receipt of a request for reconsideration prior to deciding that request.

c. Upon request or agreement by the landowner, the configuration of a P-FW subdistrict may be modified in order to provide the subdistrict with boundaries of reasonably regular shape.

d. The provisions of Section 10.23,D,2,b, as amended on June 20, 1991, shall apply only to proposals to rezone areas to the P-FW subdistrict that are submitted to the Commission after June 20, 1991.

e. The Commission may change a P-FW subdistrict by reducing its size or by changing it to another subdistrict designation if it finds by substantial evidence that:

(1) The area designated as a P-FW subdistrict is no longer substantially used as a wintering area by deer and has not been so used for a period of ten years; and
(2) The change is consistent with the Comprehensive Land Use Plan; and
(3) The change is more appropriate for the protection and management of the resource within the affected area.

Alternatively, the Commission may approve such a subdistrict change if the owner of the affected land designated as P-FW and the Commissioner of the Maine Department of Inland Fisheries and Wildlife agree that such change is appropriate or the area is not needed to meet the deer management objectives established by the Department.

Notwithstanding the above, where a P-FW subdistrict has been established for the purposes of protecting a deer wintering area, that subdistrict must not be reduced in size as a result of timber harvesting activities which would cause such subdistrict to no longer satisfy the requirements of Section 10.23,D,2,b,(1),(b).

f. Coastal nesting islands or portions thereof, to be zoned as P-FW will be determined by the following:

(1) Documentation of use by significant numbers of island nesting sea birds through an on-site investigation as reported in the U.S. Fish and Wildlife Service, Maine Cooperative Wildlife Research Unit's Maine Sea Bird Inventory. Breeding population estimates shall be based upon counts of individual nesting pairs and/or visual estimate of the total nesting population of a species.
(2) An island or portion thereof will be considered essential to the maintenance of sea bird populations when: (a) it provides habitat for one percent or more of Maine's total island breeding population of a particular species, or (b) the sum of such percentages for all species on the island is 1 or greater (the individual percentage is determined by dividing the island breeding population by Maine's total island breeding population for a particular species as determined by the latest information available from the Maine Sea Bird Inventory), or (c) when, in the Commission's judgment, protection of an island or portion thereof is essential to the maintenance of the distribution and abundance of a specific species of sea bird.

The colonial sea bird species considered in the above determination include, but are not limited to: common eider (Somateria moullissima), Atlantic puffin (Fratercula arctica), razorbilled auk (Alca torda), black guillemot (Cepphys grylle), snowy egret (Leucophogx thula), glossy ibis (Plegadis falcinellus), arctic tern (Sterna paradisaea), common tern (Sterna hirundo), roseate tern (Sterna dougallii), herring gull (Larus argentatus), great black-backed gull (Larus marinus), laughing gull (Larus artricilla), Leach's petrel (Oceanodroma leucorhoa), double-crested cormorant (Phalacrocorax auritus), black-crowned night heron (Nycticorax mycticorax), and great blue heron (Ardea herodias).

3. Land Uses

a. Uses Allowed Without a Permit

The following uses are allowed without a permit from the Commission within P-FW subdistricts (provided, however, only wildlife and fishery management practices approved by the Maine Department of Inland Fisheries and Wildlife or the U.S. Fish and Wildlife Service shall be permitted without prior approval of the Commission from May 1st to July 15th in P-FW subdistricts established for colonial nesting sea birds):

(1) Docking structures: Temporary docking structures for non-commercial use in the shelter portion of deer wintering areas;
(2) Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations;
(3) Motorized vehicular traffic on roads and trails, and snowmobiling;
(4) Primitive recreational uses, including fishing, hiking, hunting, wildlife study and photography, wild crop harvesting, trapping, horseback riding, tent and shelter camping, canoe portaging, cross country skiing, and snowshoeing;
(5) Surveying and other resource analysis;
(6) Trails, provided they are constructed and maintained so as to reasonably avoid sedimentation of water bodies; and
(7) Wildlife and fishery management practices.

b. Uses Allowed Without a Permit Subject to Standards

The following uses are allowed without a permit from the Commission within P-FW subdistricts, subject to the applicable requirements set forth in Sub-Chapter III (provided, however, only wildlife and fishery management practices approved by the Maine Department of Inland Fisheries and Wildlife or the U.S. Fish and Wildlife Service shall be permitted without prior approval of the Commission from May 1st to July 15th in P-FW subdistricts established for colonial nesting sea birds):

(1) Forest management activities, except for timber harvesting[12] and land management roads;
(2) Home-based businesses: Minor home-based businesses;
(3) Mineral exploration activities: Level A mineral exploration activities, excluding associated access ways;
(4) Road projects: Level A road projects;
(5) Service drops;
(6) Signs; and
(7) Water crossings of minor flowing waters, except for water crossings of minor flowing waters on/for land management roads.

c. Uses Requiring a Permit

The following uses, and related accessory structures, may be allowed within P-FW subdistricts upon issuance of a permit from the Commission pursuant to 12 M.R.S. § 685-B, and subject to the applicable requirements set forth in Sub-Chapter III:

(1) Agricultural activities: Agricultural management activities;
(2) Campsites;

[12] Explanatory note: Timber harvesting is not prohibited in this subdistrict, but instead is regulated by the Maine Forest Service. (See P.L. 2011, ch. 599.) Refer to subsection "e. Uses Regulated by the Maine Forest Service."

(3) Campsites, Residential;
(4) Constructed ponds: Creation, alteration or maintenance of constructed ponds which are not fed or drained by flowing waters;
(5) Filling and grading;
(6) Home-based businesses: Major home-based businesses, except in those plantations and townships listed in Section 10.23,D,3,d;
(7) Land application of septage, sludge and other residuals, and related storage and composting activities;
(8) Mineral exploration activities: Access ways for Level A mineral exploration activities; and Level A mineral exploration activities which are not in conformance with the standards of Section 10.27,C;
(9) Road projects: Level B road projects;
(10) Shoreland alterations, including temporary docking structures, and on-shore structures used to secure docks and moorings, except as provided for in Section 10.23,D,3,a; but excluding marinas, permanent docking structures, water access ways, trailered ramps, and hand-carry launches;
(11) Signs which are not in conformance with the standards of Section 10.27,J;
(12) Utility facilities excluding service drops;
(13) Water crossings of minor flowing waters which are not in conformance with the standards of Section 10.27,D, except for water crossings on/for land management roads; water crossings of bodies of standing water and of major flowing waters, except for water crossings of bodies of standing water and of major flowing waters on/for land management roads;
(14) Wind projects: Community-based offshore wind energy projects, as defined in 12 M.R.S. § 682(19); offshore wind power projects, as defined in 38 M.R.S. § 480-B(6A); and wind energy development in accordance with 35-A M.R.S., Chapter 34-A in areas identified in Appendix F herein;
(15) Other structures, uses or services that are essential for uses listed in Section 10.23,D,3,a through c; and
(16) Other structures, uses, or services which the Commission determines are consistent with the purposes of this subdistrict and of the Comprehensive Land Use Plan and are not detrimental to the resources or uses which they protect, and are of similar type, scale and intensity as other allowed uses.

d. Special Exceptions

The following uses, and related accessory structures, may be allowed within P-FW subdistricts as special exceptions upon issuance of a permit from the Commission pursuant to 12 M.R.S. § 685-A(10), and subject to the applicable requirements set forth in Sub-Chapter III, provided that the applicant shows by substantial evidence that (a) there is no alternative site which is both suitable to the proposed use and reasonably available to the applicant; (b) the use can be buffered from those other uses and resources within the subdistrict with which it is incompatible; and (c) such other conditions are met that the Commission may reasonably impose in accordance with the policies of the Comprehensive Land Use Plan:

(1) Docking structures: Permanent docking structures;
(2) Driveways;
(3) Hand-carry launches;

(4) Home-based businesses: Major home-based businesses in the following plantations and townships provided there is no suitable or reasonably available location in a development subdistrict:
- Dallas Plantation,
- Rangeley Plantation, and
- Sandy River Plantation;

(5) Mineral exploration activities: Level B mineral exploration activities;
(6) Residential: Single family dwellings;
(7) Road projects: Level C road projects;
(8) Trailered ramps;
(9) Water-access ways; and
(10) Water impoundments.

e. Uses Regulated by the Maine Forest Service

Pursuant to Statute, the following uses are not regulated by the Commission within P-FW subdistricts but are regulated by the Maine Forest Service.

(1) Land management roads;
(2) Natural resource extraction: Gravel extraction for road purposes less than 5 acres in size;
(3) Timber harvesting; and
(4) Water crossings of minor flowing waters, major flowing waters, and bodies of standing water on/for land management roads.

f. Prohibited Uses

All uses not expressly allowed, with or without a permit or by special exception, shall be prohibited in P-FW subdistricts.

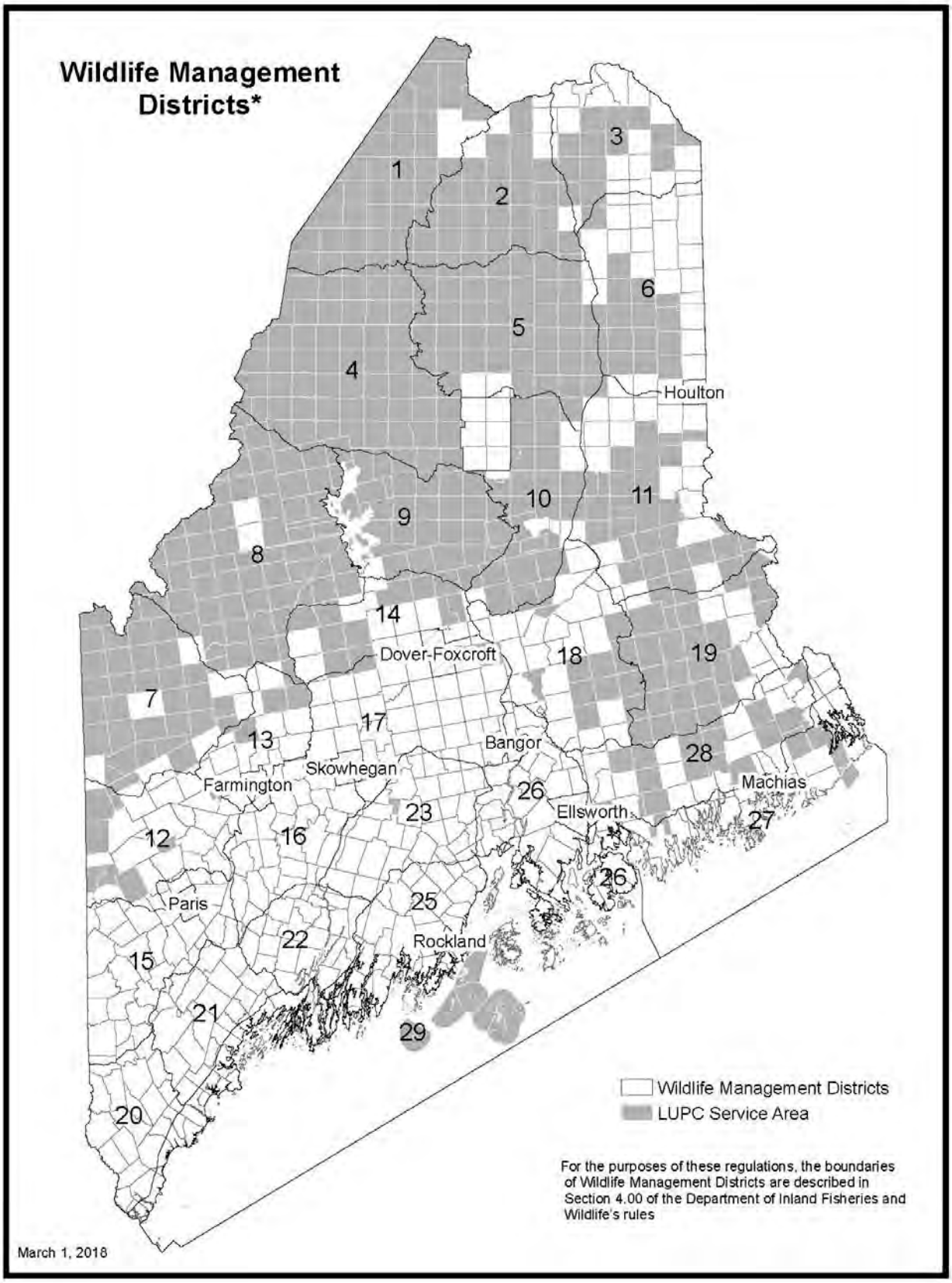

Figure 10.23,D-1 Wildlife Management Districts.

E. GREAT POND PROTECTION SUBDISTRICT (P-GP)

1. Purpose

The purpose of the P-GP subdistrict is to regulate residential and recreational development on Great Ponds to protect water quality, recreation potential, fishery habitat, and scenic character.

2. Description

Areas within 250 feet of the normal high water mark, measured as a horizontal distance landward of such high water mark, of those bodies of standing water 10 acres or greater in size.

3. Land Uses

a. Uses Allowed Without a Permit

The following uses are allowed without a permit from the Commission within P-GP subdistricts:

(1) Docking structures: Temporary docking structures for non-commercial use;
(2) Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations;
(3) Forest management activities, except for timber harvesting[13];
(4) Motorized vehicular traffic on roads and trails, and snowmobiling;
(5) Primitive recreational uses, including fishing, hiking, hunting, wildlife study and photography, wild crop harvesting, trapping, horseback riding, tent and shelter camping, canoe portaging, cross country skiing, and snowshoeing;
(6) Surveying and other resource analysis; and
(7) Wildlife and fishery management practices.

b. Uses Allowed Without a Permit Subject to Standards

The following uses are allowed without a permit from the Commission within P-GP subdistricts subject to the applicable requirements set forth in Sub-Chapter III:

(1) Accessory structures: New or expanded structures accessory to, and located on the same lot as, any legally existing principal structures and uses, provided that:
  (a) The accessory structure is located in a subdistrict that allows the principal use; and
  (b) The total square footage of the footprint of all new or expanded accessory structures built on a lot within a two-year period is not more than 750 square feet and all other requirements and standards of Section 10.27,P are met;
(2) Agricultural activities: Agricultural management activities;
(3) Commercial: Recreation supply facilities that do not involve structural development, are not within one-quarter mile of Management Class 1 or Management Class 2 lakes, and not within one-half mile of Management Class 6 lakes, and that are in conformance with the requirements for such activities in Section 10.27,S;
(4) Constructed ponds: Creation, alteration or maintenance of constructed ponds of less than 4,300 square feet in size which are not fed or drained by flowing waters, provided

[13] Explanatory note: Timber harvesting is not prohibited in this subdistrict, but instead is regulated by the Maine Forest Service. (See P.L. 2011, ch. 599.) Refer to subsection "e. Uses Regulated by the Maine Forest Service."

they are constructed and maintained in conformance with the vegetative buffer strip requirements of Section 10.27,C,2,a;

(5) Driveways associated with residential uses;
(6) Filling and grading;
(7) Hand-carry launches: Commercial and public hand-carry launches;
(8) Home-based businesses: Minor home-based businesses;
(9) Mineral exploration activities: Level A mineral exploration activities, including associated access ways;
(10) Road projects: Level A road projects;
(11) Service drops;
(12) Signs;
(13) Trails, provided that any associated vegetation clearing or filling and grading are in conformance with the standards of Sections 10.27,B,1,c and d,2, and 4 and Section 10.27,F, and provided the trails are constructed and maintained so as to reasonably avoid sedimentation of water bodies;
(14) Trailered ramps: Public trailered ramps; and
(15) Water crossings of minor flowing waters, except for water crossings of minor flowing waters on/for land management roads.

c. Uses Requiring a Permit

The following uses, and related accessory structures, may be allowed within P-GP subdistricts upon issuance of a permit from the Commission pursuant to 12 M.R.S. §685-B, and subject to the applicable requirements set forth in Sub-Chapter III:

(1) Agricultural activities: Agricultural management activities which are not in conformance with the standards of Section 10.27,A;
(2) Campsites;
(3) Campsites, Residential;
(4) Commercial: Recreation supply facilities that do not involve structural development, and are not within one-quarter mile of Management Class 1 or Management Class 2 lakes, and not within one-half mile of Management Class 6 lakes, and that are not in conformance with the requirements for such activities in Section 10.27,S;
(5) Constructed ponds: Creation, alteration or maintenance of constructed ponds 4,300 square feet or greater in size which are not fed or drained by flowing waters, or of such ponds less than 4,300 square feet in size which are not in conformance with the vegetative buffer strip requirements of Section 10.27,C,2,a;
(6) Draining, dredging, or alteration of the water table or water level for other than mineral extraction;
(7) Driveways associated with non-residential uses; driveways associated with residential uses which are not in conformance with the standards of Section 10.27,H;
(8) Filling and grading, which is not in conformance with the standards of Section 10.27,F;
(9) Hand-carry launches: Private hand-carry launches and hand-carry launches addressed in Section 10.23,E,3,b which are not in conformance with the standards of Section 10.27,L;
(10) Home-based businesses: Major home-based businesses, except in those plantations and townships listed in Section 10.23,E,3,d;
(11) Land application of septage, sludge and other residuals, and related storage and composting activities;
(12) Mineral exploration activities: Level A mineral exploration activities, including associated access ways, which are not in conformance with the standards of Section 10.27,C; and Level B mineral exploration activities;

(13) Residential: Single family dwellings;
(14) Road projects: Level B and C road projects, except for water crossings of minor flowing waters as provided for in Section 10.23,E,3,b;
(15) Shoreland alterations, including reconstruction of permanent docking structures, and permanent on-shore structures used to secure docks and moorings; but excluding marinas, new or expanded permanent docking structures, water-access ways, trailered ramps, hand-carry launches, and water crossings of minor flowing waters;
(16) Signs which are not in conformance with the standards of Section 10.27,J;
(17) Structures: Non-commercial structures for scientific, educational and/or nature observation purposes, which are not of a size or nature which would adversely affect the resources protected by this subdistrict;
(18) Trails which are not in conformance with the standards of Section 10.27,B,1,c and d,2, and 4 and 10.27,F;
(19) Trailered ramps: Commercial trailered ramps and trailered ramps addressed in Section 10.23,E,3,b which are not in conformance with the standards of Section 10.27,L;
(20) Utility facilities other than service drops;
(21) Water crossings of minor flowing waters which are not in conformance with the standards of Section 10.27,D, except water crossings of minor flowing waters on/for land management roads; and water crossings of bodies of standing water and of major flowing waters, except water crossings of bodies of standing water and of major flowing waters on/for land management roads;
(22) Water-dependent structures for recreational lodging facilities in compliance with Section 10.27,Q,7;
(23) Water impoundments;
(24) Wind projects: Community-based offshore wind energy projects, as defined in 12 M.R.S. § 682(19); offshore wind power projects, as defined in 38 M.R.S. § 480-B,(6A); and wind energy development in accordance with 35-A M.R.S., Chapter 34-A in areas identified in Appendix F herein;
(25) Other structures, uses, or services that are essential for uses listed in Section 10.23,E,3,a through c; and
(26) Other structures, uses, or services which the Commission determines are consistent with the purposes of this subdistrict and of the Comprehensive Land Use Plan and are not detrimental to the resources or uses which they protect, and are of similar type, scale and intensity as other allowed uses.

d. Special Exceptions

The following uses, and related accessory structures, may be allowed within P-GP subdistricts as special exceptions upon issuance of a permit from the Commission pursuant to 12 M.R.S. §685-A(10), and subject to the applicable requirements set forth in Sub-Chapter III, provided that the applicant shows by substantial evidence that (a) the use can be buffered from those other uses and resources within this subdistrict with which it is incompatible; and (b) such other conditions are met that the Commission may reasonably impose in accordance with the policies of the Comprehensive Land Use Plan:

(1) Commercial:
  (a) Recreation supply facilities that may involve structural development and are not within one-quarter mile of Management Class 1 or Management Class 2 lakes, and not within one-half mile of Management Class 6 lakes;
  (b) Retail stores and restaurants in Primary Locations, as described in Section 10.08-A,C, with a gross floor area of no more than 2,000 square feet; and

(2) Recreational lodging facilities:
  (a) Level A;
  (b) Level B; and
  (c) Level C.

The following uses may be allowed as special exceptions provided the applicant also shows by substantial evidence that there is no alternative site which is both suitable to the proposed use and reasonably available to the applicant:

(3) Docking structures: New or expanded permanent docking structures;
(4) Home-based businesses: Major home-based businesses in the following plantations and townships provided there is no suitable or reasonably available location in a development subdistrict:
  - Dallas Plantation,
  - Rangeley Plantation, and
  - Sandy River Plantation;
(5) Peat extraction affecting an area less than 5 acres in size;
(6) Trailered ramps: Private trailered ramps; and
(7) Water-access ways.

e. Uses Regulated by the Maine Forest Service

Pursuant to Statute, the following uses are not regulated by the Commission within P-GP subdistricts but are regulated by the Maine Forest Service.

(1) Land management roads;
(2) Natural resource extraction: Gravel extraction for road purposes less than 5 acres in size;
(3) Timber harvesting; and
(4) Water crossings of minor flowing waters, major flowing waters, and bodies of standing water on/for land management roads.

f. Prohibited Uses

All uses not expressly allowed, with or without a permit or by special exception, shall be prohibited in P-GP subdistricts.

g. Water Quality Limiting Lakes

Water Quality Limiting Lakes shall be those bodies of standing water 10 acres or greater in size where the Commission determines from available information that the maximum number of allowable dwelling units, as determined by minimum shoreline frontage requirements for such water body, would give rise to a significant risk of increasing the phosphorus concentration of the water by 5 parts per billion or more.

With respect to future development, including subdivisions, near such water bodies, the Commission may impose additional and/or more protective standards with respect to clearing, frontage and setback requirements, sewage disposal, and other aspects of such development so as to reasonably assure that the above stated maximum allowable change in phosphorus concentration for such water bodies is not exceeded.

The methodology used to identify water quality limiting lakes is shown in Appendix A of this chapter.

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

1. Purpose

The purpose of the P-GP2 subdistrict is to accommodate seasonal, recreational uses on lakes valued for their semi-remote character and determined to be suitable for limited development through a prospective planning process. This subdistrict is designed to site appropriate uses at a density and in a pattern of development that conserves the essential character of these lakes, and to accommodate traditional uses such as commercial sporting camps and public access. This subdistrict also provides a greater degree of certainty to both the landowners and the public as to the amount of development and conservation that will occur along certain lake shorelines.

2. Description

This subdistrict includes areas within 500 feet of the normal high water mark, measured as a horizontal distance, of those lakes listed below:

- Aziscohos Lake within Lincoln Plantation, Oxford County;
- Lower Richardson Lake, Township C, Oxford County.

The depth of this subdistrict may be deeper than 500 feet to allow development design in the project area that better meets the purpose of this subdistrict. Adjustments will only be made that do not increase the acreage of the project area by more than 10 percent or deviate from the uses allowed in this subdistrict.

Lakes classified as Management Class 3 or 7 may be included on this list only after analysis and review by the Commission through a prospective planning process.

Using Section 10.08 of these rules, the Commission shall designate areas for this subdistrict that are consistent with its purpose and suitable for supporting development when measured against the standards of 12 M.R.S. § 685-B(4) and the Commission's rules and regulations.

3. Land Uses

The provisions of the P-GP2 subdistrict will not apply to any applications that have been received and deemed complete for processing by the Commission staff on or before January 1, 2001.

Development in this subdistrict will be for seasonal and recreational uses designed to conserve the shoreline character of these lakes and other values such as fisheries and solitude. Except where already in place or in locations near an existing three-phase line, utility facilities and service drops are not an allowed use in order to maintain the existing character and semi-remote experience.

a. Uses Allowed Without a Permit

The following uses are allowed without a permit from the Commission within P-GP2 subdistricts:

(1) Docking structures: Temporary docking structures for non-commercial use;
(2) Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations;

(3) Forest management activities, except for timber harvesting[14];
(4) Motorized vehicular traffic on roads and trails, and snowmobiling;
(5) Primitive recreational uses, including fishing, hiking, hunting, wildlife study and photography, wild crop harvesting, trapping, horseback riding, tent and shelter camping, canoe portaging, cross country skiing, and snowshoeing;
(6) Surveying and other resource analysis; and
(7) Wildlife and fishery management practices.

b. Uses Allowed Without a Permit Subject to Standards

The following uses are allowed without a permit from the Commission within P-GP2 subdistricts subject to the applicable requirements set forth in Sub-Chapter III:

(1) Agricultural activities: Agricultural management activities;
(2) Constructed ponds: Creation, alteration, or maintenance of constructed ponds of less than 4,300 square feet in size which are not fed or drained by flowing waters provided they are constructed and maintained in conformance with the vegetative buffer strip requirements of Section 10.27,C,2,a;
(3) Driveways associated with residential uses;
(4) Filling and grading;
(5) Hand-carry launches: Commercial and public hand-carry launches;
(6) Home-based businesses: Minor home-based businesses;
(7) Mineral exploration activities: Level A mineral exploration activities, including associated access ways;
(8) Road projects: Level A road projects;
(9) Service drops within one half-mile of three phase utility lines in existence as of January 1, 2001;
(10) Signs;
(11) Trails, provided that any associated vegetation clearing or filling and grading are in conformance with the standards of 10.27,B,1,c and d,2, and 4 and 10.27,F, and provided the trails are constructed and maintained so as to reasonably avoid sedimentation of water bodies;
(12) Trailered ramps: Public trailered ramps; and
(13) Water crossings of minor flowing waters, except for water crossings of minor flowing waters on/for land management roads.

c. Uses Requiring a Permit

The following uses, and related accessory structures, may be allowed within P-GP2 subdistricts upon issuance of a permit from the Commission pursuant to 12 M.R.S. § 685-B, and subject to the applicable requirements set forth in Section 10.23,F,3,g below and Sub-Chapter III:

(1) Agricultural activities: Agricultural management activities within 250 feet of the normal high water mark which are not in conformance with the standards of Section 10.27,A;
(2) Campsites;
(3) Campsites, Residential;
(4) Constructed ponds: Creation, alteration, or maintenance of constructed ponds 4,300 square feet or greater in size which are not fed or drained by flowing waters, or of such

[14] Explanatory note: Timber harvesting is not prohibited in this subdistrict, but instead is regulated by the Maine Forest Service. (See P.L. 2011, ch. 599.) Refer to subsection "e. Uses Regulated by the Maine Forest Service."

ponds less than 4,300 square feet in size which are not in conformance with the vegetative buffer strip requirements of Section 10.27,C,2,a;

(5) Draining, dredging, or alteration of the water table or water level for other than mineral extraction;

(6) Driveways associated with non-residential uses; driveways associated with residential uses which are not in conformance with the standards of Section 10.27,H;

(7) Filling and grading which is not in conformance with the standards of Section 10.27,F;

(8) Hand-carry launches: Private hand-carry launches and hand-carry launches addressed in Section 10.23,F,3,b which are not in conformance with the standards of Section 10.27,L;

(9) Mineral exploration activities: Level A mineral exploration activities, including associated access ways, which are not in conformance with the standards of Section 10.27,C; and Level B mineral exploration activities;

(10) Recreational lodging facilities: Level A; and Level B having not more than 8,000 square feet of gross floor area. Individual cabins may not include permanent foundations, otherwise main lodges may be built with or without permanent foundations;

(11) Residential: Single family seasonal dwellings without permanent foundations;

(12) Road projects: Level B and C road projects, except for water crossings of minor flowing waters, as provided for in Section 10.23,F,3,b;

(13) Shoreland alterations, including reconstruction of permanent docking structures, and permanent on-shore structures used to secure docks and moorings; but excluding marinas, new or expanded permanent docking structures, water-access ways, trailered ramps, hand-carry launches, and water crossings of minor flowing waters;

(14) Signs which are not in conformance with the standards of Section 10.27,J;

(15) Structures: Non-commercial structures for scientific, educational and/or nature observation purposes, which are not of a size or nature which would adversely affect the resources protected by this subdistrict;

(16) Subdivisions:

(a) Commercial subdivisions for uses allowed in this subdistrict; and

(b) Residential subdivisions: Moderate-density subdivisions;

(17) Trailered ramps: Commercial trailered ramps and trailered ramps addressed in Section 10.23,F,3,b which are not in conformance with the standards of Section 10.27,L;

(18) Trails which are not in conformance with the standards of Section 10.27,B,1,c and d,2, and 4 and 10.27,F;

(19) Utility facilities within one half mile of existing three-phase power lines existing as of January 1, 2001;

(20) Water crossings of minor flowing waters which are not in conformance with the standards of Section 10.27,D, except for water crossings of minor flowing waters on/for land management roads; and water crossings of bodies of standing water and of major flowing waters, except for water crossings of bodies of standing water and of major flowing waters on/for land management roads;

(21) Water-dependent structures for recreational lodging facilities in compliance with Section 10.27,Q,7;

(22) Water impoundments;

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

(24) Other structures, uses, or services that are essential for uses listed in Section 10.23,F,3,a through c; and

(25) Other structures, uses, or services which the Commission determines are consistent with the purposes of this subdistrict and of the Comprehensive Land Use Plan and are not detrimental to the resources or uses which they protect, and are of similar type, scale and intensity as other allowed uses.

d. Special Exceptions

The following uses, and related accessory structures, may be allowed within P-GP2 subdistricts as special exceptions upon issuance of a permit from the Commission pursuant to 12 M.R.S. § 685-A(10), and subject to the applicable requirements set forth in Sub-Chapter III, provided that the applicant shows by substantial evidence that: (a) the use can be buffered from those other uses and resources within this subdistrict with which it is incompatible; (b) there is no alternative site that is both suitable to the proposed use and reasonably available to the applicant; and (c) such other conditions are met that the Commission may reasonably impose in accordance with the policies of the Comprehensive Land Use Plan.

(1) Docking structures: New or expanded permanent docking structures;
(2) Trailered ramps: Private trailered ramps; and
(3) Water-access ways.

e. Uses Regulated by the Maine Forest Service

Pursuant to Statute, the following uses are not regulated by the Commission within P-GP2 subdistricts but are regulated by the Maine Forest Service.

(1) Land management roads;
(2) Natural resource extraction: Gravel extraction affecting areas less than 2 acres in size, for road purposes;
(3) Timber harvesting; and
(4) Water crossings of minor flowing waters, major flowing waters, and bodies of standing water on/for land management roads.

f. Prohibited Uses

All uses not expressly allowed, with or without a permit or by special exception, shall be prohibited in P-GP2 subdistricts.

g. Allowed Densities

Parcels within the P-GP2 subdistrict that are in existence as of January 1, 2001 and that have more than 200 feet but less than 400 feet of shore frontage shall be allowed one dwelling unit provided that other applicable requirements are met.

All parcels within the P-GP2 subdistrict that have more than 400 feet of shore frontage may be further developed subject to the following requirements:

(1) Maximum density of building units. Overall density within each lot shall be no greater than 1 dwelling unit, principal building, or rental cabin for every 400 feet of shoreline up to a maximum density of 13 units per mile of shoreline.

If physical constraints restrict the development potential of more than 50% of the shore frontage of a parcel, the maximum allowable number of building units per mile of shoreline shall be reduced to one per 200 feet of shoreline that is not constrained.

Constraints shall include slopes greater than 15%; wetlands; wildlife habitat such as deer wintering areas, eagle or loon nesting areas; habitat for rare or endangered plant and animals; unique natural communities and natural areas; and historic and archeological resources.

(2) Building units and density. For the purpose of determining density the following structures shall count as individual building units:

(a) single family seasonal dwelling units;
(b) rental cabins associated with campgrounds, sporting camps, or other commercial recreational facilities;
(c) sporting camp lodges or other commercial recreational base lodge facilities containing three or fewer rental rooms; and
(d) campgrounds.

Individual campsites, public and private trailered ramps, permanent docking facilities and water-access ways, and non-commercial structures for scientific, educational and/or nature observation purposes shall not count as building units for the purposes of calculating allowable densities. Each set of up to three additional rental rooms, at sporting camp lodges or other commercial recreational base lodge facilities with more than three rental rooms, shall count as an additional unit.

(3) Phosphorous control. All development shall be designed in accordance with 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." Development density shall conform to the requirements of this manual.

(4) Extent of shoreline to be conserved. Within subdivisions, at least 50 percent of a landowner's ownership on a shoreline shall be conserved to a depth of 500 feet or the depth of the lot, whichever is less, and set aside as open space according to the provisions of Section 10.25,S. The area to be conserved shall be located so that it will create large and contiguous blocks of open space and/or to conserve sensitive resources and areas used traditionally by the public. This conservation of shoreline shall not affect the amount of development allowed under the maximum density provision above.

(5) Build-out rate. No more than 20 individual units may be constructed in any ten-year period per lot of record as of the date of adoption of these rules, except that credit for unbuilt units may be carried over to the following time period where a maximum of 40 building units in any 10-year period may be developed.

(6) Required buffer. No structural development shall be allowed within a ¼ mile radius of any commercial sporting camp, campground, or group of rental cabins associated with a commercial sporting camp or campground. Individual campsites are excluded from this buffering requirement.

The buffer shall extend from the edge of the principal building, dwelling unit, rental unit, or campsite that is closest to any adjacent use.

h. Other Development Considerations

(1) Campground, campsite, and rental cabin management. All such facilities offered for rent shall be managed and supervised by an attendant who provides regular and routine oversight.

G. MOUNTAIN AREA PROTECTION SUBDISTRICT (P-MA)

1. Purpose

The purpose of the P-MA subdistrict is to regulate certain land use activities in mountain areas in order to preserve the natural equilibrium of vegetation, geology, slope, soil and climate in order to reduce danger to public health and safety posed by unstable mountain areas, to protect water quality, and to preserve mountain areas for their scenic values and recreational opportunities.

2. Description

a. Areas above 2,700 feet in elevation, except where the Commission determines from substantial evidence presented to it that designation otherwise would not jeopardize significant natural, recreational or historic resources and where such other designation would be consistent with the purpose, intent and provisions of the Comprehensive Land Use Plan and 12 M.R.S. § 206-A.

Evidence submitted for consideration in determining whether areas above 2,700 feet in elevation should not be included in a P-MA subdistrict shall include the following:

(1) Proof that the area meets the definition of the subdistrict in which it is proposed to be placed;
(2) A soils map showing soil type or soil group names, and a description of their characteristics, demonstrating that the area possesses the following soil conditions:

(a) Depth to bedrock of 20" or more,
(b) Well or moderately well drained,
(c) Slope of less than 25%,
(d) A mature soil profile, and
(e) Nutrient content and pH status proper to encourage the establishment of vegetation.

(3) A topographic map indicating the area to be excluded from the P-MA subdistrict;
(4) A description of scenic conditions and recreational opportunities which shows that there are no areas of scenic value or recreational opportunity which will be unreasonably impaired by excluding such area from the P-MA subdistrict;
(5) A description of the land use history of the area; and
(6) Other information pertinent to the suitability of the area, pursuant to 12 M.R.S. § 685-B(4) for the specific use proposed.

b. Mountain areas the Commission identifies below 2,700 feet in elevation when vegetative cover, geology, degree of slope, soil type, and climatic conditions indicate the need to protect such areas in order to achieve the purpose of the P-MA subdistrict.

Evidence submitted for consideration in determining whether areas below 2,700 feet in elevation should be included in a P-MA subdistrict shall include the following:

(1) A soils map showing soil types or groups and a description of their characteristics demonstrating that the area possesses the following soil conditions:

(a) Depth to bedrock of less than 20",
(b) Less than moderately well drained,

(c) Slope of 25% or greater,
(d) Soil profile which is not mature, and
(e) Nutrient content and pH status not conducive to the establishment of vegetation.

(2) A topographic map indicating the area to be included in the P-MA subdistrict;
(3) A description of scenic conditions and recreational opportunities in the area which demonstrates that the same should be included in the P-MA subdistrict;
(4) A description of the land use history of the area; and
(5) Other information pertinent to the suitability of the area for inclusion in P-MA subdistrict.

3. Land Uses

a. Uses Allowed Without a Permit

The following uses shall be allowed without a permit from the Commission within P-MA subdistricts:

(1) Docking structures: Temporary docking structures for non-commercial use;
(2) Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations;
(3) Forest and agricultural management activities, except for timber harvesting[15];
(4) Motorized vehicular traffic on roads and trails, and snowmobiling;
(5) Primitive recreational uses, including fishing, hiking, hunting, wildlife study and photography, wild crop harvesting, trapping, horseback riding, tent and shelter camping, canoe portaging, cross country skiing, and snowshoeing;
(6) Surveying and other resource analysis; and
(7) Wildlife and fishery management practices.

b. Uses Allowed Without a Permit Subject to Standards

The following uses shall be allowed without a permit from the Commission within P-MA subdistricts, subject to the applicable requirements set forth in Sub-Chapter III:

(1) Mineral exploration activities: Level A mineral exploration activities, excluding associated access ways;
(2) Road projects: Level A road projects;
(3) Service drops; and
(4) Signs.

c. Uses Requiring a Permit

The following uses, and related accessory structures, may be allowed within P-MA subdistricts upon issuance of a permit from the Commission pursuant to 12 M.R.S. § 685-B, and subject to the applicable requirements set forth in Sub-Chapter III:

(1) Campsites;
(2) Constructed ponds: Creation, alteration or maintenance of constructed ponds which are not fed or drained by flowing waters;
(3) Draining or altering the water table or water level for other than mineral extraction;

[15] Explanatory note: Timber harvesting is not prohibited in this subdistrict, but instead is regulated by the Maine Forest Service. (See P.L. 2011, ch. 599.) Refer to subsection "e. Uses Regulated by the Maine Forest Service."

(4) Filling and grading;
(5) Land application of septage, sludge and other residuals, and related storage and composting activities;
(6) Mineral exploration activities: Access ways for Level A mineral exploration activities; and Level A mineral exploration activities which are not in conformance with the standards of Section 10.27,C;
(7) Road projects: Level B road projects;
(8) Signs which are not in conformance with the standards of Section 10.27,J;
(9) Trails;
(10) Water crossings, except for water crossings on/for land management roads;
(11) Water impoundments;
(12) Wind projects: Community-based offshore wind energy projects, as defined in 12 M.R.S. § 682(19); offshore wind power projects, as defined in 38 M.R.S. § 480-B(6A); and wind energy development in accordance with 35-A M.R.S., Chapter 34-A in areas identified in Appendix F herein;
(13) Other structures, uses, or services that are essential for exercise of uses listed in Section 10.23,G,3,a through c; and
(14) Other structures, uses, or services which the Commission determines are consistent with the purposes of this subdistrict and of the Comprehensive Land Use Plan and are not detrimental to the resources or uses which they protect, and are of similar type, scale and intensity as other allowed uses.

d. Special Exceptions

The following uses, and related accessory structures, may be allowed within P-MA subdistricts as special exceptions upon issuance of a permit from the Commission pursuant to 12 M.R.S. § 685-A(10) and subject to the applicable requirements set forth in Sub-Chapter III, provided that the applicant shows by substantial evidence that (a) there is no alternative site which is both suitable to the proposed use and reasonably available to the applicant; (b) the use can be buffered from those other uses and resources within this subdistrict with which it is incompatible; and (c) such other conditions are met that the Commission may reasonably impose in accordance with the policies of the Comprehensive Land Use Plan:

(1) Driveways;
(2) Mineral exploration activities: Level B mineral exploration activities;
(3) Road projects: Level C road projects;
(4) Structures: Structures relating to downhill skiing and other mountain related recreation facilities; and
(5) Utility facilities.

e. Uses Regulated by the Maine Forest Service

Pursuant to Statute, the following uses are not regulated by the Commission within P-MA subdistricts but are regulated by the Maine Forest Service.

(1) Land management roads;
(2) Timber harvesting; and
(3) Water crossings on/for land management roads.

f. Prohibited Uses

All uses not expressly allowed, with or without a permit or by special exception, shall be prohibited in P-MA subdistricts.

H. RESOURCE PLAN PROTECTION SUBDISTRICT (P-RP)

1. Purpose

The purpose of the P-RP subdistrict is to provide for the more efficient and effective management of single or multiple protection subdistricts (and in some cases adjoining management subdistricts) than can be realized through the use of other protection subdistricts and their related standards. Resource Plans for such areas that are consistent with the requirements of Section 10.23,H,2 through 9 below may be submitted to the Commission for review, and upon approval, such areas shall be designated as P-RP subdistricts.

"Concept plans," as outlined in the Comprehensive Land Use Plan, are included under the purpose of this subdistrict.

2. Description

P-RP subdistricts shall be designated in areas where the Commission has approved a Resource Plan that:

a. Incorporates standards, which, taken as a whole, are at least as protective of the natural environment as those standards which would otherwise be applicable; and

b. Establishes procedures that reduce the need for repetitious permit applications to the Commission; and

c. Complies with the criteria established below for their review; and

d. Has as its primary purpose the protection of those resources in need of protection or, in the case of concept plans, includes in its purpose the protection of those resources in need of protection.

3. Permitted Uses

Unless the Commission otherwise provides in approving the Resource Plan, those uses that are specified in the approved Resource Plan shall be allowed without a permit. The Commission may approve the creation of a subdivision within the context of a Resource Plan approved by the Commission without the need for rezoning to a development subdistrict provided such subdivision is consistent with the purpose and intent of this subdistrict.

For land within a P-RP Subdistrict, sub-areas identified in the resource or concept plan as development areas will be regulated (in regards to timber harvesting, land management roads, water crossings on/for land management roads, and gravel extraction) by the Land Use Planning Commission as development subdistricts. Areas not so identified will be regulated by the Maine Forest Service according to the underlying protection and/or management subdistrict. Specific standards incorporated into the resource or concept plans will continue to apply until the expiration or revision of the related plan.

4. Ownership

Before the Commission shall consider an application, the applicant shall submit proof that the applicant owns or leases the area for which the Resource Plan is proposed.

5. Application Procedures

All P-RP subdistrict applications shall include at least the following information:

a. A statement of how the proposed Resource Plan conforms with the purpose of this subdistrict and what objectives will be achieved by the proposed redistricting;

b. A copy of an existing district map on which the area of the proposed P-RP subdistrict is clearly shown;

c. A description of the management procedures, conservation easements, covenants, agreements or other formalized procedures that the applicant proposes to use to replace the restrictions and regulations that currently apply. The description shall specify how the Resource Plan achieves equal or better protection of resources in the area than the subdistrict(s) which would otherwise apply;

d. A copy of all those formal procedures and agreements that will ensure the continued protection of the resources; and

e. A statement that specifies the expiration date (if any) of the proposed Resource Plan, and of the procedures the applicant may wish to use to extend the provisions thereof.

When the Resource Plan application involves structural development, it shall include, in addition to (a) through (e) above:

f. Forms, plans, and exhibits as are required by the Commission;

g. Evidence that the proposal will conform with 12 M.R.S. § 685-B; and

h. A covenant stating that no subdivision of the designated area will take place, except as approved by the Commission as part of an approved concept plan.

6. Criteria for Review

The Commission may approve a Resource Plan and any associated redistricting only if it finds that all of the following criteria are satisfied:

a. The plan conforms with redistricting criteria;

b. The plan conforms, where applicable, with the Commission's Land Use Districts and Standards;

c. The plan conforms with the Commission's Comprehensive Land Use Plan;

d. The plan, taken as a whole, is at least as protective of the natural environment as the subdistricts which it replaces. In the case of concept plans, this means that any development gained through any waiver of the location of development criteria in Section 10.08,B is matched by comparable conservation measures;

e. The plan has as its primary purpose the protection of those resources in need of protection, or, in the case of concept plans, includes in its purpose the protection of those resources in need of protection;

f. In the case of concept plans, the plan strikes a reasonable and publicly beneficial balance between appropriate development and long-term conservation of lake resources; and

g. In the case of concept plans, conservation measures apply in perpetuity, except where it is demonstrated by clear and convincing evidence that other alternative conservation measures fully provide for long-term protection or conservation.

7. Approval or Denial of Resource Plan

The Commission, after staff review and recommendation, shall approve or deny the redistricting application. If the Resource Plan proposal contemplates structural development, except as provided in Section 10.23,H,3, the Commission may simultaneously with its approval of the P-RP subdistrict, grant, grant with conditions, or deny, applications for such permits as are required for structural development.

Upon approval of the Resource Plan, a P-RP subdistrict shall be designated on the official Land Use Guidance Map and recorded in accordance with the provisions of Section 10.04.

8. Duration of Plan

The provisions of an approved and recorded Resource Plan shall apply for the duration of the approved time period, except that any conservation measures taken to strike a reasonable and publicly beneficial balance in a lake concept plan shall continue to apply to the extent that they are covered by legal contract, deeded covenants, permit requirements, or other legal instruments. The Resource Plan shall be for a minimum of 10 years and may be extended upon approval of the Commission and the applicant. The Resource Plan shall become invalidated if the provisions therein are not complied with.

At the termination of a plan, the Commission will, in conformity with its comprehensive plan, statutes, and standards, designate appropriate zoning which is reasonably consistent with zoning in accordance with Section 10.08,A

In the event that a plan is terminated, all transactions initiated as a component of the plan, including without limitation, the granting of conservation easements or restrictive covenants on subdivided lands will continue to apply to the extent that they are covered by legal contract, deeded covenants, permit or other legal requirements.

9. Amendments

Proposed amendments to the Resource Plan shall be made in writing to the Commission. An amendment shall be granted provided it meets the criteria for review listed in Section 10.23,H,6 above. An increase in the size of a P-RP subdistrict may be allowed by amendment, upon approval of the Commission, provided that the Resource Plan is amended to include such expanded area.

I. RECREATION PROTECTION SUBDISTRICT (P-RR)

1. Purpose

The purpose of the P-RR subdistrict is to provide protection from development and intensive recreational uses to those areas that currently support, or have opportunities for, unusually significant primitive recreation activities. By so doing, the natural environment that is essential to the primitive recreational experience will be conserved.

2. Description

P-RR: Trails, and areas surrounding bodies of standing and flowing water and other areas which the Commission identifies as providing or supporting unusually significant opportunities for primitive recreational experiences.

Bodies of standing water so classified include, but are not limited to, those found to meet the definition of Management Class 1 or Management Class 6 Lakes.

In the case of Management Class 1 Lakes, the Protection District shall extend 1/4 mile out from and around the water body; in the case of Management Class 6 Lakes, the Protection District shall extend 1/2 mile out from and around the water body; and in the case of trails and flowing water, the Protection District shall extend 250 feet on each side of the trail or flowing water, measured from the center of the trail or the normal high water mark of the water, provided that such distance may be decreased where a lesser distance will satisfy the purpose of this subdistrict. The extent, as delineated above, of any P-RR subdistrict may be increased upon land owner agreement.

The river segments within the Commission's jurisdiction identified as meriting special protection in the Governor's Executive Order on Maine Rivers Policy, issued July 6, 1982, based upon the 1982 Maine Rivers Study of the Department of Conservation, shall qualify as flowing water appropriate for protection within this subdistrict.

3. Land Uses

a. Uses Allowed Without a Permit

The following uses are allowed without a permit from the Commission within P-RR subdistricts:

(1) Docking structures: Temporary docking structures for non-commercial use;
(2) Emergency operations conducted for the public health, safety, or general welfare, such as resource protection, law enforcement, and search and rescue operations;
(3) Motorized vehicular traffic and snowmobiling with the following exceptions:
  (a) in the instance of trails designated as P-RR, such traffic and snowmobiling is allowed only on those portions of such trails which are located within the right-of-way of a roadway or utility line; and
  (b) within any P-RR subdistrict surrounding a body of standing water, such traffic is allowed only in connection with forest or agricultural management activities or in connection with access to and use of existing remote camps; but snowmobiling shall be allowed in such subdistrict;
(4) Primitive recreational uses, including fishing, hiking, hunting, wildlife study and photography, wild crop harvesting, trapping, horseback riding, tent and shelter camping, canoe portaging, cross country skiing, and snowshoeing;

(5) Surveying and other resource analysis; and
(6) Wildlife and fishery management practices.

b. Uses Allowed Without a Permit Subject to Standards

The following uses are allowed without a permit from the Commission within P-RR subdistricts, subject to the applicable requirements set forth in Sub-Chapter III:

(1) Forest and agricultural management activities, except for timber harvesting[16];
(2) Mineral exploration activities: Level A mineral exploration activities, including associated access ways, provided that such access ways located in P-RR subdistricts established to protect bodies of standing water shall be discontinued, gated, obstructed or otherwise made impassable to two wheel drive vehicles upon completion of the mineral exploration activity, further provided that, when approval for such is legally required, the Maine Forest Service approves the discontinuance of such access ways, which approval the operator shall request;
(3) Road projects: Level A road projects;
(4) Service drops;
(5) Signs;
(6) Trails, provided that any associated vegetation clearing or filling and grading are in conformance with the standards of 10.27,B,1,c and d,2, and 4 and 10.27,F, and provided the trails are constructed and maintained so as to reasonably avoid sedimentation of water bodies; and
(7) Water crossings of minor flowing waters, except as provided in Section 10.23,I,3,c below, except water crossings of minor flowing waters on/for land management roads.

c. Uses Requiring a Permit

The following uses, and related accessory structures, may be allowed within P-RR subdistricts upon issuance of a permit from the Commission pursuant to 12 M.R.S. § 685-B, and subject to the applicable requirements set forth in Sub-Chapter III:

(1) Campsites;
(2) Constructed ponds: Creation, alteration or maintenance of constructed ponds which are not fed or drained by flowing waters;
(3) Land application of septage, sludge and other residuals, and related storage and composting activities;
(4) Mineral exploration activities: Level A mineral exploration activities, including associated access ways, which are not in conformance with Section 10.23,I,3,b or Section 10.27,C;
(5) Road projects: Level B road projects;
(6) Shoreland alterations, including permanent on-shore structures used to secure docks and moorings, but excluding marinas, permanent docking structures, water-access ways, trailered ramps, and hand-carry launches;
(7) Signs which are not in conformance with the standards of Section 10.27,J;
(8) Trails which are not in conformance with the standards of Section 10.27,B,1,c and d,2, and 4 and 10.27,F;
(9) Water crossings of major flowing waters, except for water crossings of major flowing waters on/for land management roads; water crossings of all flowing waters surrounded by a P-RR subdistrict established to protect such waters, except for water

[16] Explanatory note: Timber harvesting is not prohibited in this subdistrict, but instead is regulated by the Maine Forest Service. (See P.L. 2011, ch. 599.) Refer to subsection "e. Uses Regulated by the Maine Forest Service."

crossings of all flowing waters surrounded by a P-RR subdistrict established to protect such waters on/for land management roads;

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

(11) Other structures, uses or services that are essential for the exercise of uses listed in Section 10.23,I,3,a through c; and

(12) Other structures, uses or services which the Commission determines are consistent with the purpose of this subdistrict and of the Comprehensive Land Use Plan and are not detrimental to the uses or resources they protect, and are of similar type, scale and intensity as other allowed uses.

d. Special Exceptions

The following uses, and related accessory structures, may be allowed within P-RR subdistricts as special exceptions upon issuance of a permit from the Commission pursuant to 12 M.R.S. § 685-A(10), and subject to the applicable requirements set forth in Sub-Chapter III, provided that the applicant shows by substantial evidence that (a) there is no alternative site which is both suitable to the proposed use and reasonably available to the applicant; (b) the use can be buffered from those other uses and resources within the subdistrict with which it is incompatible; and (c) such other conditions are met that the Commission may reasonably impose in accordance with the policies of the Comprehensive Land Use Plan:

(1) Docking structures: Permanent docking structures;
(2) Filling and grading;
(3) Hand-carry launches;
(4) Mineral exploration activities: Level B mineral exploration activities;
(5) Natural resource extraction: Mineral extraction for road purposes, except for gravel extraction less than 5 acres in size and except as provided in Sections 10.23,I,3,b and c above;
(6) Road projects: Level C road projects;
(7) Trailered ramps: Public trailered ramps on rivers and streams zoned P-RR to protect flowing waters;
(8) Utility facilities other than service drops; and
(9) Water-access ways.

e. Uses Regulated by the Maine Forest Service

Pursuant to Statute, the following uses are not regulated by the Commission within P-RR subdistricts but are regulated by the Maine Forest Service. Instances where a permit for the activity issued by the Maine Forest Service also requires review and approval by the Commission are noted.

(1) Land management roads (Permits for land management roads in P-RR subdistricts shall require review and approval by the Commission);
(2) Natural resource extraction: Gravel extraction for road purposes less than 5 acres in size (Permits for gravel pits less than 5 acres in size in P-RR subdistricts shall require review and approval by the Commission);
(3) Skid trails, skid roads, and winter haul roads in P-RR subdistricts established to protect a trail or flowing water;

(4) Timber harvesting (Permits for timber harvesting in P-RR subdistricts established to protect a trail or flowing water shall require review and approval by the Commission); and

(5) Water crossings of minor flowing waters, major flowing waters, and of all flowing waters surrounded by a P-RR subdistrict established to protect such waters on/for land management roads (Permits for water crossings on/for land management roads in P-RR subdistricts shall require review and approval by the Commission).

In instances where review and approval by the Commission are required, the Commission will consider all applicable requirements set forth in Sub-Chapter III, except for any criteria that are duplicative of criteria considered by another state agency, and the Commission will consider whether the activity will adversely affect the resources protected by the P-RR subdistrict.

In the case of land management roads in P-RR subdstricts around bodies of standing water, the Commission shall also consider whether there is any reasonable alternative route for the road and whether reasonable and adequate provisions will be made by the applicant to make the road impassable to two wheel drive vehicles following termination of the road's use.

In the case of gravel extraction for road purposes in P-RR subdistricts other than those established to protect flowing waters, the Commission shall require the applicant to show by substantial evidence that (a) there is no alternative site which is both suitable to the proposed use and reasonably available to the applicant; (b) the use can be buffered from those other uses and resources within the subdistrict with which it is incompatible; and (c) such other conditions are met that the Commission may reasonably impose in accordance with the policies of the Comprehensive Land Use Plan.

f. Prohibited Uses

All uses not expressly allowed, with or without a permit or by special exception, shall be prohibited in P-RR subdistricts.

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

1. Purpose

The purpose of the P-RT subdistrict is to protect the special resource values of the flowing waters and shorelands of Maine's outstanding river segments as defined in 12 M.R.S. § 403, while allowing for responsible land management and compatible development in those communities situated as transition areas between unorganized townships and municipalities outside of the Commission's jurisdiction. Such areas are subject to different pressures and uses than those in less developed areas of the jurisdiction.

2. Description

Areas within 250 feet of special rivers as identified in The Maine Rivers Act, 12 M.R.S. § 403, that are transition areas because they (a) are on the downstream ends of these rivers within the Commission's jurisdiction, and thus are situated between municipalities outside the Commission's jurisdiction and less developed upstream areas, and (b) have established communities and substantial development either on or proximate to the shoreline.

3. Land Uses

a. Uses Allowed Without a Permit

The following uses are allowed without a permit from the Commission within P-RT subdistricts:

(1) Emergency operations conducted for the public health, safety, or general welfare, such as resource protection, law enforcement, and search and rescue operations;
(2) Motorized vehicular traffic and snowmobiling;
(3) Primitive recreational uses, including fishing, hiking, hunting, wildlife study and photography, wild crop harvesting, trapping, horseback riding, tent and shelter camping, canoe portaging, cross country skiing, and snowshoeing;
(4) Surveying and other resource analysis; and
(5) Wildlife and fishery management practices.

b. Uses Allowed Without a Permit Subject to Standards

The following uses are allowed without a permit from the Commission within P-RT subdistricts, subject to the applicable requirements set forth in Sub-Chapter III:

(1) Driveways associated with residential uses;
(2) Forest and agricultural management activities, except for timber harvesting[17];
(3) Home-based businesses: Minor home-based businesses;
(4) Mineral exploration activities: Level A mineral exploration activities, including associated access ways;
(5) Road projects: Level A road projects;
(6) Service drops;
(7) Signs; and

[17] Explanatory note: Timber harvesting is not prohibited in this subdistrict, but instead is regulated by the Maine Forest Service. (See P.L. 2011, ch. 599.) Refer to subsection "e. Uses Regulated by the Maine Forest Service."

(8) Trails, provided that any associated vegetation clearing or filling and grading are in conformance with the standards of 10.27,B,1,c and d,2, and 4 and 10.27,F, and provided the trails are constructed and maintained so as to reasonably avoid sedimentation of water bodies.

c. Uses Requiring a Permit

The following uses, and related accessory structures, may be allowed within P-RT subdistricts upon issuance of a permit from the Commission pursuant to 12 M.R.S. § 685-B, and subject to the applicable requirements set forth in Sub-Chapter III:

(1) Campsites;
(2) Campsites, Residential, provided the setback from the normal high water mark is a minimum of 125 feet;
(3) Constructed ponds: Creation, alteration or maintenance of constructed ponds which are not fed or drained by a flowing water;
(4) Driveways associated with non-residential uses; driveways associated with residential uses which are not in conformance with the standards of Section 10.27,H;
(5) Filling and grading;
(6) Home-based businesses: Major home-based businesses, except in those plantations and townships listed in Section 10.23,J,3,d;
(7) Land application of septage, sludge and other residuals, and related storage and composting activities;
(8) Mineral exploration activities: Level A mineral exploration activities, including associated access ways, which are not in conformance with the standards of Section 10.27,C;
(9) Residential: Single family dwellings, provided the setback from the normal high water mark is a minimum of 125 feet;
(10) Road projects: Level B road projects provided that such roads are set back as far as practicable from the normal high water mark and screened from the river by existing vegetation;
(11) Shoreland alterations, including temporary docking structures and on-shore structures used to secure docks and moorings for non-commercial use; but excluding marinas, permanent docking structures, water-access ways, trailered ramps, and hand-carry launches;
(12) Signs which are not in conformance with the standards of Section 10.27,J;
(13) Trails which are not in conformance with the standards of Section 10.27,B,1,c and d,2, and 4 and 10.27,F;
(14) Wind projects: Community-based offshore wind energy projects, as defined in 12 M.R.S. § 682(19); offshore wind power projects, as defined in 38 M.R.S. § 480-B(6A); and wind energy development in accordance with 35-A M.R.S., Chapter 34-A in areas identified in Appendix F herein;
(15) Other structures, uses or services that are essential for the exercise of uses listed in Sections 10.23,J,3,a through c; and
(16) Other structures, uses or services which the Commission determines are consistent with the purpose of this subdistrict and of the Comprehensive Land Use Plan and are not detrimental to the uses or resources they protect, and are of similar type, scale and intensity as other allowed uses.

d. Special Exceptions

The following uses, and related accessory structures, may be allowed within P-RT subdistricts as special exceptions upon issuance of a permit from the Commission pursuant to 12 M.R.S. § 685-A(10), and subject to the applicable requirements set forth in Sub-Chapter III, provided that the applicant shows by substantial evidence that (a) there is no alternative site which is both suitable to the proposed use and reasonably available to the applicant; (b) the use can be buffered from those other uses and resources within the subdistrict with which it is incompatible; and (c) such other conditions are met that the Commission may reasonably impose in accordance with the policies of the Comprehensive Land Use Plan:

(1) Docking structures: Permanent docking structures on rivers and streams zoned P-RT;
(2) Hand-carry launches on rivers and streams zoned P-RT;
(3) Home-based businesses: Major home-based businesses in the following plantations and townships provided there is no suitable or reasonably available location in a development subdistrict:
- Dallas Plantation,
- Rangeley Plantation, and
- Sandy River Plantation;

(4) Mineral exploration activities: Level B mineral exploration activities;
(5) Road projects: Level C road projects, provided that:
  (a) no reasonable alternative route outside of the P-RT subdistrict exists and that;
  (b) such roads are set back as far as practicable from the normal high water mark; and
  (c) they are screened from the river by existing vegetation;
(6) Trailered ramps: Public trailered ramps on rivers and streams zoned P-RT;
(7) Utility facilities other than service drops; and
(8) Water-access ways on rivers and streams zoned P-RT.

e. Uses Regulated by the Maine Forest Service

Pursuant to Statute, the following uses are not regulated by the Commission within P-RT subdistricts but are regulated by the Maine Forest Service. Instances where a permit for the activity issued by the Maine Forest Service also requires review and approval by the Commission are noted.

(1) Land management roads (Permits for land management roads in P-RT subdistricts shall require review and approval by the Commission);
(2) Natural resource extraction: Gravel extraction for road purposes less than 5 acres in size (Permits for gravel pits less than 5 acres in size in P-RT subdistricts shall require review and approval by the Commission);
(3) Skid trails, skid roads, and winter haul roads;
(4) Timber harvesting (Permits for timber harvesting in P-RT subdistricts shall require review and approval by the Commission); and
(5) Water crossings for skid trails, skid roads and winter haul roads of minor flowing waters and water crossings of major flowing waters (Permits for water crossings in P-RT subdistricts shall require review and approval by the Commission).

In instances where review and approval by the Commission are required, the Commission will consider all applicable requirements set forth in Sub-Chapter III, except for any criteria that are duplicative of criteria considered by another state agency, and the Commission will

consider whether the activity will adversely affect the resources protected by the P-RT subdistrict.

In the case of land management roads in P-RT subdistricts, the Commission shall also consider whether: no reasonable alternative route outside of the P-RT subdistrict exists; they are set back as far as practicable from the normal high water mark; they follow the shortest practicable route in traversing the subdistrict; they are screened from the river by existing vegetation; and they are built in compliance with the road standards for P-SL1 subdistricts.

In the case of gravel extraction, the Commission shall also consider whether the developer has demonstrated that no reasonable alternative mining sites exist outside of the P-RT subdistrict. When new sites must be located within the P-RT subdistrict, the Commission shall require that they shall be set back as far as practicable from the normal high water mark and no less than 75 feet and shall be screened from the river by existing vegetation.

f. Prohibited Uses

All uses not expressly allowed, with or without a permit or by special exception, shall be prohibited in P-RT subdistricts.

K. SOILS AND GEOLOGY PROTECTION SUBDISTRICTS (P-SG)

1. Purpose

The purpose of the P-SG subdistrict is to protect areas that have precipitous slopes or unstable characteristics from uses or development that can cause accelerated erosion, water sedimentation, mass movement, or structural damage, all of which could cause public danger or threaten public health.

2. Description

Areas, 10 acres or more in size, identified by the Commission as having average slopes greater than 60 percent, or areas, 10 acres or more in size, identified by the Commission as having unstable soil which, due to a combination of slope, vegetation, soil type and underlying geology, are subject to accelerated erosion or mass movement.

3. Land Uses

a. Uses Allowed Without a Permit

The following uses shall be allowed without a permit from the Commission within P-SG subdistricts:

(1) Docking structures: Temporary docking structures for non-commercial use;
(2) Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations;
(3) Forest management activities, except for timber harvesting[18];
(4) Motorized vehicular traffic on roads and trails, and snowmobiling;
(5) Primitive recreational uses, including fishing, hiking, hunting, wildlife study and photography, wild crop harvesting, trapping, horseback riding, tent and shelter camping, canoe portaging, cross country skiing, and snowshoeing;
(6) Surveying and other resource analysis; and
(7) Wildlife and fishery management practices.

b. Uses Allowed Without a Permit Subject to Standards

The following uses shall be allowed without a permit from the Commission within P-SG subdistricts, subject to the applicable requirements set forth in Sub-Chapter III:

(1) Agricultural activities: Agricultural management activities;
(2) Mineral exploration activities: Level A mineral exploration activities, excluding associated access ways;
(3) Road projects: Level A road projects;
(4) Service drops; and
(5) Signs.

[18] Explanatory note: Timber harvesting is not prohibited in this subdistrict, but instead is regulated by the Maine Forest Service. (See P.L. 2011, ch. 599.) Refer to subsection "e. Uses Regulated by the Maine Forest Service."

c. Uses Requiring a Permit

The following uses, and related accessory structures, may be allowed within P-SG subdistricts upon issuance of a permit from the Commission pursuant to 12 M.R.S. § 685-B, and subject to the applicable requirements set forth in Sub-Chapter III:

(1) Agricultural activities: Agricultural management activities which are not in conformance with the standards of Section 10.27,A;
(2) Constructed ponds: Creation, alteration or maintenance of constructed ponds which are not fed or drained by flowing waters;
(3) Draining, dredging, or alteration of the water table or level for other than mineral extraction;
(4) Filling and grading;
(5) Metallic mineral mining activities: Tier one advanced exploration;
(6) Mineral exploration activities: Access ways for Level A mineral exploration activities, Level A mineral exploration activities which are not in conformance with the standards of Section 10.27,C, and Level B mineral exploration activities;
(7) Natural resource extraction: Mineral extraction for road purposes not to exceed 30 acres in size provided the unreclaimed area is less than 15 acres, except for gravel extraction for road purposes less than 5 acres in size;
(8) Road projects: Level B and C road projects;
(9) Shoreland alterations, including reconstruction of permanent docking structures, and permanent on-shore structures used to secure docks and moorings; but excluding marinas, new or expanded permanent docking structures, and boat ramps and ways;
(10) Signs which are not in conformance with the standards of Section 10.27,J;
(11) Trails;
(12) Utility facilities, except service drops;
(13) Water crossings, except for water crossings on/for land management roads;
(14) Water impoundments;
(15) Wind projects: Community-based offshore wind energy projects, as defined in 12 M.R.S. § 682(19); offshore wind power projects, as defined in 38 M.R.S. § 480-B(6A); and wind energy development in accordance with 35-A M.R.S., Chapter 34-A in areas identified in Appendix F herein;
(16) Other structures, uses, or services that are essential for the exercise of uses listed in Section 10.23,K,3,a through c; and
(17) Other structures, uses or services which the Commission determines are consistent with the purposes of this subdistrict and of the Comprehensive Land Use Plan and are not detrimental to the resources or uses which they protect, and are of similar type, scale and intensity as other allowed uses.

d. Special Exceptions

The following uses, and related accessory structures, may be allowed within P-SG subdistricts as special exceptions upon issuance of a permit from the Commission pursuant to 12 M.R.S. § 685-A(10), and subject to the applicable requirements set forth in Sub-Chapter III, provided that the applicant shows by substantial evidence that (a) there is no alternative site which is both suitable to the proposed use and reasonably available to the applicant; and (b) such other conditions are met that the Commission may reasonably impose in accordance with the policies of the Comprehensive Land Use Plan:

(1) Driveways.

e. Uses Regulated by the Maine Forest Service

Pursuant to Statute, the following uses are not regulated by the Commission within P-SG subdistricts but are regulated by the Maine Forest Service.

(1) Land management roads;
(2) Natural resource extraction: Gravel extraction for road purposes less than 5 acres in size;
(3) Timber harvesting; and
(4) Water crossings on/for land management roads.

f. Prohibited Uses

All uses not expressly allowed, with or without a permit, or by special exception, shall be prohibited in P-SG subdistricts.

L. SHORELAND PROTECTION SUBDISTRICT (P-SL)

1. Purpose

The purpose of the P-SL subdistrict is to regulate certain land use activities in certain shoreland areas in order to maintain water quality, plant, fish and wildlife habitat and in order to protect and enhance scenic and recreational opportunities.

2. Description

P-SL1: Areas within 250 feet of the normal high water mark, measured as horizontal distance landward of such high water mark, of (a) coastal wetlands, and (b) flowing waters downstream from the point where such waters drain 50 square miles or more.

P-SL2: Areas within 75 feet, measured as a horizontal distance landward, of (a) the normal high water mark of flowing waters upstream from the point where such channels drain 50 square miles; (b) the upland edge of those freshwater wetlands identified in Section 10.23,N,2,a,(1),(c) and (2), and (3); and (c) the normal high water mark of bodies of standing water less than 10 acres in size, but excluding bodies of standing water which are less than three acres in size and which are not fed or drained by a flowing water.

3. Land Uses

a. Uses Allowed Without a Permit

The following uses are allowed without a permit from the Commission within P-SL subdistricts:

(1) Docking structures: Temporary docking structures for non-commercial use;
(2) Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations;
(3) Forest management activities, except for timber harvesting[19];
(4) Motorized vehicular traffic on roads and trails, and snowmobiling;
(5) Primitive recreational uses, including fishing, hiking, hunting, wildlife study and photography, wild crop harvesting, trapping, horseback riding, tent and shelter camping, canoe portaging, cross country skiing, and snowshoeing;
(6) Surveying and other resource analysis; and
(7) Wildlife and fishery management practices.

b. Uses Allowed Without a Permit Subject to Standards

The following uses are allowed without a permit from the Commission within P-SL subdistricts subject to the applicable requirements set forth in Sub-Chapter III:

(1) Agricultural activities: Agricultural management activities;
(2) Commercial: Recreation supply facilities that do not involve structural development, and are not within one-quarter mile of Management Class 1 or Management Class 2 lakes, and not within one-half mile of Management Class 6 lakes, and that are in conformance with the requirements for such activities in Section 10.27,S;

[19] Explanatory note: Timber harvesting is not prohibited in this subdistrict, but instead is regulated by the Maine Forest Service. (See P.L. 2011, ch. 599.) Refer to subsection "e. Uses Regulated by the Maine Forest Service."

(3) Constructed ponds: Creation, alteration or maintenance of constructed ponds of less than 4,300 square feet in size which are not fed or drained by flowing waters provided they are constructed and maintained in conformance with the vegetative buffer strip requirements of Section 10.27,C,2,a;
(4) Driveways associated with residential uses;
(5) Filling and grading;
(6) Hand-carry launches: Commercial and public hand-carry launches;
(7) Home-based businesses: Minor home-based businesses;
(8) Mineral exploration activities: Level A mineral exploration activities, including associated access ways;
(9) Road projects: Level A road projects;
(10) Service drops;
(11) Signs;
(12) Trailered ramps: Public trailered ramps;
(13) Trails, provided that any associated vegetation clearing or filling and grading are in conformance with the standards of 10.27,B,1,c and d,2, and 4 and 10.27,F, and provided the trails are constructed and maintained so as to reasonably avoid sedimentation of water bodies; and
(14) Water crossings of minor flowing waters, except for water crossings of minor flowing waters on/for land management roads.

c. Uses Requiring a Permit

The following uses, and related accessory structures, may be allowed within P-SL subdistricts upon issuance of a permit from the Commission pursuant to 12 M.R.S. §685-B, and subject to the applicable requirements set forth in Sub-Chapter III:

(1) Agricultural activities: Agricultural management activities which are not in conformance with the standards of Section 10.27,A and cranberry cultivation;
(2) Campsites;
(3) Campsites, Residential;
(4) Commercial: Recreation supply facilities that do not involve structural development, and are not within one-quarter mile of Management Class 1 or Management Class 2 lakes, and not within one-half mile of Management Class 6 lakes, and that are not in conformance with the requirements for such activities in Section 10.27,S;
(5) Constructed ponds: Creation, alteration or maintenance of constructed ponds 4,300 square feet or greater in size which are not fed or drained by flowing waters, or of such ponds less than 4,300 square feet in size which are not in conformance with the vegetative buffer strip requirements of Section 10.27,C,2,a;
(6) Draining, dredging, or alteration of water table or water level for other than mineral extraction;
(7) Driveways associated with non-residential uses; driveways associated with residential uses which are not in conformance with the standards of Section 10.27,H;
(8) Filling and grading which is not in conformance with the standards in Section 10.27,F;
(9) Hand-carry launches: Private hand-carry launches and hand-carry launches addressed in Section 10.23,L,3,b which are not in conformance with the standards of Section 10.27,L;
(10) Home-based businesses: Major home-based businesses, except in those plantations and townships listed in Section 10.23,L,3,d;
(11) Land application of septage, sludge and other residuals, and related storage and composting activities;

(12) Mineral exploration activities: Level A mineral exploration activities, including associated access ways, which are not in conformance with the standards of Section 10.27,C; and Level B mineral exploration activities;
(13) Peat extraction affecting an area less than 5 acres in size;
(14) Recreational lodging facilities: Level A;
(15) Residential: Single family dwellings;
(16) Road projects: Level B and C road projects, other than crossings of minor flowing waters as provided for in Section 10.23,L,3,b;
(17) Shoreland alterations, including reconstruction of permanent docking structures, and permanent on-shore structures used to secure docks and moorings; but excluding marinas, new or expanded permanent docking structures, water-access ways, trailered ramps, hand-carry launches, and water crossings of minor flowing waters;
(18) Signs which are not in conformance with the standards of Section 10.27,J;
(19) Structures: Non-commercial structures for scientific, educational or nature observation purposes, which are not of a size or nature which would adversely affect the resources protected by this subdistrict;
(20) Trailered ramps: Commercial trailered ramps and trailered ramps addressed in Section 10.23,L,3,b which are not in conformance with the standards of Section 10.27,L;
(21) Trails which are not in conformance with the standards of Section 10.27,B,1,c and d,2, and 4 and 10.27,F;
(22) Utility facilities, excluding service drops;
(23) Water crossings of minor flowing waters which are not in conformance with the standards of Section 10.27,D, except for water crossings of minor flowing waters on/for land management roads; water crossings of coastal wetlands, bodies of standing water, and of major flowing waters, except water crossings of coastal wetlands, bodies of standing water and of major flowing waters on/for land management roads;
(24) Water-dependent structures for recreational lodging facilities in compliance with Section 10.27,Q,7;
(25) Water impoundments;
(26) Wind projects: Community-based offshore wind energy projects, as defined in 12 M.R.S. § 682(19); offshore wind power projects, as defined in 38 M.R.S. § 480-B(6A); and wind energy development in accordance with 35-A M.R.S., Chapter 34-A in areas identified in Appendix F herein;
(27) Other structures, uses or services that are essential for the exercise of uses listed in Section 10.23,L,3,a through c; and
(28) Other structures, uses or services which the Commission determines are consistent with the purposes of this subdistrict and of the Comprehensive Land Use Plan and are not detrimental to the resources or uses which they protect, and are of similar type, scale and intensity as other allowed uses.

d. Special Exceptions

The following uses, and related accessory structures, may be allowed within P-SL subdistricts as special exceptions upon issuance of a permit from the Commission pursuant to 12 M.R.S. §685-A(10), and subject to the applicable requirements set forth in Sub-Chapter III, provided that the applicant shows by substantial evidence that (a) the use can be buffered from those other uses and resources within the subdistrict with which it is incompatible, and (b) such other conditions are met that the Commission may reasonably impose in accordance with the policies of the Comprehensive Land Use Plan:

(1) Commercial and industrial:
  (a) Commercial and industrial structures of less than 8,000 square feet which rely on the water resource for their existence; and
  (b) Recreation supply facilities that may involve structural development and are not within one-quarter mile of Management Class 1 or Management Class 2 lakes, and not within one-half mile of Management Class 6 lakes;
(2) Recreational lodging facilities:
  (a) Level B; and
  (b) Level C.

The following uses may be allowed as special exceptions provided the applicant also shows by substantial evidence that there is no alternative site which is both suitable to the proposed use and reasonably available to the applicant:

(3) Docking structures: New or expanded permanent docking structures;
(4) Home-based businesses: Major home-based businesses in the following plantations and townships provided there is no suitable or reasonably available location in a development subdistrict:
  - Dallas Plantation,
  - Rangeley Plantation, and
  - Sandy River Plantation;
(5) Trailered ramps: Private trailered ramps; and
(6) Water-access ways.

e. Use Regulated by the Maine Forest Service

Pursuant to Statute, the following uses are not regulated by the Commission within P-SL subdistricts but are regulated by the Maine Forest Service.

(1) Gravel extraction for road purposes less than 5 acres in size;
(2) Land management roads;
(3) Timber harvesting; and
(4) Water crossings of minor flowing waters, major flowing waters, bodies of standing water, and coastal wetlands on/for land management roads.

f. Prohibited Uses

All uses not expressly allowed, with or without a permit or by special exception, shall be prohibited in P-SL subdistricts.

M. UNUSUAL AREA PROTECTION SUBDISTRICT (P-UA)

1. Purpose

The purpose of the P-UA subdistrict is to protect areas of significant natural, recreational, historic, scenic, scientific or aesthetic value which are susceptible to significant degradation by man's activities, and for which protection cannot adequately be accomplished by inclusion in any of the other subdistricts.

2. Description

Areas identified by the Commission as important in preserving the historic, scenic, scientific, recreational, aesthetic or water resources of the region or State and which have special land management requirements which cannot adequately be accomplished within another subdistrict, provided that the area is essential to the values sought to be preserved and is no larger than reasonable to protect such values. P-UA subdistricts shall include, but are not limited to, historic or archeological sites or structures, scientific phenomena, natural areas, or important water supply sources. Federal and State Parks and lands, except for public reserved lots, that are not included in P-RP subdistricts may be placed in this subdistrict.

3. Land Uses

a. Uses Allowed Without a Permit

The following uses shall be allowed without a permit from the Commission within P-UA subdistricts:

(1) Docking structures: Temporary docking structures for non-commercial use;
(2) Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations;
(3) Forest management activities, except timber harvesting[20];
(4) Motorized vehicular traffic on roads and trails, and snowmobiling;
(5) Primitive recreational uses, including fishing, hiking, hunting, wildlife study and photography, wild crop harvesting, trapping, horseback riding, tent and shelter camping, canoe portaging, cross country skiing, and snowshoeing;
(6) Surveying and other resource analysis;
(7) Trails, provided they are constructed and maintained so as to reasonably avoid sedimentation of water bodies; and
(8) Wildlife and fishery management practices.

b. Uses Allowed Without a Permit Subject to Standards

The following uses shall be allowed without a permit from the Commission within P-UA subdistricts subject to the applicable requirements set forth in Sub-Chapter III:

(1) Agricultural activities: Agricultural management activities on Federal or State owned land;
(2) Campsites owned or operated by Federal or State agencies;
(3) Hand-carry launches: Public hand-carry launches;

[20] Explanatory note: Timber harvesting is not prohibited in this subdistrict, but instead is regulated by the Maine Forest Service. (See P.L. 2011, ch. 599.) Refer to subsection "e. Uses Regulated by the Maine Forest Service."

(4) Home-based businesses: Minor home-based businesses;
(5) Mineral exploration activities: Level A mineral exploration activities, excluding associated access ways;
(6) Road projects: Level A road projects;
(7) Service drops;
(8) Signs; and
(9) Trailered ramps: public trailered ramps.

c. Uses Requiring a Permit

The following uses, and related accessory structures, may be allowed within P-UA subdistricts upon issuance of a permit from the Commission subject to the applicable requirements set forth in Sub-Chapter III:

(1) Agricultural activities: Agricultural management activities, except as provided for in Section 10.23,M,3,b;
(2) Campsites except as provided for in Section 10.23,M,3,b;
(3) Constructed ponds: Creation, alteration or maintenance of constructed ponds which are not fed or drained by flowing waters;
(4) Driveways;
(5) Hand-carry launches: Commercial and private hand-carry launches, and hand-carry launches addressed in Section 10.23,M,3,b which are not in conformance with the standards of Section 10.27,L;
(6) Land application of septage, sludge and other residuals, and related storage and composting activities;
(7) Mineral exploration activities: Access ways for Level A mineral exploration activities; and Level A mineral exploration activities which are not in conformance with the standards of Section 10.27,C;
(8) Recreational lodging facilities owned or operated by Federal or State agencies:
   (a) Level A (campground only);
   (b) Level B (campground only); and
   (c) Level C (campground only);
(9) Road projects: Level B road projects;
(10) Shoreland alterations, including reconstruction of permanent docking structures, and permanent on-shore structures used to secure docks and moorings; but excluding marinas, new or expanded permanent docking structures, water-access ways, trailered ramps, and hand-carry launches;
(11) Trailered ramps: Trailered ramps addressed in Section 10.23,M,3,b which are not in conformance with the standards of Section 10.27,L;
(12) Water crossings, except for water crossings on/for land management roads;
(13) Wind projects: Community-based offshore wind energy projects, as defined in 12 M.R.S. § 682(19); offshore wind power projects, as defined in 38 M.R.S. § 480-B(6A); and wind energy development in accordance with 35-A M.R.S., Chapter 34-A in areas identified in Appendix F herein;
(14) Other structures, uses or services that are essential for the uses listed in Section 10.23,M,3,a through c; and
(15) Other structures, uses or services which the Commission determines are consistent with the purposes of this subdistrict and of the Comprehensive Land Use Plan and are not detrimental to the resources or uses which they protect, and are of similar type, scale and intensity as other allowed uses.

The following uses are allowed upon issuance of a permit from the Commission according to 12 M.R.S. § 685-B and subject to the applicable requirements set forth in Sub-Chapter III, provided that the applicant can show by substantial evidence that the use is compatible with and will not detract from the values of the resources protected by the P-UA subdistricts:

(16) Campsites, Residential;
(17) Commercial: Retail stores and restaurants with a gross floor area of no more than 1,000 square feet;
(18) Filling and grading;
(19) Home-based businesses: Major home-based businesses, except in those plantations and townships listed in Section 10.23,M,3,d;
(20) Recreational lodging facilities: Level A, except as provided for in Section 10.23,M,3,c;
(21) Residential: Single family dwellings;
(22) Road projects: Level C road projects;
(23) Signs which are not in conformance with the standards of Section 10.27,J; and
(24) Water impoundments.

d. Special Exceptions

The following uses, and related accessory structures, may be allowed within P-UA subdistricts as special exceptions upon issuance of a permit from the Commission pursuant to 12 M.R.S. § 685-A(10), and subject to the applicable requirements set forth in Sub-Chapter III, provided that the applicant shows by substantial evidence that (a) there is no alternative site which is both suitable to the proposed use and reasonably available to the applicant; (b) the use can be buffered from those other uses and resources within the subdistrict with which it is incompatible; and (c) such other conditions are met that the Commission may reasonably impose in accordance with the policies of the Comprehensive Land Use Plan:

(1) Docking structures: New or expanded permanent docking structures;
(2) Home-based businesses: Major home-based businesses in the following plantations and townships provided there is no suitable or reasonably available location in a development subdistrict:
- Dallas Plantation,
- Rangeley Plantation, and
- Sandy River Plantation;

(3) Mineral exploration activities: Level B mineral exploration activities;
(4) Peat extraction affecting an area less than 5 acres in size;
(5) Trailered ramps: Commercial and private trailered ramps;
(6) Utility facilities excluding service drops; and
(7) Water-access ways.

e. Uses Regulated by the Maine Forest Service

Pursuant to Statute, the following uses are not regulated by the Commission within P-UA subdistricts but are regulated by the Maine Forest Service. Instances where a permit for the activity issued by the Maine Forest Service also requires review and approval by the Commission are noted.

(1) Land management roads (Permits for land management roads in P-UA subdistricts shall require review and approval by the Commission);

(2) Natural resource extraction: Gravel extraction for road purposes less than 5 acres in size (Permits for gravel pits in P-UA subdistricts shall require review and approval by the Commission);
(3) Timber harvesting (Permits for timber harvesting in P-UA subdistricts shall require review and approval by the Commission); and
(4) Water crossings on/for land management roads (Permits for water crossings on/for land management roads in P-UA subdistricts shall require review and approval by the Commission).

In instances where review and approval by the Commission are required, the Commission will consider all applicable requirements set forth in Sub-Chapter III, except for any criteria that are duplicative of criteria considered by another state agency, and the Commission will consider whether the activity will adversely affect the resources protected by the P-UA subdistrict.

f. Prohibited Uses

All uses not expressly allowed, with or without a permit or by special exception shall be prohibited in a P-UA subdistrict.

N. WETLAND PROTECTION SUBDISTRICT (P-WL)

1. Purpose

The purpose of the P-WL subdistrict is to conserve coastal and freshwater wetlands in essentially their natural state because of the indispensable biologic, hydrologic and environmental functions which they perform.

Preserving wetlands will promote the public health and safety of persons and protect property against the hazards of flooding and drought by holding back water during floods and retaining water during dry periods. Wetlands also maintain water quality for drinking, store nutrients from upland run-off in plant tissue, serve as settling basins for silt and sediment from upland erosion, stabilize water supply by maintaining the groundwater table and groundwater recharge and discharge areas, and provide plant, fish and wildlife habitat. Wetlands function as integral and irreplaceable parts of a larger natural system, influencing our climate, economy, environment, and natural heritage.

Insofar as this protection subdistrict also includes the area enclosed by the normal high water mark of surface water bodies within the Commission's jurisdiction, the purpose of this subdistrict shall also be to help insure compatible surface water uses on those water bodies where there is the potential for conflict with other uses and values of such water bodies.

2. Description

a. Except as allowed in Section 10.23,N,2,d, water bodies and areas meeting the definition of coastal or freshwater wetlands shall be included in P-WL subdistricts as described below:

(1) **P-WL1:** Wetlands of special significance:

(a) Areas enclosed by the normal high water mark of flowing waters and bodies of standing water, except for constructed ponds less than 10 acres in size which are not fed or drained by flowing waters;

(b) Coastal wetlands, together with areas below the normal high water mark extending seaward to the limits of the State's jurisdiction; or

(c) Freshwater wetlands, as follows:

(i) Within 250' of the normal high water mark of a coastal wetland or any body of standing water greater than 10 acres;

(ii) Containing at least 20,000 square feet in total of the following: aquatic vegetation, emergent marsh vegetation, or open water, unless the wetlands are the result of constructed ponds less than 10 acres in size which are not fed or drained by flowing waters;

(iii) That are inundated with floodwater during a 100 year flood event;

(iv) Containing significant wildlife habitat;

(v) Consisting of, or containing, peatlands, except that the Commission may determine that a previously mined peatland, or portion thereof, is not a wetland of special significance;

(vi) Within 25 feet of the normal high water mark of a flowing water; or

(vii) Containing a natural community that is critically imperiled (S1) or imperiled (S2).

(2) **P-WL2:**

(a) Scrub shrub and other nonforested freshwater wetlands, excluding those covered under P-WL1; and
(b) Constructed ponds less than 10 acres in size which are not fed or drained by flowing waters.

(3) **P-WL3:** Forested freshwater wetlands, excluding those covered under P-WL1 and P-WL2.

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:

(1) Identification of freshwater and coastal wetlands 15,000 square feet or larger by the National Wetlands Inventory; and
(2) 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).

c. P-WL subdistricts described in Section 10.23,N,2,a above and identified on the Commission Land Use Guidance Maps may contain inclusions of upland areas or other wetland types smaller than 15,000 square feet that do not conform to the description of P-WL subdistricts in Section 10.23,N,2,a. Such inclusions will be regulated in accordance with the mapped P-WL subdistrict in which they are located.

d. Areas that qualify for inclusion in a P-WL subdistrict pursuant to Section 10.23,N,2,a may remain in an existing development subdistrict or be included in a new development subdistrict. A person engaging in a land use activity requiring a permit within a portion of a development subdistrict that otherwise could be zoned P-WL must comply with all applicable land use standards, including the standards of Section 10.25,P, Protected Natural Resources.

3. Land Uses

a. Uses Allowed Without a Permit

The following uses are allowed without a permit from the Commission within P-WL subdistricts:

(1) Boating, with the exception of the use of personal watercraft on bodies of standing water listed in Appendix D of these rules;
(2) Docking structures: Temporary docking structures, and moorings for non-commercial use;
(3) Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations;
(4) Fish weirs and traps;
(5) Forest management activities, except for timber harvesting[21];
(6) Motorized vehicular traffic on roads and trails, and snowmobiling;

[21] Explanatory note: Timber harvesting is not prohibited in this subdistrict, but instead is regulated by the Maine Forest Service. (See P.L. 2011, ch. 599.) Refer to subsection "e. Uses Regulated by the Maine Forest Service."

(7) Primitive recreational uses, including fishing, hiking, hunting, wildlife study and photography, wild crop harvesting, trapping, horseback riding, tent and shelter camping, canoe portaging, cross country skiing, and snowshoeing;
(8) Sea or ski plane use;
(9) Surveying and other resource analysis; and
(10) Wildlife and fishery management practices.

b. Uses Allowed Without a Permit Subject to Standards

The following uses are allowed without a permit from the Commission within P-WL subdistricts, subject to the applicable requirements set forth in Sub-Chapter III:

(1) Agricultural activities: Agricultural management activities, excluding cranberry cultivation;
(2) Constructed ponds: Creation, alteration or maintenance of constructed ponds of less than 4,300 square feet in size within P-WL2 or P-WL3 subdistricts which are not fed or drained by flowing waters, provided they are constructed and maintained in conformance with the vegetative buffer strip requirements of Section 10.27,C,2,a;
(3) Draining, dredging or otherwise altering less than 4,300 square feet of a P-WL2 or P-WL3 subdistrict;
(4) Driveways associated with residential uses within P-WL2 and P-WL3 subdistricts;
(5) Filling and grading or otherwise altering less than 4,300 square feet of a P-WL2 or P-WL3 subdistrict;
(6) Hand-carry launches: Commercial, private and public hand-carry launches within a P-WL2 or P-WL3 subdistrict or below the normal high water mark of flowing waters or bodies of standing water;
(7) Mineral exploration activities: Mineral exploration to discover or verify the existence of mineral deposits, including the removal of specimens or trace quantities, provided such exploration is accomplished by methods of hand sampling, including panning, hand test boring and digging and other non-mechanized methods which create minimal disturbance and take reasonable measures to restore the disturbed area to its original condition;
(8) Motorized recreational gold prospecting within the normal high water mark of flowing waters;
(9) Road projects: Level A road projects;
(10) Service drops for telephone or electrical service, including associated vegetative clearing, provided:
    (a) the line extension does not cross or run beneath a coastal wetland, or flowing water;
    (b) the placement of wires or installation of utility poles is located entirely upon the premises of the customer requesting service, upon an established utility line easement, upon a roadway right-of-way or, in the case of telephone service, on existing utility poles; and
    (c) the total length of the extension is less than 2,000 feet;
(11) Signs;
(12) Trailered ramps: Public trailered ramps within a P-WL2 or P-WL3 subdistrict or extending below the normal high water mark of flowing waters or bodies of standing water;
(13) Trails, provided that any associated vegetation clearing or filling and grading are in conformance with the standards of 10.27,B,1,c and d,2, and 4 and 10.27,F, and provided the trails are constructed and maintained so as to reasonably avoid sedimentation of water bodies; and

(14) Water crossings of minor flowing waters, except water crossings of minor flowing waters on/for land management roads.

c. Uses Requiring a Permit

Except as provided for in Section 10.23,N,3,b,(3) and (5), the following uses, and related accessory structures, may be allowed within P-WL subdistricts upon issuance of a permit from the Commission according to 12 M.R.S. § 685-B and subject to the applicable requirements set forth in Sub-Chapter III:

(1) Constructed ponds: Creation, alteration or maintenance of constructed ponds which are not fed or drained by flowing waters
  (a) of less than 4,300 square feet in size within a P-WL2 or P-WL3 subdistrict which are not in conformance with the vegetative buffer strip requirements of Section 10.27,C,2,a;
  (b) 4,300 square feet in size or greater within a P-WL2 or P-WL3 subdistrict; and
  (c) within a P-WL1 subdistrict;
(2) Cranberry cultivation;
(3) Docking structures: Temporary docking structures and moorings associated with commercial marinas and recreational lodging facilities, and moorings established for rent or lease on a commercial basis in areas not regulated by a harbor master;
(4) Dredging, other than for riprap associated with water crossings and except as provided for in Section 10.23,N,3,b;
(5) Driveways associated with non-residential uses within P-WL2 and P-WL3 subdistricts; driveways associated with residential uses within P-WL2 and P-WL3 subdistricts which are not in conformance with the standards of Section 10.27,H; driveways within P-WL1 subdistricts;
(6) Filling and grading except as provided for in Section 10.23,N,3,b;
(7) Hand-carry launches addressed in Section 10.23,N,3,b which are not in conformance with the standards of Section 10.27,L;
(8) Motorized recreational gold prospecting which is not in conformance with the standards of section 10.27, G;
(9) Peat extraction affecting an area less than 30 acres in size;
(10) Road projects: Level B road projects, other than crossings of minor flowing waters as provided for in Section 10.23,N,3,b;
(11) Shoreland alterations, including reconstruction of permanent docking structures; but excluding marinas, new or expanded permanent docking structures, water access ways, trailered ramps, hand-carry launches, water crossings of minor flowing waters, and motorized recreational gold prospecting;
(12) Signs which are not in conformance with the standards of Section 10.27,J;
(13) Trailered ramps: Public trailered ramps addressed in Section 10.23,N,3,b which are not in conformance with the standards of Section 10.27,L;
(14) Trails which are not in conformance with the standards of Section 10.27,B,1,c and d,2, and 4 and 10.27,F;
(15) Water crossings of minor flowing waters which are not in conformance with the standards of Section 10.27,D, except water crossings of minor flowing waters on/for land management roads; and water crossings of coastal wetlands, bodies of standing water, and of major flowing waters, except water crossings of coastal wetlands, bodies of standing water, and of major flowing waters on/for land management roads;
(16) Water impoundments;
(17) Wind projects: Community-based offshore wind energy projects, as defined in 12 M.R.S. § 682(19); offshore wind power projects, as defined in 38 M.R.S.A §480-

B(6A); and wind energy development in accordance with 35-A M.R.S., Chapter 34-A in areas identified in Appendix F herein;

(18) Other structures, uses or services that are essential to the uses listed in Section 10.23,N,3,a through c; and

(19) Other structures, uses or services which the Commission determines are consistent with the purposes of this subdistrict and of the Comprehensive Land Use Plan and are not detrimental to the resources or uses which they protect, and are of similar type, scale and intensity as other allowed uses.

d. Special Exceptions

Except as provided for in Section 10.23,N,3,b,(3) and (5), the following uses, and related accessory structures, may be allowed within P-WL subdistricts as special exceptions upon issuance of a permit from the Commission according to 12 M.R.S. § 685-A(10) and subject to the applicable requirements set forth in Sub-Chapter III provided that the applicant shows by substantial evidence that (a) there is no alternative site which is both suitable to the proposed use and reasonably available to the applicant; (b) the use can be buffered from those other uses or resources within the subdistrict with which it is incompatible; and (c) such other conditions are met that the Commission may reasonably impose in accordance with the policies of the Comprehensive Land Use Plan:

(1) Docking structures: New or expanded permanent docking structures;
(2) Draining or altering of the water table or water level for other than mineral extraction;
(3) Hand-carry launches, except as provided for in Sections 10.23,N,3,b and c;
(4) Lobster sheds and fish sheds, as provided for in Section 10.25,T,2,p,(6);
(5) Marinas;
(6) Mineral exploration activities: Level A mineral exploration activities, except as provided for in Section 10.23,N,3,b,(7), and Level B mineral exploration activities;
(7) Road projects: Level C road projects;
(8) Trailered ramps: Trailered ramps except as provided in Section 10.23,N,3,b and c;
(9) Utility facilities, including service drops except as provided for in Section 10.23,N,3,b; and
(10) Water-access ways.

e. Uses Regulated by the Maine Forest Service

Pursuant to Statute, the following uses are not regulated by the Commission within P-WL subdistricts but are regulated by the Maine Forest Service.

(1) Land management roads;
(2) Timber harvesting; and
(3) Water crossings of minor flowing waters, major flowing waters, bodies of standing water and coastal wetlands on/for land management roads.

f. Prohibited Uses

All uses not expressly allowed, with or without a permit or by special exception, shall be prohibited in P-WL subdistricts.

Sub-Chapter III
LAND USE STANDARDS

10.24 GENERAL CRITERIA FOR APPROVAL OF PERMIT APPLICATIONS

In approving applications submitted to it pursuant to 12 M.R.S. § 685-A(10) and §685-B, the Commission may impose such reasonable terms and conditions as the Commission may consider appropriate in order to satisfy the criteria of approval and purpose set forth in these statutes, rules and the Comprehensive Land Use Plan.

Pursuant to 12 M.R.S. Section 685-B,(4) in making a decision on an application for a community-based offshore wind energy project, the commission may not consider whether the project meets the specific criteria designated in 12 M.R.S. Section 1862, Subsection 2, paragraph A, subparagraph (6), divisions (a) to (d). This limitation is not intended to restrict the commission's review of related potential impacts of the project as determined by the commission.

"The commission may not approve an application, unless:

A. Adequate technical and financial provision has been made for complying with the requirements of the State's air and water pollution control and other environmental laws, and those standards and regulations adopted with respect thereto, including without limitation the minimum lot size laws, [12 M.R.S.] Sections 4807 to 4807-G, the site location of development laws, 38 M.R.S. § 481 to §490, and the natural resource protection laws, 38 M.R.S. § 480-A to § 480-Z, and adequate provision has been made for solid waste and sewage disposal, for controlling of offensive odors and for the securing and maintenance of sufficient healthful water supplies;

B. Adequate provision has been made for loading, parking and circulation of land, air and water traffic, in, on and from the site, and for assurance that the proposal will not cause congestion or unsafe conditions with respect to existing or proposed transportation arteries or methods;

C. Adequate provision has been made for fitting the proposal harmoniously into the existing natural environment in order to 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.

In making a determination under this paragraph regarding development to facilitate withdrawal of groundwater, the Commission shall consider the effects of the proposed withdrawal on waters of the State, as defined by Title 38, Section 361-A, subsection 7; water-related natural resources; and existing uses, including, but not limited to, public or private wells, within the anticipated zone of contribution to the withdrawal. In making findings under this paragraph, the Commission shall consider both the direct effects of the proposed withdrawal and its effects in combination with existing water withdrawals.

In making a determination under this paragraph regarding an expedited wind energy development, as defined in Title 35-A, section 3451, subsection 4, or a community-based offshore wind energy project, the commission shall consider the development's or project's effects on scenic character and existing uses related to scenic character in accordance with Title 35-A, section 3452.

In making a determination under this paragraph regarding a wind energy development, as defined in Title 35-A, section 3451, subsection 11, that is not a grid-scale wind energy development, that has a generating capacity of 100 kilowatts or greater and that is proposed for a location within the expedited permitting area, the commission shall consider the development's or projects effects on

scenic character and existing uses related to scenic character in accordance with Title 35-A, section 3452;

D. The proposal will not cause unreasonable soil erosion or reduction in the capacity of the land to absorb and hold water and suitable soils are available for a sewage disposal system if sewage is to be disposed on-site;

E. The proposal is otherwise in conformance with this chapter and the regulations, standards and plans adopted pursuant thereto; and

F. In the case of an application for a structure upon any lot in a subdivision, that the subdivision has received the approval of the commission.

The burden is upon the applicant to demonstrate by substantial evidence that the criteria for approval are satisfied, and that the public's health, safety and general welfare will be adequately protected. Except as otherwise provided in Title 35-A, Section 3454, the commission shall permit the applicant and other parties to provide evidence on the economic benefits of the proposal as well as the impact of the proposal on energy resources." 12 M.R.S. § 685-B(4)

In addition, the applicant must demonstrate "evidence of sufficient right, title or interest in all of the property that is proposed for development or use." 12 M.R.S. § 685-B(2)(D)

10.25 DEVELOPMENT STANDARDS

This section contains review standards for structures and uses that require issuance of a permit from the Commission, or as otherwise required in Sub-Chapter II. Except as herein provided, development not in conformance with the standards of this section are prohibited.

Nothing in this section precludes the Commission from imposing additional reasonable terms and conditions in its permits as the Commission may deem appropriate in order to satisfy the criteria for approval and purposes set forth in the Commission's statutes, rules and the Comprehensive Land Use Plan.

A. REVIEW STANDARDS FOR STRUCTURES ADJACENT TO LAKES

The standards set forth below must be met for all subdivisions and commercial, industrial, and other non-residential structures and uses proposed on land adjacent to lakes. These standards must also be considered in applying the criteria for adoption or amendment of land use district boundaries, as provided in Section 10.08, to proposed changes in subdistrict boundaries adjacent to lakes.

In applying the standards set forth below, the Commission shall consider all relevant information available including the Maine Wildlands Lake Assessment Findings (Appendix C of this chapter), and relevant provisions of the Comprehensive Land Use Plan.

1. **Natural and cultural resource values.** The proposal will not adversely affect natural and cultural resource values identified as significant or outstanding in the Wildland Lakes Assessment (Appendix C of this chapter).

2. **Water quality.** The proposal will not, alone or in conjunction with other development, have an undue adverse impact on water quality;

3. **Traditional uses.** The proposal will not have an undue adverse impact on traditional uses, including without limitation, non-intensive public recreation, sporting camp operations, timber harvesting, and agriculture;

4. **Regional diversity.** The proposal will not substantially alter the diversity of lake-related uses afforded within the region in which the activity is proposed;

5. **Natural character.** Adequate provision has been made to maintain the natural character of shoreland;

6. **Lake management goals.** The proposal is consistent with the management intent of the affected lake's classification; and

7. **Landowner equity.** Where future development on a lake may be limited for water quality or other reasons, proposed development on each landownership does not exceed its proportionate share of total allowable development.

B. REVIEW STANDARDS FOR SUBDISTRICTS IN PROSPECTIVELY ZONED AREAS

These standards apply only in areas that have been prospectively zoned and for all the subdistricts listed. Prospectively zoned areas are identified in Section 10.08 of these rules.

1. Dimensional Standards.

a. Road frontage requirements: See Section 10.26,C.

b. Building setbacks from roads: See Section 10.26,D.

c. Lot coverage requirements: See Section 10.26,E.

d. Structure height: See Section 10.26,F.

2. Buffering Standards. These standards complement the existing standards for clearing contained in Section 10.27,B.

a. All principal and accessory buildings in the D-GN, D-GN2, D-GN3, D-RS, D-RS2, D-RS3, D-ES, and D-CI subdistricts shall be visually screened by a vegetative buffer made up of native trees and shrubs, except as provided in Section 10.25,B,2,c below. Wooded buffers shall be comprised of both under- and overstory material that can be either maintained using existing vegetation or established where no such buffer exists.

b. Minimum widths for the vegetated buffer are as follows:

	Width of Vegetative Buffer (feet)							
	D-GN	D-GN2	D-GN3	D-RS	D-RS2	D-RS3	D-ES	D-CI
Roadway	25	25	25	30	50	50	75	75
Side & rear property lines	15	15	15	15	15	15	15	15
Subdistrict boundary	NA	NA	NA	NA	NA	NA	50	50

Table 10.25,B-1. Width of vegetative buffers.

The Commission may require buffer widths exceeding the minimum width, along with other screening as necessary, in order to ensure that unsightly uses such as junkyards and automobile graveyards are completely screened from view.

c. Exceptions to the buffering requirements are allowed under the following circumstances:

(1) Property line buffer from adjacent development that is of a similar type, use, and intensity where adjacent landowners provide written agreement that a property line buffer is not needed;

(2) Existing development where extensive clearing already exists at the time of adoption of these rules January 1, 2001;

(3) New development where the establishment of buffers would eliminate or interfere with existing scenic views;

(4) In a “Main Street” setting, that is defined as an area where 80% of a street is developed with buildings, where side and rear property line buffers would interfere with pedestrian circulation or access; and

(5) Buffer for a D-ES and D-CI subdistrict boundary where adjacent uses are compatible.

3. Building Layout in the D-GN, D-GN2, D-GN3, D-RS, and D-RS2 Subdistricts.

a. New commercial, institutional, and multi-family residential development shall be substantially similar in building height, bulk, and roof lines to neighboring development.

b. New commercial, institutional, and multi-family residential development shall be configured to facilitate pedestrian access between adjacent sites and any nearby residential neighborhoods.

c. The street side of commercial structures that are visible from a public road shall contain the principal windows of the structure. The structure shall be designed such that windowless walls do not face a street or road.

d. Where new development is adjacent to existing development in a "Main Street" setting where at least 80% of a street is comprised of buildings other than parking lots, buildings must be configured so that 80% of the street frontage to be developed remains devoted to buildings, and both automobile and pedestrian access are facilitated.

C. TECHNICAL AND FINANCIAL CAPACITY

The standards set forth below must be met for all subdivisions and commercial, industrial, and other non-residential development.

1. The applicant shall retain qualified consultants, contractors and staff to design and construct proposed improvements, structures, and facilities in accordance with approved plans. In determining the applicant's technical ability, the Commission shall consider the size and scope of the proposed development, the applicant's previous experience, the experience and training of the applicant's consultants and contractors, and the existence of violations or previous approvals granted to the applicant.

2. The applicant shall have adequate financial resources to construct the proposed improvements, structures, and facilities and meet the criteria of all state and federal laws and the standards of these rules. In determining the applicant's financial capacity, the Commission shall consider the cost of the proposed subdivision or development, the amount and strength of commitment by the financing entity, and, when appropriate, evidence of sufficient resources available directly from the applicant to finance the subdivision or development.

D. VEHICULAR CIRCULATION, ACCESS, AND PARKING

1. General Circulation. Provision shall be made for vehicular access to and within the project premises in such a manner as to avoid traffic congestion and safeguard against hazards to traffic and pedestrians along existing roadways and within the project area. Development shall be located and designed so that the roadways and intersections in the vicinity of the development will be able to safely and efficiently handle the traffic attributable to the development in its fully operational stage.

2. Access Management. Access onto any roadway shall comply with all applicable Maine Department of Transportation safety standards. For subdivisions and commercial, industrial and other non-residential development, the following standards also apply:

a. The number and width of entrances and exits onto any roadway shall be limited to that necessary for safe entering and exiting.

b. Access shall be designed such that vehicles may exit the premises without backing onto any public roadway or shoulder.

c. Shared road access shall be implemented wherever practicable.

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.

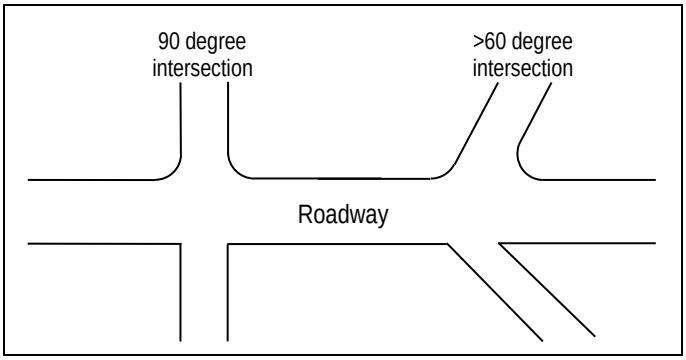

Figure 10.25,D-1. Intersection angle.

e. The Commission may require a traffic impact study of roadways and intersections in the vicinity of the proposed project site if the proposed development has the potential of generating significant amounts of traffic or if traffic safety or capacity deficiencies exist in the vicinity of the project site.

3. Parking Layout and Design. The following standards apply to all subdivisions and commercial, industrial and other non-residential development, except for parking areas associated with trailered ramps and hand-carry launches which are regulated under the provisions of Section 10.27,L:

a. Sufficient parking shall be provided to meet the parking needs of the development. The minimum number of parking spaces required shall be based on parking generation rates determined in accordance with standard engineering practices. In cases where it is demonstrated that a particular structure can be occupied or use carried out with fewer spaces than required, the Commission may reduce number of required spaces upon finding that the proposed number of spaces will meet the parking needs of the structure or use and will not cause congestion or safety problems.

b. Parking areas and access roads shall be designed such that runoff water is discharged to a vegetated buffer as sheet flow or alternatively collected and allowed to discharge to a concentrated flow channel, wetland or water body at a rate similar to pre-construction conditions. If runoff water is discharged to a concentrated flow channel, wetland or water body, a sediment basin shall be constructed to collect sediment before the runoff water is discharged.

c. **On-street parking.** In areas where on-street parking already exists, new development shall have on-street parking where practicable and if there are sufficient spaces available in the immediate vicinity. Otherwise, parallel or diagonal on-street parking is permitted where the Commission finds that it will adequately meet the parking needs of the development and will not cause congestion or safety problems. Perpendicular on-street parking is prohibited.

d. **Off-street Parking for Commercial, Industrial and Other Non-residential Development.**

(1) Where practicable, off-street parking shall be located to the side or rear of the principal structure.

(2) Notwithstanding the dimensional requirements of Section 10.26, the Commission may reduce the minimum road setback requirement by up to 50 percent or to no less than 20 feet, whichever is greater, for development utilizing on-street parking in accordance with Section 10.25,D,3,c or for development whose parking area is located to the rear of the principal structure, except where the Commission finds that such parking will cause an undue adverse impact to the natural resources or community character of the area.

(3) Off-street parking shall not be directly accessible from any public roadway. Ingress and egress to parking areas shall be limited to driveway entrances.

(4) Off-street parking areas with more than two parking spaces shall be arranged so that each space can be used without moving another vehicle.

e. Parking spaces shall not be placed in the required roadway vegetative buffer. However, a "sight triangle" shall be maintained 25 feet in length on each side of the intersection of the driveway and the roadway right-of-way, with the third side connecting the other two sides. Within each sight triangle, no landscape plants, other than low growing shrubs, shall be planted. These shrubs must be maintained to be no more than 30 inches in height above the driveway elevation.

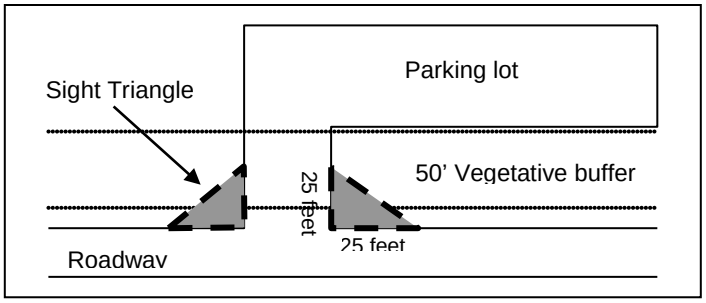

Figure 10.25,D-2. Sight triangle within a vegetative buffer.

f. Except for sight triangles, parking areas for commercial, industrial or other non-residential development shall be visually buffered from the roadway by planting and maintaining a

vegetative buffer of trees and shrubs or by locating parking areas to the rear of the principal structure.

g. When parking areas associated with commercial, industrial or other non-residential development are adjacent to residential structures or uses, landscaping and/or architectural screens shall be used to provide an effective visual buffer and separation between property lines and the edge of the parking area.

h. For parking areas associated with commercial, industrial or other non-residential development that are greater than one acre in size, a landscaping plan shall be developed and implemented that indicates planting locations, type and maintenance. The plan shall include the following:

(1) Parking areas shall have landscaped strips along the perimeter, as well as landscaped islands within the parking area.

(2) Expanses of parking area shall be broken up with landscaped islands that include shade trees and shrubs. Where possible, the area of ground left uncovered around the base of a tree must be at least equal to the diameter of the branch area or crown at maturity. Where not possible, adequate measures, including but not limited to soil enhancement techniques and underground irrigation, shall be used to ensure sufficient space for root growth and vegetative survival.

4. Subdivision and Development Roadway Design Specifications. The following standards apply to Level B and Level C road projects:

a. Classification of Roadways. The Commission shall determine which roadway classification is most appropriate for a particular project. For the purposes of Section 10.25,D,4, the following general criteria shall apply:

(1) Class 1 Roadway. Generally appropriate for most projects surrounded by a relatively compact development pattern, for high-intensity commercial or industrial projects, and for residential subdivisions with 15 or more lots.

(2) Class 2 Roadway. Generally appropriate for low-intensity commercial or industrial projects surrounded by a relatively sparse development pattern and for residential subdivisions with fewer than 15 lots surrounded by a relatively sparse development pattern.

(3) Class 3 Roadway. Generally appropriate for low-intensity, small-scale commercial projects surrounded by a relatively sparse development pattern or located on an island.

b. Determination of Classification. In making its determination on the appropriate roadway classification, the Commission shall consider the following factors:

(1) The number of lots served by the roadway or projected level of use;

(2) The nature of roadways accessing the project site;

(3) Location in relation to surrounding patterns of development;

(4) The level of development within the vicinity of the project;

(5) Natural and imposed limits on future development;

(6) The type and intensity of the proposed use; and

(7) Service by utilities or likelihood of service in the future.

c. Roadway Design.

(1) To the fullest extent practicable, roadways must be designed to first fit the natural topography of the land such that cuts and fills are minimized, and then to minimize the overall length, minimize the use of ditching, and protect scenic vistas while preserving the scenic qualities of surrounding lands.

(2) Roadways in towns and plantations within the Commission's service area that are proposed to be dedicated to the town or plantation shall also comply with the town's or plantation's roadway construction and design standards. The applicant shall clearly specify the ownership of all roadways proposed to be dedicated and shall submit a maintenance plan that includes roadway construction and design standards in accordance with the Commission's standards.

(3) Roadways shall adhere to the applicable standards of Section 10.27,D and Section 10.27,H and the roadway specifications outlined in Table 10.25,D-1, below, unless the applicant utilizes site-specific best management practices and the Commission determines that proposed alternative roadway specifications will meet the needs of the development and will not cause erosion or safety problems.

Maximum sustained grade for Class 1 roadways may be increased by up to five percent over that specified in Table 10.25,D-1 below, if no other option is practicable, provided that the roadway portion exceeding the maximum sustained grade standard is no longer than 300 feet in length and is greater than 150 feet from the next down-hill road intersection, and the Commission determines that the proposed alternative grade will not cause unreasonable drainage, erosion or public safety impacts.

	Class 1 Roadway	**Class 2 Roadway**	**Class 3 Roadway**
Minimum roadway surface width	18 ft. or 14 ft. with turnouts every 500 feet, on average.	14 ft. or 8 ft. with turnouts every 500 feet, on average.	8 ft.
Minimum base (coarse gravel)	18 in.	12 in.	As needed.
Minimum wearing surface	3 in. fine gravel or 2.5 in. bituminous concrete.	3 in. fine gravel or 2.5 in. bituminous concrete.	2 in. fine gravel.
Maximum sustained grade	10 percent	15 percent	15 percent

Table 10.25,D-1. Roadway construction specifications.

(4) Roadways that will be co-utilized for forest management purposes shall include turnouts that are large enough to accommodate wood haulers and other large vehicles.

d. Additional Subdivision Road Standards.

(1) Emergency Egress. All subdivisions that include a new interior road exceeding one-quarter mile in length must include provisions for all lot owners to have at least two ways of emergency egress from the development. Emergency egress may include: (i) egress by water for subdivisions on water bodies, provided there is a legally enforceable right of egress off the water body such as a public boat ramp or dock, and (ii) may include existing motorized trails maintained for public access, provided all lot owners have a legally enforceable right to access the trail.

(2) New Entrances. Subdivision access must be limited to no more than two new entrances onto an existing roadway within any one-half mile section of the existing road. Also, where practicable for the proposed development site, subdivision roads must be designed such that new entrances onto existing roads are located directly across from existing entrances on the roadway, allowing for safe cross movement of traffic at the intersection.

(3) Future Connectivity.

(a) Whenever there is remaining land on a parcel proposed for subdivision that is not included in the subdivision layout and design, the subdivision design must include provisions for future access to the remaining land to accommodate and minimize conflicts between proposed and future uses such as timber harvests, further lot development, or recreation.

(b) Right-of-way widths for internal subdivision roads must include sufficient room for future expansion unless demonstrated that future expansion is not technically feasible. Rights-of-ways must be at least 50 feet in width.

(4) Road and Infrastructure Maintenance.

(a) Subdivision designs must include a plan for long-term maintenance of the subdivision access roads and common infrastructure, including but not limited to maintenance of drainage structures, water crossings, and road grading or resurfacing. The plan must include a list of inspection and maintenance tasks, recommended task frequency, and a responsible party.

(b) If an association is proposed for maintenance of roads and common infrastructure, documents necessary for establishing the association must be created. The documents must require lot owner or lessee membership, lot owner or lot lessee rights and privileges, association responsibilities and authority, operating procedures, proper capitalization to cover operating costs, and the subdivision developer's responsibilities until development sufficient to support the association has taken place. Responsibilities of the association must include the maintenance of common property, infrastructure, or facilities; assessing annual charges to all owners or lessees to cover expenses; and the power to place liens on property of members who fail to pay assessments. The following governmental entities are not required to be members of road associations: the State; executive branch agencies of the State; counties; municipalities, townships, or plantations; or the federal government. Those governmental entities, however, should work with associations to create an agreement through which, subject to allocation by the Maine Legislature or applicable budgetary authority, the governmental entity would contribute a fair

percentage of the minimum maintenance and repair costs through financial contributions or in-kind services.

E. NATURAL CHARACTER AND CULTURAL RESOURCES

1. Scenic Character.

a. The design of proposed development shall take into account the scenic character of the surrounding area. Structures shall be located, designed and landscaped to reasonably minimize their visual impact on the surrounding area, particularly when viewed from existing roadways, with attention to designated scenic byways; major water bodies; coastal wetlands; permanent trails; or public property.

b. To the extent practicable, proposed structures and other visually intrusive development shall be placed in locations least likely to block or interrupt scenic views as seen from existing roadways, with attention to designated scenic byways, major water bodies, coastal wetlands, permanent trails, or public property.

2. Hillside Resources. The standards for hillside resources must be met for all subdivision, residential, commercial, industrial, and other non-residential development, if any portion of the project area is located on a hillside, except as provided in Section 10.25,E,2,a below.

a. Exceptions. The hillside resources standards in Sections 10.25,E,2,c through f do not apply to:

(1) Features of structures within non-residential developments that contain no floor area such as chimneys, towers, ventilators, and spires; or to freestanding towers and turbines; or

(2) A development or portions of a development that will not be visible from existing roadways, major water bodies, coastal wetlands, permanent trails, or public property located within three miles of the project boundary. Where views of the development are blocked by natural conditions or features such as existing vegetation, to qualify for this exception, the applicant shall demonstrate that these obstructing features or conditions will not be materially altered in the future by any uses allowed with or without a permit. In cases where the Commission determines the development will be visually intrusive or where there is a particularly sensitive resource more than three miles away, the Commission may increase the distance for determining applicability of the hillside standards.

b. Stormwater Management. The proposal must include plans for the construction and maintenance of stormwater best management practices designed to slow down and spread runoff from developed areas and ensure that increased runoff does not cause downgradient soil erosion.

c. Ridgeline Protection. The development must be designed to ensure buildings, structures, and other improvements will not extend above the existing ridgeline or otherwise alter the ridge profile significantly when viewed from existing roadways, major water bodies, coastal wetlands, permanent trails, or public property.

d. Vegetative Clearing. The proposal must include a vegetation management plan that establishes and provides for long-term maintenance of clearing limits that will minimize potential impacts to views from existing roadways, major water bodies, coastal wetlands, permanent trails, and public property. The vegetation management plan must ensure:

(1) There will be a sufficient area of clearing allowed around buildings to maintain the minimum extent needed for defensible space for fire safety, generally 30 feet in width;

(2) There will be sufficient vegetation maintained on steep slopes to protect long-term slope stability;

(3) Existing forest cover will be maintained to interrupt the view of the façade of buildings, provide a forested backdrop to buildings, and reduce or eliminate the visual impact of new development;

(4) Clearing for views will be limited, with narrow view openings between trees and beneath tree canopies being a desirable alternative to clearing large openings adjacent to building facades; and

(5) If cleared openings are allowed outside the building envelope, such as clearing for views, the plan shall include a quantifiable standard for limiting that clearing. For example, an applicant may propose that any trees removed for views will not exceed a 25-foot width of clearcutting and extend, outward at an angle of 45 degrees or less on both sides, beyond a point down-slope where the tops of the trees are at the same elevation as the lowest adjacent grade for the principal building. The 25-foot opening may be located at any point along the down-slope boundary of the building envelope.

(6) The Commission may require additional vegetative clearing limitations or standards in cases where the proposed development could be visible from a scenic resource that has a unique or special value relative to other scenic resources in the area.

e. Structural Development. The development must provide for building designs that will complement the site and topography (e.g., avoiding long unbroken roof lines; orienting buildings such that the greatest horizontal dimension of the structure is parallel with, and not perpendicular to, the natural contour of the land; stepping the building down the slope rather than creating building pads that require extensive excavation and filling, and sloping roofs in the direction and general angle of the natural slope on the project site).

f. Construction Materials. The development must be designed to ensure that:

(1) The exterior colors of structures, including but not limited to siding, roofing, retaining structures, foundations, trim, gutters, vents and chimneys, will be a muted tone naturally found at the specific site or in the surrounding landscape.

(2) Structures use only low or non-reflective exterior building materials, including but not limited to windows, roofing, gutters, vents, and chimneys. If a highly reflective material, such as aluminum or other smooth metal, is used for an essential component of the structure because no other material is reasonably available for that component, reduced reflectivity must be incorporated and maintained to the greatest extent practicable by, for example, painting the component with a muted color naturally found at the site, boxing in the component with non-reflective material, or using a textured or pre-weathered version of the component.

g. Linear Infrastructure. Roads, driveways, utility corridors, and other similar linear infrastructure must be located and constructed so as to minimize the visibility of corridor openings to the extent practicable (by, for example, following topographic contours and retaining existing vegetation).

h. Lighting. All lighting for the development must comply with the standards of Section 10.25,F.

3. Historic Resources. If any portion of a subdivision or commercial, industrial or other non-residential project site includes an archaeologically sensitive area or a structure listed in the National Register of Historic Places, or is considered by the Maine Historic Preservation Commission or other pertinent authority as likely to contain a significant archaeological site or structure, the applicant shall conduct archaeological surveys or submit information on the structure, as requested by the appropriate authority. If a significant archaeological site or structure is located in the project area, the applicant shall demonstrate that there will be no undue adverse impact to the archaeological site or structure, either by project design, physical or legal protection, or by appropriate archaeological excavation or mitigation.

F. NOISE AND LIGHTING

1. Noise.

a. The maximum permissible sound pressure level of any continuous, regular or frequent source of sound produced by any commercial, industrial and other non-residential development shall be as established by the time period and type of land use subdistrict listed below. Sound pressure levels shall be measured at all property boundary lines, at a height of at least 4 feet above the ground surface. The levels specified below may be exceeded by 10 dB(A) for a single period, no longer than 15 minutes per day.

Subdistrict (Category)	7:00 AM to 7:00 PM	7:00 PM to 7:00 AM
D-CI, D-MT, D-RB (*Category 3*), and D-ES	70 dB(A)	65 dB(A)
D-GN, D-GN2, D-RB (*Categories* 1 & 2), D-RF, and D-RD	65 dB(A)	55 dB(A)
D-PD, D-PR	As determined by the Commission.	
All Other Subdistricts	55 dB(A)	45 dB(A)

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

b. The following activities are exempt from the requirements of Section 10.25,F,1,a:

(1) Sounds emanating from construction-related activities conducted between 7:00 A.M. and 7:00 P.M.;

(2) Sounds emanating from safety signals, warning devices, emergency pressure relief valves, and other emergency activities; and

(3) Sounds emanating from traffic on roadways or other transportation facilities:

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

2. Lighting standards for exterior light levels, glare reduction, and energy conservation.

a. All residential, commercial and industrial building exterior lighting fixtures will be full cut-off, except for incandescent lights of less than 160 watts, or any other light less than 60 watts. Full cut-off fixtures are those that project no more than 2.5% of light above the horizontal plane of the luminary's lowest part. Figure 10.25,F-1 illustrates a cut-off fixture as defined by the Illuminating Engineering Society of North America (IESNA).

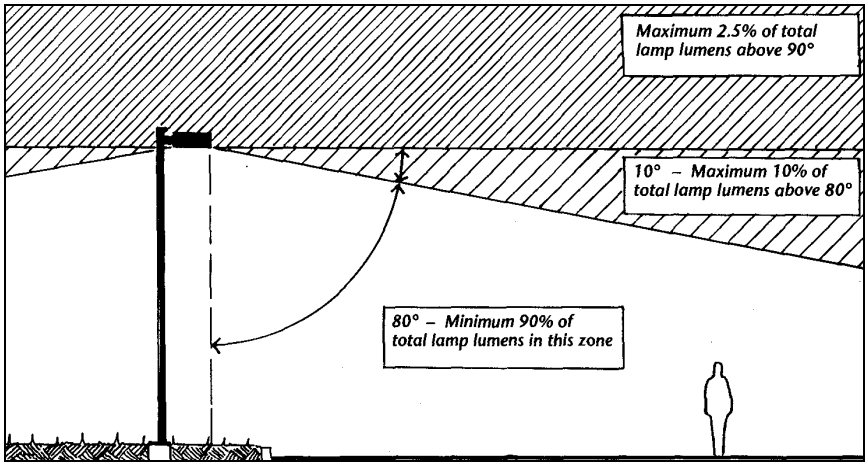

Figure 10.25,F-1. Cut-off fixture as defined by IESNA.

Light fixtures mounted on gasoline station or convenience store canopies shall be recessed so that fixtures are flush with the canopy. Alternatively, canopies may be indirectly lit using light beamed upward and then reflected down from the underside of the canopy. In this case light fixtures must be shielded so that direct illumination is focused exclusively on the underside of the canopy.

b. All exterior lighting shall be designed, located, installed and directed in such a manner as to illuminate only the target area, to the extent practicable. No activity shall produce a strong, dazzling light or reflection of that light beyond lot lines onto neighboring properties, onto any water bodies with a significant or outstanding scenic resource rating, or onto any roadway so as to impair the vision of the driver of any vehicle upon that roadway or to create nuisance conditions.

c. For commercial, industrial and other non-residential development, all non-essential lighting shall be turned off after business hours, leaving only the minimal necessary lighting for site security. The term “non-essential” applies, without limitation, to display, aesthetic and parking lighting.

d. In addition to the lighting standards in Section 10.25,F,2, lighted signs shall also comply with the standards in Section 10.27,J.

e. The following activities are exempt from the lighting standards of Section 10.25,F,2,a through d:

(1) Roadway and airport lighting, and lighting required by the Federal Aviation Administration for air traffic safety;

(2) Temporary fair, event, or civic uses;

(3) Emergency lighting, provided it is temporary and is discontinued upon termination of the work;

(4) Lighting that is activated by motion-sensors; and

(5) Lighting that was in place on April 1, 2004.

3. Lighting standards for non-residential greenhouses.

a. Greenhouse lighting must be fully shielded between sunset and sunrise and must not illuminate exterior areas or otherwise make the greenhouse appear to glow.

G. SOIL SUITABILITY

The standards set forth below must be met for all subdivisions and commercial, industrial and other non-residential development.

1. Soil types are determined by a site-specific soil survey, according to the "Guidelines for Maine Certified Soil Scientists for Soil Identification and Mapping" Maine Association of Professional Soil Scientists, 2009. The soil survey class must be determined as follows, unless the Commission finds that a lower intensity soil survey will provide the information necessary or a higher intensity soil survey class is needed for the Commission's review:

a. For all subdivisions, a Class B high intensity soil survey must be used to identify soils within the proposed building envelopes and other disturbed areas, aside from proposed access roads, driveway locations, and utility lines. The Class B survey for this purpose must be completed with a minimum delineation of one acre for similar soils and one-quarter acre for dissimilar soils. For proposed access roads, driveway locations and utility lines, a Class L soil survey must be used. A Class C soil survey may be used to identify soils elsewhere within the project area.

b. For new commercial, industrial and other non-residential development, a Class A high intensity soil survey shall be used to identify soils within any proposed disturbed area. A Class C soil survey may be used to identify soils elsewhere within the project area.

c. For linear projects or project components that involve soil disturbance, such as road construction, fairway construction or trail construction and that have little or no adjacent development, a Class L soil survey shall be used.

d. **Hydric Soils and Soils Potential Ratings.** Hydric soil map units, and map units with a low or very low development potential rating for low density development must be clearly identified on the soil survey map as being hydric soils or as having a low or very low development potential rating, respectively.

e. **Exceptions.** The Commission may:

(1) Allow the use of U.S.D.A. Natural Resources Conservation Service (NRCS) Soil Survey published mapping in lieu of any Class C soil survey required in Sections 10.25,G,1,a through c when the published mapping indicates the map unit(s) in the project area is rated with a medium or high potential for low density development.

(2) Allow the use of NRCS Soil Survey published mapping in lieu of any Class C soil survey required in Sections 10.25,G,1,a through c for areas within a development that will be preserved as undeveloped open space in accordance with Section 10.25,S.

(3) In lieu of a site-specific soil survey of any proposed disturbed area within a development, the Commission may allow use of a geotechnical investigation prepared for that area by a registered professional engineer and other licensed professionals, as appropriate, if the Commission determines that the geotechnical report will provide sufficient information.

(4) The Commission may waive one or more of the provisions of a Class A or B high intensity soil survey, including but not limited to the contour mapping requirement, where such provision is considered by the Commission unnecessary for its review.

2. Determination of soil suitability shall be based on the NRCS soils potential ratings for low density development. Soils with a low or very low development potential rating shall not be developed unless the Commission determines that adequate corrective measures will be used to overcome those limitations that resulted in a low or very low rating.

3. For all developments that include onsite subsurface wastewater disposal, a sufficient number of test pits must be provided within the footprints of all proposed wastewater disposal fields to adequately document that disposal fields can be installed entirely on soils and slopes in compliance with the Subsurface Wastewater Disposal Rules (10-144A CMR 241).

a. At least one test pit shall be dug within the boundaries of each subdivision lot proposed to be served by a combined septic system. The applicant shall provide additional subsurface exploration data for certain soil conditions or disposal field designs, in accordance with the following requirements:

(1) Soil conditions AII and AIII (bedrock depth nine inches to 24 inches). A minimum of five subsurface explorations: one test pit is to be centrally-located within each disposal field footprint, plus a subsurface exploration at each disposal field corner which may consist of either a test pit, boring, or probe.

(2) Soil with profile 8- or 9-parent material (lacustrine/marine deposits). A minimum of two test pits, one of which shall be in the area of the disposal field footprint where the most limiting condition is expected based on the best professional judgement of the Licensed Site Evaluator.

(3) Soil condition D (limiting factor depth less than 15 inches). A minimum of two test pits, one of which shall be in the area of the disposal field footprint where the most limiting condition is expected based on the best professional judgement of the Licensed Site Evaluator.

(4) Disposal field length of 60 feet or longer. A minimum of two test pits, one of which shall be in the area of the disposal field footprint where the most limiting condition is expected based on the best professional judgement of the Licensed Site Evaluator.

b. For lots to be served by primitive and limited disposal systems, evidence must be submitted to show there are suitable locations on the lot for a grey water disposal field, any proposed pit privy (outhouse), and a backup system reserve area as required by and in compliance with the Subsurface Wastewater Disposal Rules (10-144A CMR 241,4,I). At least one test pit shall be dug within the boundaries of each proposed disposal area and the backup system reserve area on the lot.

c. The location of such test pits shall be shown on the subdivision plat.

H. SOLID WASTE DISPOSAL

The standards set forth below must be met for all subdivisions and commercial, industrial and other non-residential development.

1. Provision shall be made for the regular collection and disposal of site-generated solid wastes at a state-approved landfill or transfer station.

2. Provision shall be made for the legal disposal of all construction debris, stumps, brush, wood wastes, asphalt and pavement products.

I. WASTEWATER DISPOSAL

1. No permit will be issued for a project with subsurface wastewater disposal unless an acceptable plan to construct the absorption area is prepared. Where wastewater is to be disposed on-site by a subsurface wastewater system, the system must be designed by a licensed site evaluator or a Maine Licensed Professional Engineer, in accordance with the Subsurface Wastewater Disposal Rules, or must be licensed by the Maine Department of Environmental Protection pursuant to 38 M.R.S. § 413(1-B)(A).

2. The Commission will not require a permit for conversion from primitive to combined sewage disposal systems provided a subsurface wastewater disposal permit is obtained from the local plumbing inspector or the Maine Department of Health and Human Services, Division of Health Engineering, and provided there are no limitations on combined sewage disposal systems established by prior permit conditions. Otherwise, a permit from the Commission is required.

3. Where wastewater is to be collected and treated off-site by a municipal or quasi-municipal sewage treatment facility, the applicant must demonstrate that there is adequate capacity in the collection and treatment systems to ensure satisfactory treatment, the facility is fully licensed by the Maine Department of Environmental Protection, and the facility agrees to accept these wastes.

4. When private central or clustered wastewater disposal systems are proposed, adequate provision must be made for ongoing maintenance and repair of the system and for reserving an area adequate for a future replacement system, in accordance with the Maine Subsurface Wastewater Disposal Rules.

J. WATER SUPPLY

1. Individual wells shall be sited and constructed to prevent infiltration of surface water and contamination from subsurface waste water disposal systems and other known sources of potential contamination.

2. Site design shall allow for placement of wells, subsurface waste water disposal areas, and reserve sites for subsurface waste water disposal in compliance with the Maine Subsurface Waste Water Disposal Rules.

3. Proposed activities involving sources of potential contamination, including junkyards, automobile graveyards, gas stations, and bulk storage of petroleum products, must be located at least 300 feet from existing private and public water supplies.

4. For subdivisions and commercial, industrial and other non-residential development, the applicant shall demonstrate that there is sufficient healthful water supply to serve the needs of the project.

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 "Rules Relating to Drinking Water", Maine Department of Health and Human Services, Chapter 231.

K. SURFACE WATER QUALITY

1. A development, or reasonably foreseeable consequences of a development, shall not directly discharge any water pollutants to a surface water body which cause the surface water body to fail to meet its state classification (38 M.R.S. § 464 et seq.); which impart toxicity and cause a surface water body to be unsuitable for the existing and designated uses of the water body; or which otherwise would result in a violation of state or federal water quality laws.

2. Appropriate best management practices of point and nonpoint sources of water pollutants shall be utilized, unless the Commission determines that alternative specifications will meet the needs of the activity and will cause no undue adverse impact to the surface water quality of the affected surface water body.

L. PHOSPHORUS CONTROL

1. The standards set forth below must be met for:

a. Subdivisions located within the direct watershed of a body of standing water 10 acres or greater in size; and

b. Commercial, industrial or other non-residential development that creates a disturbed area of one acre or more within the direct watershed of a body of standing water 10 acres or greater in size.

2. General Standards.

a. Provision shall be made to limit the export of phosphorus from the site following completion of the development or subdivision so that the project will not exceed the allowable per-acre phosphorus allocation for the water body, determined by the Commission according to the "Maine Stormwater Best Practices Manual, Volume II, Phosphorus Control in Lake Watersheds: A Technical Guide to Evaluating New Development" Maine Department of Environmental Protection, 2008, and hereafter cited as the Phosphorus Design Manual.

b. **Impact Analysis.** The phosphorus impact analysis and control plan for a proposed subdivision or development on a water body shall be prepared using the procedures set forth in the Phosphorus Design Manual, including all worksheets, engineering calculations, and construction specifications and diagrams for control measures as may be required by the manual, except as allowed in Section 10.25,L,2,d, below.

c. **Erosion Control.** All filling, grading, excavation or other similar activities that result in unstabilized soil conditions must meet the standards of Section 10.25,M.

d. **Alternative Standard Option.** In lieu of meeting the general standard in Section 10.25,L,2,a, and conducting a phosphorus impact analysis according to Section 10.25,L,2,b, an applicant with a project that includes less than three acres of impervious area and less than five acres of developed area in a watershed of a body of standing water that is not severely blooming (as identified in 06-096 CMR 502, Appendix A), may choose to limit the export of phosphorus from the site by meeting the alternative buffer standard in Section 10.25,L,3. For the purposes of Section 10.25,L,2,d, developed area means all disturbed area, including, in the case of a subdivision, all proposed building envelopes, but excluding area that within one calendar year of being disturbed is returned to a condition with the same drainage pattern that existed prior to the disturbance and is revegetated, provided the revegetated area is not mowed more than once per year.

3. Alternative Buffer Standard.

a. To meet the alternative standard, a project must include treatment measures that will provide for effective treatment of phosphorus in stormwater. This must be achieved by using vegetated buffers to control runoff from no less than 95 percent of the impervious area and no less than 80 percent of the developed area that is impervious, landscaped or otherwise disturbed, except as provided in Section 10.25,L,3,d below.

b. **Vegetated Buffers.** Vegetated buffers for phosphorus control are undisturbed strips of dense vegetation located adjacent to and down gradient of developed areas, and that provide storage and treatment for stormwater that enters them in diffuse overland flow. Five types of

vegetated buffers are allowed under the alternative standard as listed in Section 10.25,L,3,b,(1) through (5) below. All vegetated buffers must be appropriately used, located, designed, sized, constructed, and maintained as specified in the "Maine Stormwater Best Practices Manual, Volume III. BMP Technical Design Manual, Chapter 5. Vegetated Buffers" Maine Department of Environmental Protection, June 2010, and hereafter cited as the Technical Design Manual. Where the Technical Design Manual allows for a variation in the design specification with approval from the Department of Environmental Protection, approval from the Land Use Planning Commission is required for projects located in the unorganized and deorganized areas of Maine.

(1) Buffers adjacent to residential, largely pervious or small impervious areas;

(2) Buffers with stone bermed level lip spreaders;

(3) Buffers adjacent to the downhill side of a road;

(4) Ditch turn-out buffers; and

(5) Buffers down gradient of a single family residential lot.

c. Deed Restrictions and Covenants. Areas designated as vegetated buffers, not otherwise protected as open space in accordance with Section 10.25,S, must be clearly identified on the subdivision plat and plans, and protected from alteration by deed restrictions and covenants.

d. Exception for Linear Portions of a Project. For a linear portion(s) of a project, runoff control may be reduced to no less than 75 percent of the impervious area and no less than 50 percent of the developed area that is impervious, landscaped or otherwise disturbed.

4. Design and Maintenance Standards.

a. Phosphorus control measures and their maintenance shall meet the design criteria contained in the "Maine Stormwater Best Practices Manual, Volume III. BMP Technical Design Manual, Chapter 11. Designing for Operation and Maintenance" Maine Department of Environmental Protection, 2008, and hereafter cited as the Technical Design Manual.

b. Structural Measures. High maintenance structural measures, such as wet ponds and runoff infiltration systems, shall not be used as part of any proposed phosphorus control plan unless:

(1) Other measures, such as increasing the width of vegetated buffers, greater limits on clearing, reducing road lengths, and clustering of lots to achieve less disturbed area are clearly demonstrated to be insufficient to allow the proposed development to meet the standards of Section 10.25,L; and

(2) The Commission finds that the applicant has the technical and financial capabilities to properly design, construct, and provide for the long-term inspection and maintenance of the facility in accordance with the procedures in the Technical Design Manual.

M. EROSION AND SEDIMENTATION CONTROL

The standards set forth below must be met for all development that involves filling, grading, excavation or other similar activities which result in unstabilized soil conditions.

1. General Standards.

a. Soil disturbance shall be kept to a practicable minimum. Development shall be accomplished in such a manner that the smallest area of soil is exposed for the shortest amount of time possible. Operations that result in soil disturbance shall be avoided or minimized in sensitive areas such as slopes exceeding 15% and areas that drain directly into water bodies, drainage systems, water crossings, or wetlands. If soil disturbance is unavoidable, it shall occur only if best management practices or other soil stabilization practices equally effective in overcoming the limitations of the site are implemented.

b. Whenever sedimentation is caused by stripping of vegetation, regrading, or other construction-related activities, sediment shall be removed from runoff water before it leaves the site so that sediment does not enter water bodies, drainage systems, water crossings, wetlands, or adjacent properties.

c. Soil disturbance shall be avoided or minimized when the ground is frozen or saturated. If soil disturbance during such times is unavoidable, additional measures shall be implemented to effectively stabilize disturbed areas, in accordance with an approved erosion and sedimentation control plan.

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”. Maine Department of Environmental Protection (2015) or other equally effective practices. Areas of disturbed soil shall be stabilized according to the “Guidelines for Vegetative Stabilization” (Appendix B of this chapter) or by alternative measures that are equally effective in stabilizing disturbed areas.

b. Clearing and construction activities, except those necessary to establish sedimentation control devices, shall not begin until all sedimentation control devices have been installed and stabilized.

c. Existing catch basins and culverts on or adjacent to the site shall be protected from sediment by the use of hay bale check dams, silt fences or other effective sedimentation control measures.

d. If streams will be crossed, special measures shall be undertaken to protect the stream, as set forth in Section 10.27,D.

e. Topsoil shall not be removed from the site except for that necessary for the construction of roads, parking areas, building excavations and other construction-related activities. Topsoil shall be stockpiled at least 100 feet from any water body.

f. Effective, temporary stabilization of all disturbed and stockpiled soil shall be completed at the end of each workday.

g. Permanent soil stabilization shall be completed within one week of inactivity or completion of construction.

h. All temporary sedimentation and erosion control measures shall be removed after construction activity has ceased and a cover of healthy vegetation has established itself or other appropriate permanent control measures have been implemented.

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.

b. A Commission approved erosion and sedimentation control plan in conformance with these standards shall be implemented throughout the course of the project, including site preparation, construction, cleanup, and final site stabilization. The erosion and sedimentation control plan shall include the following:

(1) For activities that create a disturbed area of less than one acre:

(a) A drawing illustrating general land cover, general slope and other important natural features such as drainage ditches and water bodies.

(b) A sequence of construction of the development site, including clearing, grading, construction, and landscaping.

(c) A general description of all temporary and permanent control measures.

(d) Provisions for the continued maintenance of all control devices or measures.

(2) For activities that create a disturbed area of one acre or more:

(a) A site plan identifying vegetation type and location, slopes, and other natural features such as streams, gullies, berms, and drainage ditches. Depending on the type of disturbance and the size and location of the disturbed area, the Commission may require a high intensity soil survey covering all or portions of the disturbed area.

(b) A sequence of construction of the development site, including stripping and clearing; rough grading; construction of utilities, infrastructure, and buildings; and final grading and landscaping. Sequencing shall identify the expected date on which clearing will begin, the estimated duration of exposure of cleared areas, areas of clearing, installation of temporary erosion and sediment control measures, and establishment of permanent vegetation.

(c) A detailed description of all temporary and permanent erosion and sedimentation control measures, including, without limitation, seeding mixtures and rates, types of sod, method of seedbed preparation, expected seeding dates, type and rate of lime and fertilizer application, and kind and quantity of mulching for both temporary and permanent vegetative control measures.

(d) Provisions for the continued maintenance and inspection of erosion and sedimentation control devices or measures, including estimates of the cost of maintenance and plans for meeting those expenses, and inspection schedules.

4. Inspection.

a. For subdivisions and commercial, industrial or other non-residential development that occurs when the ground is frozen or saturated or that creates a disturbed area of one acre or more, provision shall be made for the inspection of project facilities, in accordance with Section 10.25,M,4,a,(1) or (2) below:

(1) The applicant shall hire a contractor certified in erosion control practices by the Maine Department of Environmental Protection to install all control measures and conduct follow-up inspections; or

(2) The applicant shall hire a Maine Registered Professional Engineer to conduct follow-up inspections.

b. The purpose of such inspections shall be to determine the effectiveness of the erosion and sedimentation control plan and the need for additional control measures.

c. Inspections shall be conducted in accordance with a Commission approved erosion and sedimentation control plan and the following requirements.

(1) Inspections shall be conducted at least once a week and after each rainfall event accumulating more than ½ inch of precipitation, until all permanent control measures have been effectively implemented. Inspections shall also be conducted (a) at the start of construction or land-disturbing activity, (b) during the installation of sedimentation and erosion control measures, and (c) at the completion of final grading or close of the construction season.

(2) All inspections shall be documented in writing and made available to the Commission upon request. Such documentation shall be retained by the applicant for at least six months after all permanent control measures have been effectively implemented.

d. Notwithstanding Section 10.25,M,4,a, development may be exempt from inspection if the Commission finds that an alternative, equally effective method will be used to determine the overall effectiveness of the erosion and sedimentation control measures.

N. GROUNDWATER QUALITY

The standards set forth below must be met for all subdivisions and commercial, industrial and other non-residential development.

1. The development shall not pose an unreasonable risk that a discharge of pollutants to a groundwater aquifer will occur.

2. The project shall not result in the groundwater quality becoming inferior to the physical, biological, chemical, and radiological levels for raw and untreated drinking water supply sources specified in the Maine State Drinking Water Regulations, pursuant to 22 M.R.S. § 601. If the pre-development groundwater quality is inferior to the Maine State Drinking Water Regulations, the development shall not degrade the water quality any further.

O. AIR QUALITY

Commercial, industrial and other non-residential development (including but not limited to solid waste disposal facilities, crematories, wood products manufacturing, pulp and paper mills, rock crushing operations, and asphalt batch plants) must comply with all State and Federal air quality laws and standards.

P. PROTECTED NATURAL RESOURCES

1. Review Standards for Determinations of No Unreasonable Impacts.

The following standards apply to permit applications affecting protected natural resources as listed in Section 10.25,P, 2 through 3 and requiring determinations of no unreasonable impacts. For Tier 1 reviews, the applicable standards are limited to Section 10.25,P,1,b, c, and e.

a. **Existing Uses.** The activity will not unreasonably interfere with existing scenic, aesthetic, recreational or navigational uses.

b. **Soil Erosion.** The activity will not cause unreasonable erosion of soil or sediment or unreasonably inhibit the natural transfer of soil from the terrestrial to the marine or freshwater environment.

c. **Harm to Habitats; Fisheries.** The activity will not unreasonably harm any significant wildlife habitat, freshwater wetland plant habitat, threatened or endangered plant habitat, aquatic habitat, travel corridor, freshwater, estuarine, or marine fisheries or other aquatic life.

In determining whether there is unreasonable harm to significant wildlife habitat, the Commission may consider proposed mitigation if that mitigation does not diminish the overall value of significant wildlife habitat and species utilization of the habitat in the vicinity of the proposed activity and if there is no specific biological or physical feature unique to the habitat that would be adversely affected by the proposed activity.

For purposes of Section 10.25,P,1,c, “mitigation” means any action taken or not taken to avoid, minimize, rectify, reduce, eliminate or compensate for any actual or potential adverse impact on the significant wildlife habitat, including the following:

(1) Avoiding an impact altogether by not taking a certain action or parts of an action;

(2) Minimizing an impact by limiting the magnitude, duration or location of an activity or by controlling the timing of an activity;

(3) Rectifying an impact by repairing, rehabilitating or restoring the affected environment;

(4) Reducing or eliminating an impact over time through preservation and maintenance operations during the life of the project; or

(5) Compensating for an impact by replacing the affected significant wildlife habitat.

d. **Interference with Natural Water Flow.** The activity will not unreasonably interfere with the natural flow of any surface or subsurface water.

e. **Lower Water Quality.** The activity will not violate any state water quality law, including those governing the classification of the State's waters.

f. **Flooding.** The activity will not unreasonably cause or increase the flooding of the alteration area or adjacent properties.

g. Sand Supply. If the activity is on or adjacent to a sand dune, it will not unreasonably interfere with the natural supply or movement of sand or gravel within or to the sand dune system or unreasonably increase the erosion hazard to the sand dune system.

h. Outstanding River Segments. If the proposed activity is a crossing of any outstanding river segment as identified in Section 10.23,I, the applicant shall demonstrate that no reasonable alternative exists which would have less adverse effect upon the natural and recreational features of the river segment.

i. Dredging. If the proposed activity involves dredging, dredge spoils disposal or transporting dredge spoils by water, the applicant must demonstrate that the transportation route minimizes adverse impacts on the fishing industry and that the disposal site is geologically suitable.

In evaluating whether the applicant has made the required demonstration under Section 10.25,P,1,i, above, the Commission must request an assessment from the Commissioner of Marine Resources consistent with the assessment required by 38 M.R.S. § 480-D(9), and take into consideration any assessment timely provided by the Commissioner in response to this request. Any permit issued by the Land Use Planning Commission must require the applicant to:

(1) Clearly mark or designate the dredging area, the spoils disposal route and the transportation route;

(2) Publish in a newspaper of general circulation in the area adjacent to the route the approved transportation route of the dredge spoils; and

(3) Publish in a newspaper of general circulation in the area adjacent to the route a procedure that the applicant will use to respond to inquiries regarding the loss of fishing gear during the dredging operation.

2. Water Bodies and Wetlands.

The following requirements apply to alterations of non-tidal water bodies, freshwater wetlands, and coastal wetlands, regardless of whether they are located in a P-WL subdistrict, for Uses Requiring a Permit and Special Exceptions in Sub-Chapter II. Except as hereinafter provided, water body or wetland alterations not in conformance with the standards of Section 10.25,P are prohibited.

a. Procedural Requirements.

(1) **Area of Project Alteration.**

(a) If a proposed activity requires a permit and will alter 15,000 or more square feet of wetland area, 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).

(b) In determining the area of wetland alteration or overall land alteration, all components of a proposed activity, including all phases of a multiphased project, are treated together as constituting one single and complete project.

(2) **Level of Permit Review.**

The level of permit review required depends upon the size of the proposed wetland alteration and the type of wetland involved. If any part of the overall project requires a higher level of review, then the whole overall project will be reviewed under that higher tier, unless otherwise authorized by the Commission:

(a) Tier 1 reviews apply to projects altering 4,300 up to 15,000 square feet of P-WL2 wetlands, P-WL3 wetlands, or P-WL1 wetlands where the wetland is included as a P-WL1 wetland of special significance solely on the basis of its containing an S1 or S2 natural community.

(b) Tier 2 reviews apply to projects altering 15,000 up to 43,560 square feet (one acre) of P-WL2 or P-WL3 wetlands.

(c) Tier 3 reviews apply to projects altering any area of P-WL1 wetlands except as otherwise provided in Section 10.25,P,2,a,(2),(a), or one acre or more of P-WL2 or P-WL3 wetlands.

Alterations of P-WL1 wetlands may be eligible for Tier 1 or 2 review if the Commission determines, at the applicant's request, that the activity will not have an unreasonable negative effect on the freshwater wetlands or other protected natural resources present. In making this determination, consideration shall include but not be limited to, such factors as the size of the alteration, functions of the impacted area, existing development or character of the area in and around the alteration site, elevation differences and hydrological connection to surface water or other protected natural resources.

(d) For wetlands not located in a P-WL subdistrict, the level of permit review will be determined based on the type of wetland and consistent with the descriptions in Section 10.23,N,2,a.

(3) **Seasonal Factors.**

When determining the significance of a resource or impact from an activity, seasonal factors and events that temporarily reduce the numbers or visibility of plants or animals, or obscure the topography and characteristics of a wetland such as a period of high water, snow and ice cover, erosion event, or drought, are taken into account. Determinations may be deferred for an amount of time necessary to allow an assessment of the resource without such seasonal factors.

b. General Land Use Standards. The following standards apply to all projects dependent upon the required tier level of review.

(1) **Avoidance.**

(a) Projects requiring Tier 1, Tier 2, or Tier 3 review must avoid alteration of wetland areas on the property to the extent feasible considering natural features, cost, existing technology and logistics based on the overall purpose of the project.

(b) Projects requiring Tier 2 or Tier 3 review will be considered to result in an unreasonable impact if the activity will cause a loss in wetland area, functions, or values, and there is a practicable alternative to the activity that would be less

damaging to the environment. Each Tier 2 and Tier 3 application must provide an analysis of alternatives in order to demonstrate that a practicable alternative does not exist.

For an activity proposed in, on or over P-WL1 wetlands of special significance, a practicable alternative less damaging to the environment is deemed to exist and the impact is unreasonable, unless the activity is described in Section 10.25,P,2,b,(1),(b),(i) or (ii) below.

(i) Certain types of projects. The activity is necessary for one or more of the purposes specified in the following subparagraphs aa through hh.

aa. Health and safety;

bb. Crossings by driveway, road, rail, trail or utility lines;

cc. Water dependent uses;

dd. Reconstruction or expansion of an existing developed area or related construction that cannot practicably be located elsewhere because of the relation to the existing developed area, if the existing developed area was created prior to August 18, 2005 (existing developed area includes structures, fill areas, and landscaped areas);

ee. Mineral excavation and appurtenant facilities;

ff. Walkways;

gg. Restoration or enhancement of the functions and values of the P-WL1 wetlands of special significance; or

hh. Shoreline stabilization.

(ii) Certain wetlands of special significance. The activity is for a purpose other than those specified in Section 10.25,P,2,b,(1),(b),(i) above, is located in a P-WL1 wetland with aquatic vegetation, emergent marsh vegetation or open water, and the activity:

aa. Is located at least 250 feet from aquatic vegetation, emergent marsh vegetation or open water; and

bb. Does not unreasonably adversely affect the functions and values of the aquatic vegetation, emergent marsh vegetation or open water, or the functions and values of the freshwater wetlands that are enhanced or served by the aquatic vegetation, emergent marsh vegetation or open water.

(2) **Minimal Alteration.** Projects requiring Tier 1, Tier 2, or Tier 3 review must limit the amount of wetland to be altered to the minimum amount necessary to complete the project.

(3) **Compensation.** Compensation is the off-setting of a lost wetland function with a function of equal or greater value. The goal of compensation is to achieve no net loss of wetland functions and values. Every case where compensation may be applied is unique due to differences in wetland type and geographic location. For this reason, the

method, location and amount of compensation work necessary is variable.

In some instances, a specific impact may require compensation on-site or within very close proximity to the affected wetland. For example, altering a wetland that is providing stormwater retention that reduces the risk of flooding downstream will likely require compensation work to ensure no net increase in flooding potential. In other cases, it may not be necessary to compensate on-site in order to off-set project impacts. Where wetland priorities have been established at a local, regional or state level, these priorities should be considered in devising a compensation plan in the area to allow the applicant to look beyond on-site and in-kind compensation possibilities.

(a) Functional Assessment. For projects requiring Tier 2 or Tier 3 review, applicant must conduct a functional assessment unless exempt from this requirement under Section 10.25,P,2,b,(3),(f) or granted a waiver under Section 10.25,P,2,b,(3),(g). A functional assessment must be conducted in accordance with Section 10.25,P,2,f,(2) and be sufficient to allow the Commission to evaluate whether the proposed wetlands alteration will cause a loss or degradation of wetland functions.

(b) When compensation is required. For Tier 2 or Tier 3 projects, unless exempt under Section 10.25,P,2,b,(3),(f) or granted a waiver under Section 10.25,P,2,b,(3),(g), if the Commission determines that a wetland alteration will cause a wetland function or functions to be lost or degraded, the applicant must provide compensation for the wetland impacts.

(c) Location of compensation projects. The compensation must take place in a location:

(i) On or close to a project site, if determined necessary and appropriate by the Commission, to off-set direct impacts to an aquatic ecosystem;

(ii) Otherwise, compensation may occur in an off-site location where it will satisfy wetland priority needs as established at the local, regional or state level to achieve an equal or higher net benefit for wetland systems, if approved by the Commission.

(d) Types of compensation. Compensation may occur in the form of:

(i) Restoration of previously degraded wetlands;

(ii) Enhancement of existing wetlands;

(iii) Preservation of existing wetlands or adjacent uplands where the site to be preserved provides significant wetland functions and might otherwise be degraded by unregulated activity; or

(iv) Creation of wetland from upland.

More than one method of compensation may be allowed on a single project. Preference is generally given to restoration projects that will off-set lost functions within, or in close proximity to, the affected wetland. However, other types of compensation may be allowed by the Commission if the result is an equal or higher overall net benefit for wetland systems.

(e) Compensation amounts. The amount of compensation required to replace lost functions depends on a number of factors including: the size of the alteration activity; the functions of the wetland to be altered; the type of compensation to be used; and the characteristics of the compensation site. Compensation shall be performed to meet the following ratios at a minimum, unless the Commission finds that a different ratio is appropriate to directly off-set wetland functions to achieve an equal or higher net benefit for wetlands:

(i) 1:1 for restoration, enhancement or creation to compensate for impacts in wetlands not of special significance;

(ii) 2:1 for restoration, enhancement or creation to compensate for impacts in wetlands of special significance; and

(iii) 8:1 for preservation, including adjacent upland areas, to compensate for impacts in all wetlands.

(f) Exceptions. Neither a functional assessment nor compensation is required for the following single, complete projects:

(i) Freshwater wetlands

aa. Alterations of less than 500 square feet in a freshwater wetland of special significance provided that the Commission determines that there will be only a minimal effect on freshwater wetland functions and values, significant wildlife habitat, or imperiled or critically imperiled communities due to the activity;

bb. Alterations of less than 15,000 square feet in a freshwater wetland not of special significance, provided that the Commission determines that there will be only a minimal effect on freshwater wetland functions and values due to the activity;

cc. Alterations in a freshwater wetland for a road, rail or utility line crossing of a flowing water for a distance of up to 100 feet from the normal high water mark on both sides, measured perpendicular to the thread of the flowing water, provided: (i) Any affected freshwater wetland does not contain significant wildlife habitat or a critically imperiled or imperiled community; and (ii) The total project affects 500 square feet or less of the channel.

(ii) Coastal Wetlands. A coastal wetland alteration that does not cover, remove or destroy marsh vegetation, does not fill more than 500 square feet of intertidal or subtidal area, and has no adverse effect on marine resources or on wildlife habitat as determined by the Department of Marine Resources or the Department of Inland Fisheries and Wildlife as applicable.

(iii) Bodies of Standing Water. An alteration of a body of standing water that does not place any fill below the normal high water mark, except as necessary for shoreline stabilization projects, and has no adverse effect on aquatic habitat as determined by the Department of Inland Fisheries and Wildlife or the Department of Environmental Protection.

(iv) Flowing Water. An alteration of flowing water that does not affect more than 150 feet of shoreline for a private project or more than 300 feet of shoreline for a public project.

(v) Walkways/Access Structures. A wetland alteration consisting of a walkway or access structure for public educational purposes or to comply with the Americans with Disabilities Act.

(g) Waiver. The Commission may waive the requirement for a functional assessment, compensation, or both. The Commission may waive the requirement for a functional assessment if it already possesses the information necessary to determine the functions of the area proposed to be altered. The Commission may waive the requirement for compensation if it determines that any impact to wetland functions and values from the activity will be insignificant.

(4) **No Unreasonable Impact.** The following standards apply only to applications requiring Tier 2 or Tier 3 review:

(a) Even if a project has no practicable alternative and the applicant has minimized the proposed alteration as much as possible, the application will be denied if the activity will have an unreasonable impact on the wetland. "Unreasonable impact" means that one or more of the review standards of Section 10.25,P,1 will not be met. In making this determination, the Commission shall consider:

(i) The area of wetland that will be affected by the alteration and the degree to which the wetland is altered, including wetland beyond the physical boundaries of the project;

(ii) The functions and values provided by the wetland;

(iii) Any proposed compensation and the level of uncertainty regarding it; and

(iv) Cumulative effects of frequent minor alterations on the wetland.

(b) Activities may not occur in, on or over any wetland of special significance containing threatened or endangered species unless the applicant demonstrates that:

(i) The wetland alteration will not disturb the threatened or endangered species; and

(ii) The overall project will not affect the continued use or habitation of the site by the species.

When considering whether a single activity is reasonable in relation to the direct and cumulative impacts on the resource, the Commission shall consider factors such as the degree of harm or benefit to the resource; the frequency of similar impacts; the duration of the activity and ability of the resource to recover; the proximity of the activity to protected or highly developed areas; traditional uses; the ability of the activity to perform as intended; public health or safety concerns addressed by the activity; and the type and degree of benefit from the activity (public, commercial or personal).

c. Wetland Compensation Standards.

Where compensation is required, the following standards apply:

(1) **Expertise.** The applicant shall demonstrate sufficient scientific expertise to carry out the proposed compensation work.

(2) **Financial Resources.** The applicant shall demonstrate sufficient financial resources to complete the proposed compensation work, including subsequent monitoring and corrective actions.

(3) **Persistence.** For restoration, enhancement and creation projects, on the basis of an updated functional assessment, a minimum of 85% of the compensation area must successfully replace the altered wetland's functions after a period of three years unless otherwise approved by the Commission. If this level is not achieved, or if evidence exists that the compensation site is becoming less effective, the Commission may require additional monitoring and corrective action, or additional wetland restoration, enhancement or creation in order to achieve the compensation ratio as originally approved.

(4) **Monitoring.** The applicant shall set forth a plan for interim reporting and remediation measures during monitoring of the restored or created wetland over a minimum of five years, which shall include contingency plans for replanting, contouring or other corrections if the project fails to meet project goals during that time.

(5) **Maintenance.** A compensation project that will naturally maintain itself without active intervention is preferred. However, the permittee may be required to conduct activities to assure continuation of the wetland, or the accomplishment of compensation goals, after a compensation project has been technically completed. Such activities may include, but are not limited to, water level manipulations and control of non-native plant species.

(6) **Protection.**

(a) A compensation project involving restoration, enhancement or creation must provide for deed covenant and restriction or a conservation easement conveyed to a qualified holder that requires maintenance of the area as a coastal wetland, freshwater wetland or body of standing water in perpetuity. The conservation easement must list the Department of Agriculture, Conservation, and Forestry as an enforcing agent. Regardless of the size of the compensation area, any future alterations in, on or over the area must be approved by the Commission.

(b) A compensation project involving preservation must provide for a conservation easement conveyed to a qualified holder or deed covenant and restriction so that the parcel will remain undeveloped in perpetuity. The easement must list the Department of Agriculture, Conservation, and Forestry as an enforcing agent. Compensation areas may be deeded to local or state conservation groups or agencies, but any land management practices must be approved by the Commission.

(7) **Source of Water (Creation Only).** For a creation project, the Commission prefers that the created wetland be located adjacent to an existing wetland or waterbody.

(8) **Implementation Schedule.** A schedule for implementing the compensation plan must be submitted. Generally, compensation will be required to be completed prior to, or concurrent with, the permitted alteration. For on-going or long-term alterations, such as mining, compensation must be completed no later than within the first year of operation unless otherwise approved by the Commission.

d. Mitigation Banking.

(1) **Purpose.** A public or private entity may apply to the Commission to undertake wetland compensation projects for the purposes of off-setting one or more alteration projects proposed at that time or in the future. The ratios set forth in Section 10.25,P,2,b,(3),(e) will be used as guidance to determine the amount of credit required for any proposed alteration.

(2) **Location.** Compensation work must take place in the same watershed, biophysical region or in the project vicinity of the future alteration work, if feasible. Otherwise, the work must occur as close to the wetland alteration site or sites as feasible.

(3) **Effectively Functioning.** A project to be used for compensation credit must be functioning as proposed in the mitigation banking application, as demonstrated by an updated functional assessment, in order to quality as an off-set to a proposed activity.

(4) **Limitation.** No person may use mitigation banking to compensate for more than 25 acres of wetland alteration statewide in any one-year period.

(5) **Expertise.** The applicant is required to show a combination of expertise, experience and resources sufficient to undertake and maintain land placed in mitigation banking.

e. Terms and Conditions. The Commission may, as a term or condition of approval, establish any reasonable requirement to ensure that the proposed development will meet the standards of Section 10.25,P,1, such as:

(1) Design changes to help insure the success of the project;

(2) Buffer requirements;

(3) Project supervisory requirements;

(4) Monitoring requirements;

(5) Mid-course correction or maintenance capability;

(6) Bonding or other assurances of continued financial resources to complete compensation requirements; and

(7) Timing requirements for all or portions of a project.

f. Submission Requirements.

(1) **Alternatives Analysis.** If required by Section 10.25,P,2,b,(1),(b), an alternatives analysis must be conducted that analyzes whether a less environmentally damaging practicable alternative to the proposed alteration, which meets the project purpose, exists. Determining whether a practicable alternative exists includes:

(a) Utilizing, managing or expanding one or more other sites that would avoid the wetland impact;

(b) Reducing the size, scope, configuration or density of the project as proposed, thereby avoiding or reducing the wetland impact;

(c) Developing alternative project designs, such as cluster development, that avoid or lessen the wetland impact; and

(d) Demonstrating the need, whether public or private, for the proposed alteration.

(2) **Functional Assessments.** If required by Section 10.25,P,2,b,(3),(a), a functional assessment must be conducted of the wetland to be altered, that analyzes the wetland's value based on the functions it serves and how the wetland will be affected by the proposed alteration. The functional assessment must be conducted by a qualified professional(s) using an acceptable methodology approved by the Commission. If other than an established methodology is proposed, the applicant must submit documentation describing how the methodology was developed, how the wetland functions and values are determined using the methodology, and how much field testing the technique has undergone.

In cases where the size of the wetland alteration or other factors make the use of an established assessment methodology impracticable or inappropriate, the Commission may instead accept the best professional judgment of a qualified professional. The applicant must notify the Commission if he or she intends to use best professional judgment.

3. High Mountain Areas.

The review standards of Section 10.25,P,1 apply to alterations for Uses Requiring a Permit and Special Exceptions in Section 10.23,G,3,c and d.

4. Plant Species and Communities. If any portion of a subdivision or commercial, industrial or other non-residential project site includes critically imperiled (S1) or imperiled (S2) natural communities or plant species, the applicant must demonstrate that there will be no undue adverse impact on the community and species the site supports, and indicate appropriate measures for the preservation of the values that qualify the community or species for such designation.

5. Coastal Sand Dune Systems. (Reserved)

6. Community Public Water System Primary Protection Areas. (Reserved)

7. Significant Wildlife Habitat. (Reserved)

Q. SUBDIVISION AND LOT CREATION

This section governs the division of lots and the creation of subdivisions.

1. Counting Parcels, Lots, or Dwelling Units Under the Definition of Subdivision.

a. Lots Created by Dividing a Parcel. When a parcel is divided, the land retained by the person dividing land is always counted in determining the number of lots created unless the lot retained qualifies for any of the exemptions listed in Section 10.25,Q,1,g below. This figure illustrates two examples:

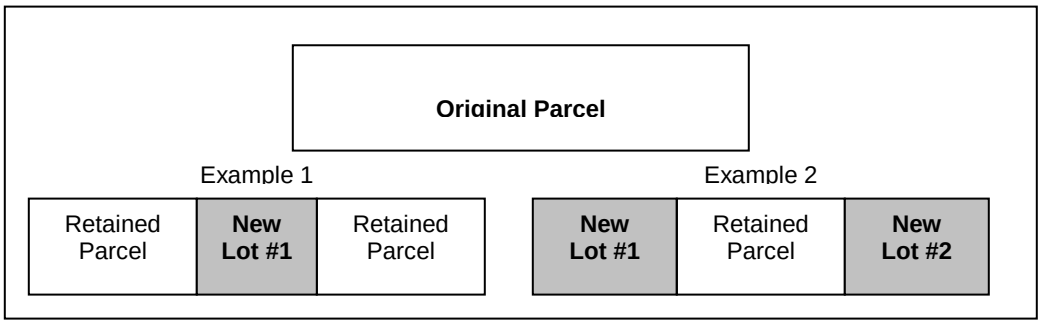

Figure 10.25,Q-1. Two examples where two new lot lines were drawn, each resulting in the creation of three parcels.

b. Subdivision Created by the Placement of Dwelling Units. The placement of three or more dwelling units on a single lot within a five-year period creates a subdivision. The division of one lot into two parcels coupled with the placement of one or two dwelling units on either or both lots does not create a subdivision.

c. Parcels Originally Part of a Subdivision. A lot or parcel which, when sold, leased or developed, was not part of a subdivision but subsequently became part of a subdivision by reason of another division by another landowner is counted as a lot under the subdivision definition. The Commission, however, will not require a subdivision permit be obtained for such lot, unless the intent of such transfer or development is to avoid the objectives of 12 M.R.S. Chapter 206-A.

d. Remote Rental Cabins. In order to foster primitive recreational opportunities on large tracts of land, up to eight remote rental cabins within a single contiguous ownership larger than 5,000 acres within a township shall be allowed without subdivision review. Placement of more than eight remote rental cabins within such an ownership requires subdivision review by the Commission.

e. Renewal of Leases. For the purpose of counting lots under the Commission's definition of subdivision, the renewal of a lease within a Commission approved subdivision shall not be counted as the creation of a lot. For the renewal of leases in other than Commission approved subdivisions, a lease that is renewed within two-years of its expiration shall not be counted as the creation of a lot. Renewal of leases in other circumstances shall be counted as the creation of a lot.

f. Existing parcels. For the purposes of the definition of subdivision in 12 M.R.S. §682(2-A) and in these rules, an "existing parcel" shall include the contiguous area within one township, plantation, or town owned or leased by one person or group of persons in common ownership.

g. Exempt lots. The following divisions are exempt when counting lots for purposes of subdivision, unless the intent of such transfer is to avoid the objectives of 12 M.R.S. Chapter 206-A:

(1) Transfer of Lots for Forest Management, Agricultural Management or Conservation of Natural Resources. A lot or parcel is not considered a subdivision lot if the following conditions are met:

(a) The lot is transferred and managed solely for forest management, agricultural management or conservation of natural resources;

(b) The lot is at least 40 acres in size;

(c) If the lot is less than 1,000 acres in size, no portion of the lot is located within 1,320 feet of the normal high water mark of any great pond or river or within 250 feet of the upland edge of a coastal or freshwater wetland as these terms are defined in 38 M.R.S. §436-A;

(d) The original parcel from which the lot was divided is divided into an aggregate of no more than 10 lots within any 5-year period; and

(e) When 3 to 10 lots each containing at least 40 acres in size are created within any 5-year period, a plan is recorded in accordance with 12 M.R.S. §685-B(6-A). Any subsequent division of a lot created from the original parcel within 10 years of the recording of the plan in the registry of deeds or any structural development unrelated to forest management, agricultural management or conservation creates a subdivision and may not occur without prior commission approval. 12 M.R.S. §682-B(4).

(2) Retained Lots. A lot is not counted as a lot for the purposes of subdivision if it is retained by the person dividing the land, and for a period of at least 5 years:

(a) is retained and not sold, platted, leased, conveyed or further divided, except for transfer to an abutter pursuant to Section 10.25,Q,1,g,(3) below; and

(b) is used solely for forest or agricultural management activities and associated structures and development such as buildings to store equipment or materials used in forest or agricultural management activities, land management roads, driveways consistent with forest or agricultural management activities, or natural resource conservation purposes.

Only one retained lot exempt under this Section 10.25,Q,1,g,(2) may be created from any one existing parcel.

(3) Transfers to an Abutter and Contiguous Lots. A lot transferred to an abutting owner of land is not counted as a lot for the purposes of subdivision provided the transferred property and the abutter's contiguous property is maintained as a single merged parcel of land for a period of 5 years. Where a lot is transferred to an abutter, or two or more contiguous lots are held by one person, the contiguous lots are considered merged for regulatory purposes except for:

(a) lots that are part of a subdivision approved by the Commission;

(b) a land division certified by the Commission as qualifying under 12 M.R.S. §682-B; or

(c) as provided in Section 10.11.

If the property exempted under this paragraph is transferred within 5 years to another person without all of the merged land, or without satisfying either subparagraph (a), (b), or (c) above, then the previously exempt division creates a lot or lots for purposes of Section 10.25,Q.

(4) Divisions by Inheritance, Court Order, or Gifts. Divisions of land accomplished solely by inheritance or by court order are not counted as lots for the purposes of this subsection.

A division of land accomplished by bona fide gift, without any consideration paid or received, to a spouse, parent, grandparent, child, grandchild or sibling of the donor of the lot or parcel does not create a subdivision lot if the donor has owned the lot or parcel for a continuous period of five years immediately preceding the division by gift and the lot or parcel is not further divided or transferred within five years from the date of division. 12 M.R.S. § 682-B(1)

(5) Conservation Lots. A lot or parcel transferred to a nonprofit, tax-exempt nature conservation organization qualifying under the United States Internal Revenue Code, Section 501(c)(3) is not considered a subdivision lot if the following conditions are met:

(a) For a period of at least 20 years following the transfer, the lot or parcel must be limited by deed restriction or conservation easement for the protection of wildlife habitat or ecologically sensitive areas or for public outdoor recreation; and

(b) The lot or parcel is not further divided or transferred except to another qualifying nonprofit, tax-exempt nature conservation organization or governmental entity. 12 M.R.S. § 682-B(3)

(6) Transfer to Governmental Entity. A lot or parcel transferred to a municipality or county of the State, the State or an agency of the State, or an agency of the Federal government is not considered a subdivision lot if the following conditions are met:

(a) The lot or parcel is held by the governmental entity for the conservation and protection of natural resources, public outdoor recreation or other bona fide public purposes and is not further sold or divided for a period of 20 years following the date of transfer; and

(b) At the time of transfer the transferee provides written notice to the commission of transfer of the lot or parcel, including certification that the lot or parcel qualifies for exemption under this subsection. 12 M.R.S. § 682-B(2)

(7) Large Lots Managed for Forest or Agricultural Management Activities or Conservation. A lot transferred or retained following transfer containing at least 5,000 acres is not counted as a lot for the purposes of this subsection, provided the lot is managed solely for the purposes of forest or agricultural management activities or conservation and the lot is not further divided for a period of at least 5 years. Nothing in this paragraph, however, shall be construed to prohibit public outdoor recreation on the lot.

(8) Unauthorized Subdivision Lots in Existence For at Least 20 Years. A lot or parcel that when sold or leased created a subdivision requiring a permit under this chapter is not considered a subdivision lot and is exempt from the permit requirement if the permit has not been obtained and the subdivision has been in existence for 20 or more years. A lot or parcel is considered a subdivision lot and is not exempt under this subsection if:

(a) Approval of the subdivision under 12 M.R.S. §685-B was denied by the Commission and record of the Commission's decision was recorded in the appropriate registry of deeds;

(b) A building permit for the lot or parcel was denied by the Commission under 12 M.R.S. §685-B and record of the Commission's decision was recorded in the appropriate registry of deeds;

(c) The Commission has filed a notice of violation of 12 M.R.S. §685-B with respect to the subdivision in the appropriate registry of deeds; or

(d) The lot or parcel has been the subject of an enforcement action or order and record of that action or order was recorded in the appropriate registry of deeds. 12 M.R.S. §682-B(5).

2. Spaghetti-lots. A person may not divide any parcel of land in such a way as to create a spaghetti-lot. This prohibition does not apply to utility or transportation rights-of-ways, government purchases, or a parcel of land that the Commission determines has significant public benefit and cannot be configured in any other way in order to provide that benefit. 12 M.R.S. §682-A

3. General Standards for All Subdivision Layouts.

a. Locations and Layouts.

Chapter 10, Subchapter II identifies the subdivision types and densities that are allowed in individual land use subdistricts. In addition, the following standards apply to subdivision developments:

(1) Commercial, Industrial, and Residential Subdivisions. All subdivisions must be designed consistent with Table 10.25,Q-1, Location and Layout Overview.

Table 10.25,Q-1. Location and Layout Overview

Commercial, Industrial, and Residential Subdivisions[22]	**Allowed Subdivision Layouts**			
	Basic	Clustered	FlexDesign	Rural Lot
	High- and Moderate-Density			*Low-Density*
Inland	Yes	Yes	Yes	Yes
Shoreland with Heavy Development (Lakes exceeding CLUP density guidelines[23,24])	No	Yes	Yes	No
Shoreland within 250 feet of Management Class 4 Lakes	No	Yes	Yes	No
Shoreland within 250 feet of all other major water bodies and coastal wetlands	Yes	Yes	Yes	No
General Management Subdivisions				
Inland	Yes	Yes	Yes	No

(2) General Management Subdivisions. Any subdivision that meets all of the criteria in Section 10.25,Q,3,a,(2),(a) through (g) below is considered a general management subdivision. For purposes of this section, "aggregate land area" includes lots to be offered and all roads and other infrastructure associated with the subdivision, but excludes common open space preserved and maintained in accordance with Section 10.25,S. A general management subdivision:

(a) Is a division within any 5-year period of an existing parcel of land within a single contiguous ownership into 3 to 14 lots or dwelling units;

(b) Occupies an aggregate land area of less than 30 acres;

(c) Is located within a primary location and wholly located within one-half mile of a public roadway;

(d) Is located more than one-half mile from a major water body;

(e) Is located wholly on land within an M-GN subdistrict, except that up to 20 percent of the aggregate land area may consist of protection subdistricts for minor flowing waters or wetlands at the time of the filing of a subdivision application;

22 Chapter 10, Subchapter II establishes where residential subdivisions may be located and what subdivision densities are allowed in the use listings for certain land use subdistricts. Criteria for adoption or amendment of land use districts are established in Sections 10.08 and 10.08-A.

23 Lakes exceeding CLUP density guidelines are lakes having more than one development unit per 10 acres of lake surface area, or having more than one development unit per 400 feet of shore frontage, taken as an average around the entire lake shore.

24 This category includes, but is not limited to, Management Class 5 lakes.

(f) Is a high-density or moderate-density subdivision as defined in Section 10.02, and is designed consistent with Table 10.25,Q-1, Location and Layout Overview; and

(g) Is in a location where the county, nearby municipality, or other service provider is willing to and will be able to provide fire and ambulance services consistent with Section 10.08,B,2,a.

(3) Maple Sugar Processing Subdivisions. Subdivisions containing lots created by lease for the purpose of establishing and operating commercial maple sugar processing operations that meet all of the following criteria are maple sugar processing subdivisions:

(a) The maximum number of leased lots shall be no more than one per every 300 acres of the lot or parcel being subdivided[25];

(b) The maximum size of each leased lot shall be no more than 4 acres;

(c) Any two leased lots in a maple sugar subdivision may be located less than 1,000 feet from each other; these lots will be considered a set of lots for the purpose of determining leased lot separation;

(d) Each set of leased lots must be separated from any other leased lot or set of leased lots in the subdivision by a minimum of 1,000 feet, measured horizontally from the closest point between lots or sets of leased lots; and

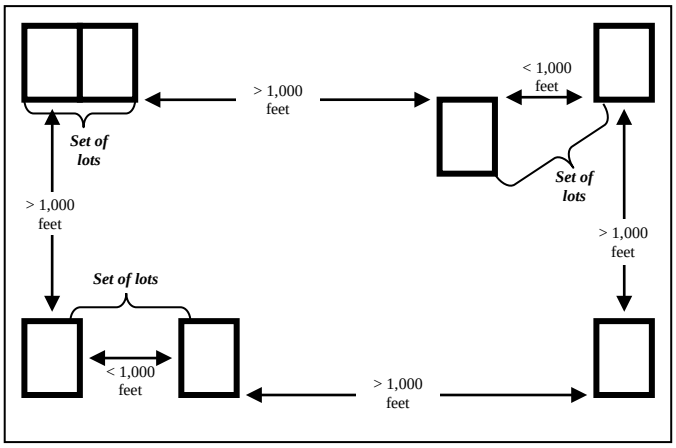

Figure 10.25,Q-2. Leased lots in maple sugar subdivisions.

(e) Fee ownership in each of the leased lots shall only be transferred as part of a sale of the entire parcel originally so subdivided, or with a deed restriction requiring that the lot be used only for commercial maple syrup production unless the Commission, or its legal successor in function, releases the restriction and records such release in the registry of deeds.

The following general standards in Section 10.25,Q,3,b through h for subdivision layouts do not apply to maple sugar processing subdivisions.

[25] Calculated by dividing the total acreage of the lot or parcel being subdivided by 300 and rounding down to the nearest whole number.

b. Harmonious Fit.

(1) Subdivisions shall be designed to harmoniously fit into the natural environment and shall cause no undue adverse impact on existing surrounding uses. When determining "harmonious fit", the Commission shall consider the existing character of the surrounding area, potential for conflict with surrounding uses, proposed driveway and roadway locations, and proposed lot sizes, among other factors.

(2) Subdivisions proposed with mixed residential, commercial, or civic uses shall also meet the following requirements:

(a) Commercial uses must fit the size, scale, and intensity of the surrounding residential uses; and

(b) A combination of residential, commercial, or civic uses on a single lot is allowed only if the most restrictive dimensional requirements, as provided in Section 10.26, are met and provided that the commercial or civic uses are otherwise compatible with residential uses.

c. Building Envelopes.

(1) Building envelopes shall be identified on each lot, designating suitable areas where structural development and permanently maintained cleared openings may occur. Activities not counted as permanently maintained cleared openings include a single driveway for access to the building envelope, cleared areas that are mowed less than twice a year, areas used for agricultural management activities, and trails for recreational access.

(2) Building envelopes shall be shown and labeled on the subdivision plat. In addition, building envelope requirements shall be included in deed covenants for each lot specifying that structural development and permanently maintained cleared openings shall be located within the building envelope as shown on the Commission approved subdivision plan, as it may be amended from time to time.

(3) Building envelopes shall be located and sized to allow conformance with the Commission's dimensional requirements in terms of minimum water body, road, and property line setbacks, and maximum lot coverage requirements, as provided in Section 10.26; and vegetation clearing standards for shorelines and public roads, as provided in Section 10.27.

(4) Where practicable, building envelopes shall be arranged:

(a) In groups, allowing for larger open areas between groups of building envelopes;

(b) To avoid placement along ridgelines, on prime farm land soils, in wetlands or drainage areas, on sustained slopes greater than 20 percent, or over any other topographic or natural features important to the site; and

(c) To maximize privacy afforded to each dwelling unit, such as providing sufficient buffering vegetation and staggering building envelopes.

d. Common Open Space.

(1) Unless another configuration better achieves the Commission's natural and cultural resource goals, any common open space proposed for the subdivision shall be preserved in large, contiguous blocks that connect with off-site undeveloped land to form a continuous integrated open space system.

(2) Significant wildlife habitats, imperiled and critically imperiled natural plant communities, and a minimum 250-foot undisturbed buffer around the boundaries of those habitats shall be included in common open space.

(3) The subdivision design shall include suitable common open space for wildlife passage, at least 500 feet in width, around or through the development. The wildlife passage shall be located along the side of flowing waters or wetlands, in a way that links high value wildlife habitats on or off the property, along the property line of any abutting conserved land, or adjacent to one of the boundary lines of the subdivision, to the extent practicable. In addition, lots shall be configured so that groups of lots are separated by at least 500 feet of undeveloped land such that lots within a group do not extend more than 1,320 feet along the existing access road or shoreline.

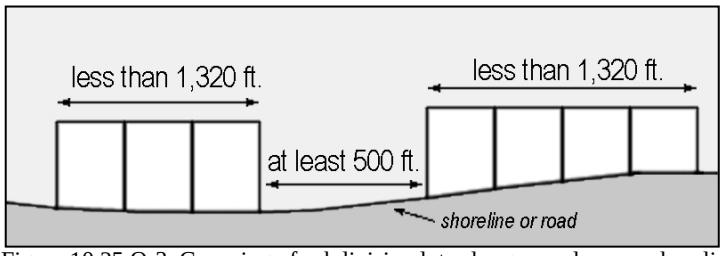

Figure 10.25,Q-3. Grouping of subdivision lots along a roadway or shoreline.

(a) In cases where the subdivision design consists of four or fewer lots encompassing the entire existing parcel, and where the Commission has determined provision for wildlife passage exists within one-quarter mile of the parcel, the Commission may allow subdivision designs without common open space for wildlife passage.

(b) In cases of subdivisions that constitute "in-fill" development, on parcels surrounded by existing development, for which designated common open space would be an isolated pocket providing little long-term value, the Commission may also allow subdivision designs without common open space for wildlife passage.

(4) In cases where an existing recreational resource managed for public access, such as a motorized or non-motorized trail, or boat launch, is located in or within 1,000 feet of the project boundary, the subdivision design must include provisions to ensure lot owners or lessees in the subdivision will not cause undue adverse impacts to intervening landowners from informal trail building. If access to the recreational resource is provided for lot owners or lessees that access must be legally enforceable by the lot owners or lessees.

(5) Common open space within the subdivision shall be preserved and maintained in accordance with the Commission's Chapter 10 rules, Section 10.25,S.

(6) Subdivision Redistricting Considerations. Subdivisions are allowed only in appropriate subdistricts, as designated in Sub-Chapter II. However, the Commission

may approve subdivisions that include land area designated as common open space within subdistricts where subdivision is otherwise prohibited, provided the designated land area meets the requirements of Section 10.25,S.

e. Shoreland Development.

(1) Shoreland subdivisions that include shoreline frontage on a major water body, shall include one of the following, except as allowed in Section 10.25,Q,3,e,(2) below:

(a) Non-waterfront lots that equal or exceed the number of waterfront lots in the layout;

(b) An area reserved for future layout and development of non-waterfront lots that is equal to or exceeds the area of waterfront lots in the layout; or

(c) A non-linear design that incorporates a majority of the waterfront in common ownership.

(2) In cases where the Commission finds site specific constraints such as sustained steep slopes or wetlands do not allow for development of non-waterfront lots anywhere on the parcel, the Commission may allow an alternative layout for a project site.

(3) Shoreland subdivisions with shoreline frontage shall also include provisions for useable common access to the water for all lots in the subdivision and for any future lots in reserve areas. Common water access shall not be located in open space designated for habitat protection or wildlife passage.

(4) Proposed permanent docks, trailered ramps, hand-carry launches or water-access ways shall comply with the requirements of Section 10.27,L,2.

(5) Designs shall include and provide for maintenance of best management practices for control of phosphorus in accordance with Section 10.25,L.

f. Legal Right of Access to Subdivision Lots. Any lot in a subdivision created after June 17, 2019 must be accessible from a public road by a legal right of access. This legal right of access may be by road or by water.

(1) Road Access. A legal right of access by road exists when the subdivision land:

(a) Abuts a public road; or

(b) Benefits from an easement, appurtenant to the land, that provides for vehicular access.

Under either option, if the road over which legal access is provided does not exist, it must be reasonable that the road could be built. Additionally, the legal access provided must be sufficient to support the land uses allowed in the subdivision, including any associated construction, maintenance, and use of structures. An easement providing for vehicular access may contain reasonable provisions to minimize the burden on the underlying fee owner, such as provisions that: allow for closure of the road during spring mud conditions; allow for closure during the winter to avoid snow plowing, provided pedestrian and snowmobile access is allowed; and establish road standards and reasonable maintenance expectations and responsibilities.

(2) Access by water. A legal right of access by water exists when the subdivision land reasonably may be accessed by boat from a public or private boat launch, provided the boat launch is accessible by road access consistent with Section 10.25,Q,3,f,(1) above. Additionally provided, when the subdivision land will be accessed by boat from a private boat launch, all lot owners will have a legally enforceable right to use and ensure continued maintenance of the boat launch.

(3) Leased Lot Exception. The legal right of access requirement for subdivision lots contained in Section 10.25,Q,3,f does not apply to subdivision lots leased on an annual basis for fair market value consideration, and where both the lessor and lessee have the legal right to not renew the lease, subject to applicable statutory notice requirements, regardless of cause. However, as part of the sale of any such leased lot in a subdivision created after June 17, 2019, the seller shall grant the buyer a legal right of access that satisfies Section 10.25,Q,3,f,(1) or (2).

g. Emergency Services Waiver. For all proposed subdivisions located in subdistricts for which an emergency services waiver was granted by the Commission, the applicant must demonstrate that sufficient notice of the absence of emergency services will be provided to all subsequent owners of property within the subdivision, including use of a specific note on the plat and any deed for a lot within such a subdivision.

h. Recreational Resource Capacity for Recreation-based Subdivisions. A recreation-based subdivision must be integrated with a recreational resource. In cases where the recreational resource does not have sufficient capacity to accommodate all of the lot owners in the subdivision, the subdivision proposal must include provisions to adequately increase capacity of the resource. Factors that the Commission will consider in evaluating resource capacity include, but are not limited to, the amount of parking, availability of wastewater disposal facilities, and evidence of unstable or eroding soils due to overuse.

4. Layout Specific Standards.

The Commission has adopted additional subdivision standards for four different layouts, Basic, Clustered, Rural Lot, and FlexDesign.

a. Basic Subdivision Layouts. Basic subdivisions must meet all general standards in Section 10.25,Q,3, and the following layout specific standards:

(1) Building envelope size shall be limited to no greater than 40 percent of the size of each lot.

(2) For Recreation-based Subdivisions using the Basic Layout:

(a) The subdivisions shall meet the required common open space percentage in Section 10.25,Q,4,a,(2),(b) below, unless the subdivision:

(i) Abuts or is located within one-quarter mile of permanently conserved land, or

(ii) Includes provisions for the preservation of near-by, off-site open space.

The conserved land specified in (i) and (ii) above must be equal to or greater than the required common open space, both in total contiguous area and shoreline frontage.

In cases where the subdivision abuts permanently conserved land, all building envelopes shall be at least 100 feet from the boundary line of the conserved parcel.

(b) Common Open Space Percentage. For recreation-based subdivisions, the total common open space must include at least 40 percent of the net developable land area and 40 percent of the net developable shorefront area for shoreland developments.

(c) Recreational Trail Incentive. For recreation-based subdivisions, the total common open space percentage for the subdivision may be reduced by 5 percent if an existing trail on the property is included in common open space or a new trail is constructed in common open space. An additional 5 percent reduction may be allowed if the on-site trail connects with an existing off-site trail managed for public access. Common open space requirements for habitat protection and wildlife passage shall still be met, and trail construction shall not be located in common open space designated for habitat protection or wildlife passage.

b. Clustered Subdivision Layouts. Clustered subdivisions must meet all general standards in Section 10.25,Q,3, except as provided in Sections 10.25,Q,4,b,(1) through (3) below:

(1) Density and Dimensional Requirements for Clustered Layouts. Chapter 10, Subchapter II identifies the subdivision densities that are allowed in individual land use subdistricts. Depending on the subdistrict, clustered layouts can use a moderate or high-density design. Subdivision densities are defined in Section 10.02.

(a) The Commission may reduce the minimum lot size for moderate density designs provided the lot density requirement for the subdivision is met in the aggregate, inclusive of proposed common open space; and may reduce the minimum road frontage or shoreline frontage for individual lots in both moderate- and high-density designs, provided, in the aggregate, these dimensional requirements are met within the development.

(b) In addition, the Commission may reduce dimensional requirements of Sections 10.26,A through E, in the aggregate, provided:

(i) Dimensional requirements, in the aggregate, are not reduced by more than 50 percent;

(ii) Site conditions are suitable for more concentrated development on some portions of a site and such concentrated development will not adversely affect resources; and

(iii) The specific benefits afforded by the cluster approach will prevent the loss of or enhance the conservation of important natural features.

(2) Common Open Space.

(a) Clustered subdivisions shall be designed to protect developable land as common open space through (i) clusters of dwellings on commonly-owned land; (ii) creation of individual lots with reduced lot size, reduced road frontage or, within shoreland developments, reduced shoreline frontage as permitted

under these rules; or (iii) a decrease in the number of individual lots that meet dimensional requirements.

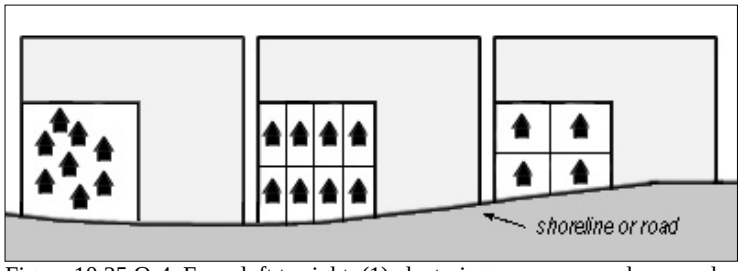

Figure 10.25,Q-4. From left to right, (1) clustering on a commonly-owned parcel, (2) clustering on individual parcels with reduced lot size and frontage, and (3) clustering on individual parcels without reduced lot size or frontage.

(b) Common Open Space Percentage. The total designated common open space must include at least 50 percent of the net developable land area and 50 percent of the net developable shorefront area for shoreland developments.

(c) The Commission may allow subsurface wastewater disposal systems in designated common open space, provided there is no other practicable alternative, appropriate legal provisions are made for maintenance, access, and replacement; and the systems will not be located in areas designated for wildlife passage or habitat protection.

(3) Shoreland Development. Shoreland developments using a clustered subdivision layout shall include non-waterfront lots that equal or exceed the number of water front lots in the layout. The general standard provision for using reserved area for future growth in lieu of non-waterfront lots is not allowed in this layout (Sections 10.25,Q,3,e,(1) and (2)).

c. Rural Lot Subdivision Layouts. Rural Lot subdivisions must meet all general standards in Section 10.25,Q,3, except as provided in Sections 10.25,Q,4,c,(1) through (5) below.

(1) All building envelopes shall be located in the front third of the lot to leave the back two thirds available for open space and wildlife passage.

(2) Building envelopes shall be no greater than two acres in size.

(3) Design of the subdivision road shall minimize fragmentation and indirect impacts on wildlife habitat by using practices such as minimizing the length of new roads to less than one-quarter mile where practicable, locating new roads proximate to existing on-site or off-site development or infrastructure, and locating new roads closer to one of the existing parcel lines.

(4) The design shall include suitable space for wildlife passage. The wildlife passage may be on individual lots; however, it shall be outside designated building envelopes and at least 500 feet in width, extending around or through the development. In addition, the area for wildlife passage shall be located along the side of flowing waters or wetlands, in a way that links high value wildlife habitats on or off the property, along the property line of any abutting conserved land, or adjacent to a property line, to the extent practicable.

(5) The access provision for existing trails in Section 10.25,Q,3,d,(4) applies to Rural Lot subdivisions. Otherwise, the common open space provisions in Section 10.25,Q,3,d do not apply to this layout.

d. FlexDesign Subdivision Layouts. The FlexDesign subdivision is a customized approach to subdivision layout and design. The only general standards in Section 10.25,Q,3 that apply to FlexDesign subdivisions are Sections 10.25,Q,3,a,c, and f; the standards of Section 10.25,Q,4,d apply.

(1) Subdivision Objectives. FlexDesign subdivisions shall meet the Commission's local scale subdivision design objectives, as follows:

(a) Good Fit. Ensure well thought-out subdivision designs and quality infrastructure construction that are consistent with the local area's character, culture, land uses, and housing market; fit into the landscape to minimize the footprint and complexity of infrastructure, encourage continued timber and wood fiber production where appropriate, and protect existing resources where appropriate. Good fit recognizes the diversity of different regions.

(b) Limited Resources. Provide for efficient use of limited land resources such as shorelines, frontage on public roads, and suitable soils to encourage more capacity for residential development in appropriate locations and create efficiencies in the provision of services such as roads, communication infrastructure, emergency services, schools, solid waste disposal, and recreation.

(c) High Value Resources. Protect on-site and nearby high value resources including important farmlands, scenic resources, cultural features, wildlife habitats, water bodies, wetlands, and other natural areas through good design, open space connectivity, and off-site conservation when appropriate to mitigate adverse impact on these resources.

(d) Recreational Resources. Ensure that subdivision designs provide adequate access to on-site or off-site recreational opportunities to accommodate new residents and prevent negative impacts on existing public or private recreation resources, and encourage designs that provide access to a variety of, and interconnectivity between, recreational opportunities, where available.

(e) Adequate Infrastructure. Ensure adequate infrastructure that has been designed to efficiently and effectively maximize public health and safety, allow efficient provision of public services, and minimize the cost of operation and maintenance, including provisions for systems that have interconnectivity, sufficient capacity, and resiliency in extreme weather events.

(2) Subdivision Design. The development of the sketch plan for FlexDesign subdivisions shall be consistent with the following design approach:

(a) Step One. Identify Priority and Supplemental Conservation Areas. Identify the priority conservation areas, using existing information from State natural resource agencies and landowner knowledge, that shall be considered for inclusion within common open space. Priority conservation areas include those areas of the parcel containing or supporting protected natural resources such as significant wildlife habitat, water bodies and wetlands; buffer areas to protect those resources; areas needed for wildlife passage around or through the

development; imperiled and critically imperiled natural plant communities; special flood hazard areas; and sustained steep slopes (greater than 20 percent). Also, identify any supplemental conservation areas, features that the landowner has determined warrant secondary consideration for inclusion within common open space or protection from development, including other areas not well-suited for development, existing trails, areas with connection to off-site open space, open fields, or other special features of the property that are important to maximize opportunities such as protecting significant viewsheds and providing solar access, and meet the applicant's design goals for the subdivision.

(b) Step Two. Locate Building Envelopes. Building envelopes shall be located outside of priority conservation areas, and to the maximum extent feasible, should be located outside of supplemental conservation areas, as delineated in Step One. Building envelopes shall include sufficient area suitable for development and be located to reflect the Commission's local scale subdivision design objectives, outlined in Section 10.25,Q,4,d,(1) above, as well as the applicant's design goals for the subdivision. The placement of building envelopes and lot lines shall consider minimizing the creation of edges[26] between developed areas and open space, and consider the cultural and natural features of the landscape to the greatest extent possible (e.g., follow stone walls, lines of boundary trees, and streams). Locations of building envelopes should also consider the privacy provided for individual homeowners.

(c) Step Three. Align Roads and Trails. The minimum length and network of roads necessary to access each lot shall be identified, subject to the road standards of the Commission, with consideration given to conforming roads to the natural landscape and to minimizing the creation of edges between developed areas and open space. Roads shall be located in such a way that avoids or at least minimizes adverse impacts on those areas delineated in Step One. Where practicable for the proposed development site, entrances onto existing roads shall be located to line up directly across from existing entrances on the roadway, allowing for safe cross movement of traffic at the intersection. Proposed trails shall be identified where access to common open space or recreational resources on or off the development is appropriate.

(d) Step Four. Draw Lot Lines. For subdivisions with individual lots, proposed lot lines shall be identified. The placement of the lot lines shall consider those conservation areas identified in Step One, design decisions made in Steps Two and Three, and the Commission's dimensional and vegetation clearing standards, as well as conform to the cultural and natural features of the landscape to the greatest extent possible. The delineation of lots also should consider the opportunity for future owners to reasonably expand the structures on the lot, and privacy provided for individual lot owners.

(3) Future Development. When a subdivision will not utilize the entire parcel and there are potential plans for future subdivision or development of the parcel, the sketch plan also shall include a conceptual, long-range development plan showing the potential utilization of the balance of the parcel not being subdivided. The conceptual long-range development plan is intended to show that the current subdivision proposal will

[26] In this context, "edge" relates to the boundary between areas of human activity such as lawns and roads, and undeveloped natural areas, such as meadows and forests. Where an edge exists along a natural area, native wildlife species can be adversely affected for a distance from the edge, often called "the edge effect."

not compromise the long-term development of the parcel, future access to recreational resources, or important conservation values. This plan must show the relationship of the proposed subdivision area to the balance of the parcel and to adjacent land, as well as, in general terms, the potential road network and other infrastructure, development areas, and common open space areas for the long-range development plan.

(4) Common Open Space.

(a) The area to be designated as common open space or otherwise preserved as part of the development shall include all identified priority conservation areas. Supplemental conservation areas may also be included in common open space or conserved as needed to ensure the Commission's subdivision objectives and the applicant's design goals for the subdivision are met.

(b) Sufficient supplemental conservation areas shall be included in the common open space to meet at least the minimum area percentage requirement for common open space.

(c) Common Open Space Percentage. Unless site conditions indicate less common open space will meet the Commission's local scale subdivision design objectives in Section 10.25,Q,4,d,(1), the common open space percentage for FlexDesign subdivisions must be at least 50 percent of the net developable land area, and 50 percent of the net developable shorefront area for shoreland developments.

(d) Unless another configuration better achieves the Commission's local scale subdivision design objectives, any common open space proposed for the subdivision shall be preserved in large contiguous blocks that connect with off-site, undeveloped land to form a continuous integrated open space system.

(e) The Commission may allow subsurface wastewater disposal systems in common open space, provided there is no other practicable alternative, legal provisions are made for maintenance, access, and replacement; and the systems are not located in areas designated for wildlife passage or habitat protection.

(f) Common open space shall be labeled as such on the subdivision plat, and preserved and maintained in accordance with Section 10.25,S.

(g) Subdivision Redistricting Considerations. Subdivisions are allowed only in appropriate subdistricts, as designated in Sub-Chapter II. However, the Commission may approve subdivisions that include land area designated as common open space within subdistricts where subdivision is otherwise prohibited, provided the designated land area meets the requirements of Section 10.25,S.

(5) Sketch Plan Review Meeting. Sketch plan submissions for FlexDesign subdivisions shall be consistent with the objectives in Section 10.25,Q,4,d,(1) above; shall follow the approach set out in Section 10.25,Q,4,d,(2); and shall include the submission of a site context map, site inventory and analysis map, conceptual sketch plan, alternative design sketch, and project narrative discussing the applicant's design goals for the subdivision.

5. Procedural Requirements.

a. Sketch Plan Review Meeting for All Subdivisions.

(1) Prior to submitting a permit application for any subdivision, the applicant shall request and attend a sketch plan review meeting.

(2) Two sketch plans, with no engineering details, showing possible subdivision designs for the property using two different layout options shall be provided in advance of the meeting. Data provided on the sketch plan may be based on existing information available from State natural resource agencies and landowner knowledge. Site-specific survey work such as on-site wetland delineations is not expected and need not be a part of the sketch plan review.

(3) The permit application for the subdivision shall be submitted within 12 months after the sketch plan review meeting. If the application is not submitted within 12 months, the Commission may require a new sketch plan review.

(4) Applicants may present a subdivision in phases, provided that the first phase contains at least 25 percent of the total number of lots as shown on the sketch plan.

For phased proposals, the request for sketch plan review also must include a conceptual long-range development plan showing the potential utilization of the balance of the parcel. The conceptual long-range development plan is intended to show that the current subdivision proposal will not compromise the long-term development of the parcel or important conservation values. This plan must show the relationship of the proposed subdivision area to the balance of the parcel and to adjacent land, as well as, in general terms, the potential road network and other infrastructure, development areas, and common open space areas for the long-range development plan.

b. Subdivision Filing with Registry of Deeds.

(1) Filing requirements. Following the approval of any subdivision by the Commission, the applicant shall file the subdivision plat signed by the Commission's Director with the County Registry of Deeds where the real estate is located.

(2) A registrar of deeds shall not record a copy of conditions or any plat or plan purporting to subdivide real estate located within the unorganized and deorganized lands of the State, unless the Commission's approval is evidenced thereon. 12 M.R.S. §685-B(6)

c. Conveyance of Lots or Dwelling Units.

(1) Certificates of Compliance. The conveyance of lots or dwelling units in any subdivision approved by the Commission may not proceed until a certificate of compliance has been issued. A certificate of compliance requires that:

(a) Proposed deeds and plats be reviewed and approved by the Commission to ensure that relevant permit conditions have been fulfilled. 12 M.R.S. §685-B(8)

(b) Signed plats have been filed with the appropriate county Registry of Deeds.

(c) Project construction has been completed, including but not limited to all common infrastructure and improvements, such that all subdivision lots or

dwelling units can be accessed and occupied, and infrastructure and improvements can be used for their intended purpose without concern for the general health, safety, and welfare of the occupant or user, and the general public. Common infrastructure and improvements include elements of the subdivision such as common access ways and trail systems, waterfront amenities and docking facilities, and community centers, as applicable, located anywhere within the subdivision.

(d) All permit conditions of approval have been fulfilled, except those requiring ongoing or long-term compliance activity such as annual water quality monitoring or maintenance of structural erosion control best management practices.

(2) Partial Certificates of Compliance. The Commission may issue a partial certificate of compliance for a portion of a subdivision development if that portion of the project can stand on its own and all infrastructure systems will be able to function properly without the benefits of the unbuilt portions of the systems, when Section 10.25,Q,5,c,(a) and (b) have been met, and:

(a) Project construction is complete for the standalone portion of the project, including but not limited to all common infrastructure and improvements needed to support lots or dwelling units or proposed for use by lot or unit owners in that portion of the project, such that all lots or dwelling units in that portion of the project can be accessed and occupied, and infrastructure and improvements can be used for their intended purpose without concern for general health, safety, and welfare of the occupant or user, and the general public. Common infrastructure and improvements include elements of the subdivision such as common access ways and trail systems, waterfront amenities and docking facilities, and community centers, as applicable, located anywhere within the subdivision.

(b) All open space proposed for wildlife habitat and wildlife passage has been preserved in accordance with Section 10.25,S.

(c) All permit conditions of approval applicable to the standalone portion of the project have been fulfilled, except those requiring ongoing or long-term compliance activity such as annual water quality monitoring or maintenance of structural erosion control practices.

For information relative to permit expiration for partial certificates of compliance see Section 10.17,C,2.

(3) Monumentation. All subdivision and lot boundary corners and angle points must be marked by suitable, permanent monumentation in accordance with rules adopted by the Board of Licensure for Professional Land Surveyors, 02-360 CMR 90, Standards of Practice.

(4) Maple Sugar Processing Subdivisions.

(a) The fee interest in lots in maple sugar processing subdivisions, shall not be offered for sale except as part of a sale of the entire parcel originally so subdivided, or with a deed restriction requiring that the lot be used only for commercial maple syrup production unless the Commission, or its legal successor in function, releases the restriction and records such release in the

registry of deeds. The subdivision plat, and any deed for lots in subdivisions created by lease for the purpose of establishing and operating maple sugar processing operations, shall contain conditions setting out such restrictions.

(b) For maple sugar subdivisions created after February 22, 2013, deeds for each leased lot in maple sugar processing subdivisions must be created with a deed restriction requiring that the lot be used only for commercial maple syrup production unless the Commission, or its legal successor in function, releases the restriction and records such release in the registry of deeds. The deeds for each leased lot in maple sugar processing subdivisions shall be recorded with the registry of deeds at the time the subdivision is created.

(5) Rural Business Lots. All subdivision lots permitted for rural businesses in the D-RB subdistrict shall include a condition requiring that the lot be used only for rural businesses unless the Commission, or its legal successor in function, releases the condition.

d. Recording of Large Lot Land Divisions.

(1) When 3 to 10 lots each containing at least 40 acres are created within a five-year period and are located more than 1,320 feet from the normal high water mark of any great pond or river and more than 250 feet from the upland edge of a coastal or freshwater wetland as those terms are defined in 38 M.R.S. § 436-A, a plan showing the division of the original parcel must be filed by the person creating the third lot with the Commission within 60 days of the creation of that lot. The plan must state that the lots may be used only for forest management, agricultural management or conservation of natural resources. A "Guide to Certification of Plans for Large Lot Land Divisions" is available from the Commission that details submission requirements.

(2) The Commission must determine whether the plan qualifies under 12 M.R.S. § 682-B, ordinarily within 15 days of receipt of a complete plan.

(3) A copy of the certified plan must be filed, within 30 days of certification by the Commission, with the State Tax Assessor and the appropriate registry of deeds in the county in which the land is located. A register of deeds may not record any plan depicting these lots unless the Commission's certification that the division qualifies under 12 M.R.S. § 682-B is evidenced on the plan. 12 M.R.S. § 685-B(6-A)

(4) Any subsequent division of a lot created from the original parcel within 10 years of the recording of the plan in the registry of deeds or any structural development unrelated to forest management, agricultural management or conservation creates a subdivision and may not occur without prior Commission approval. 12 M.R.S. §682-B

R. (RESERVED)

S. COMMON OPEN SPACE

The standards set forth below must be met for all clustered subdivisions and other land area designated as common open space.

1. Preservation and Maintenance of Common Open Space. Common open space must be owned, preserved and maintained as required by this section, by any of the following mechanisms or combinations thereof, listed in order of preference, upon approval by the Commission:

a. Conveyance of common open space to a qualified holder, as defined under Section 10.25,S,2.

b. Dedication of development rights of common open space to a qualified holder, as defined under Section 10.25,S,2 with ownership and maintenance remaining with the property owner or a homeowners association.

c. Common ownership of open space by a homeowners association which prevents future structural development and subsequent subdivision of the common open space, and assumes full responsibility for its maintenance.

d. Ownership by a single landowner, provided that deed covenants are recorded that are sufficient to ensure the purposes of Section 10.25,S.

e. Any other mechanism that fully provides for the permanent protection or conservation of the common open space and that is acceptable to the Commission.

2. Qualified Holders. The following entities are qualified to own, preserve and maintain common open space:

a. "A governmental body empowered to hold an interest in real property under the laws of this State or the United States; or

b. A nonprofit corporation or charitable trust, the purposes or powers of which include retaining or protecting the natural, scenic or open space values of real property; assuring the availability of real property for agricultural, forest, recreational or open space use; protecting natural resources; or maintaining or enhancing air or water quality or preserving the historical, architectural, archaeological or cultural aspects of real property." 33 M.R.S. §476(2)

3. Uses of Common Open Space. Common open space may be usable for low-intensity non-commercial recreation, for purposes intended to conserve land, or to preserve important natural or cultural features of the site. Uses within the common open space may be limited or controlled by the Commission at the time of approval, as necessary, to protect natural resources and adjacent land uses. Specifically, common open space lots are subject to subdivision and other permit conditions prohibiting residential, commercial, and industrial structures and uses; and other structures and uses not specifically authorized by the subdivision permit.

4. Association By-laws. If any or all of the common open space is to be reserved for common ownership by the residents of the subdivision, documents necessary for establishing the association shall be drafted and implemented. The documents shall provide for mandatory lot owner or lessee membership, lot owner or lessee rights and privileges, association responsibilities and authority, operating procedures, proper capitalization to cover any initial operating costs, and the subdivision

developer's responsibilities, if any; and shall prohibit all residential, commercial, and industrial structures and uses within the designated open space; and prohibit other structures and uses in that space that have not specifically been authorized by the subdivision permit.

5. Separate Lot of Record. Common open space shall be dedicated as a separate lot of record with no further subdivision or conversion of use of that lot allowed. Such a lot shall be clearly shown and labeled on the subdivision plat with a notation thereof to indicate that no further subdivision or conversion of use is allowed, and that the common open space land is permanently reserved for open space purposes. The notation must further describe the allowable use or uses; ownership; management; method of preservation, including the book and page of any conservation easements or deed restrictions required to be recorded to implement the reservations or restrictions; and the rights, if any, of the owners in the subdivision to such land or portions of that land.

T. ACTIVITIES IN FLOOD PRONE AREAS

All development in flood prone areas, including areas of special flood hazard, as identified by P-FP subdistricts or Federal Emergency Management Agency (FEMA) Flood Boundary and Floodway, Flood Hazard Boundary or Flood Insurance Rate maps, shall meet the following applicable requirements and standards:

1. Procedural Requirements.

a. Where a special flood hazard area is indicated solely by a P-FP subdistrict, the area will be regulated according to standards applicable to the A zone.

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. (September 25, 2013).

c. Base flood elevations for A1-30, AE and VE zones shall be those determined by FEMA in a Flood Insurance Study, where available.

d. If P-FP zones and A1-30, AE, A, or VE zones apply to an area where FEMA has issued a Letter of Map Amendment (LOMA) or Letter of Map Revision (LOMR) to an applicant determining that the structure or property is not located in the area of special flood hazard, the requirements of Sections 10.23,C and 10.25,T, shall not apply to the structure or property specified in the LOMA or LOMR.

e. Applicants shall notify adjacent towns, plantations and townships in writing prior to any alteration or relocation of a watercourse when project applications propose alterations or relocations of flowing waters in a Flood Prone Area Protection (P-FP) Subdistrict or FEMA zone.

2. Development Standards.

a. Development in flood prone areas, including areas of special flood hazard, shall:

(1) Be designed or modified and adequately anchored to prevent flotation (excluding floating piers and docks), collapse or lateral movement resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;

(2) Use construction materials that are resistant to flood damage;

(3) Use construction methods and practices that will minimize flood damage; and

(4) Use electrical, heating, ventilation, plumbing, and air conditioning equipment, and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during flooding conditions.

b. **Water Supply.** All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the systems.

c. **Sanitary Sewage Systems.** All new and replacement sanitary sewage systems shall be designed and located to minimize or eliminate infiltration of flood waters into the system and discharges from the system into flood waters.

d. **On-Site Waste Disposal Systems.** On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during floods.

e. **Watercourse Carrying Capacity.** All development associated with altered or relocated portions of a watercourse shall be constructed and maintained in such a manner that no reduction occurs in the flood carrying capacity of the watercourse.

f. **Residential Structures.** New construction or substantial improvement of any residential structure shall have the lowest floor (including basement) elevated to at least one foot above the base flood elevation, and when located within Zone VE, meet the requirements for Coastal Floodplains in Section 10.25,T,2,p.

g. **Nonresidential Structures.** New construction or substantial improvement of any nonresidential structure shall:

(1) Have the lowest floor (including basement) elevated to at least one foot above the base flood elevation, or

(2) Together with attendant utility and sanitary facilities:

(a) Be floodproofed to at least one foot above the base flood elevation so that below that elevation the structure is watertight with walls substantially impermeable to the passage of water;

(b) Have structural components capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy; and

(c) Be certified by a registered professional engineer or architect that the floodproofing design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of Section 10.25,T. Such certification shall be provided with the application for any permit and shall include a record of the elevation above mean sea level to which the structure is floodproofed.

(3) When located within Zone VE, meet the requirements for Coastal Floodplains in Section 10.25,T,2,p.

h. **Manufactured Homes.** New manufactured homes or substantial improvements of any manufactured home must:

(1) Be elevated such that the lowest floor (including basement) of the manufactured home is at least one foot above the base flood elevation;

(2) Be on a permanent foundation, which may be poured masonry slab or foundation walls, with hydraulic openings, or may be reinforced piers or block supports, any of which support the manufactured home so that no weight is supported by its wheels and axles; and

(3) Be securely anchored to an adequately anchored foundation system to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to:

(a) Over-the-top ties anchored to the ground at the four corners of the manufactured home, plus two additional ties per side at intermediate points (manufactured homes less than 50 feet long require one additional tie per side); or by

(b) Frame ties at each corner of the home, plus five additional ties along each side at intermediate points (manufactured homes less than 50 feet long require four additional ties per side).

All components of the anchoring system described in (a) and (b) above must be capable of carrying a force of 4,800 pounds.

(4) When located within Zone VE, meet the requirements for Coastal Floodplains in Section 10.25,T,2,p.

i. Recreational Vehicles. Recreational vehicles shall either:

(1) Be on the site for fewer than 90 consecutive days, and be fully licensed and ready for highway use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or

(2) Be permitted in accordance with the elevation and anchoring requirements for manufactured homes in Section 10.25,T,2,h.

(3) When located within Zone VE, be on the site for fewer than 90 consecutive days and be fully licensed and ready for highway use, or meet the requirements for Coastal Floodplains in Section 10.25,T,2,p.

j. Accessory Structures. Accessory structures, as defined, located within Zones A1-30, AE, and A, shall be exempt from the required elevation criteria if all other requirements of Section 10.25,T and the following are met. Exempt accessory structures shall:

(1) Be 500 square feet or less and have a value less than $3,000;

(2) Have unfinished interiors and not be used for human habitation;

(3) Have hydraulic openings, as specified in Section 10.25,T,2,l,(2), in at least two different walls of the accessory structure;

(4) Be located outside the floodway, as determined by the provisions of Section 10.25,T,2,k;

(5) When possible be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters and be placed further from the source of flooding than is the primary structure; and

(6) Have only ground fault interrupt electrical outlets. The electric service disconnect shall be located above the base flood elevation and when possible outside the Area of Special Flood Hazard.

k. Development in Floodways.

(1) In Zones A1-30 and AE adjacent to areas of flowing water, encroachments, including fill, new construction, substantial improvement and other development shall not be permitted within a regulatory floodway which is designated on the township's, plantation's, or town's "Flood Insurance Rate Map" or "Flood Boundary and Floodway Map," unless a technical evaluation certified by a registered professional engineer is provided demonstrating that such encroachments will not result in any increase in flood levels within the township, plantation, or town during the occurrence of the base flood discharge.

(2) In Zones A1-30, AE, and A adjacent to areas of flowing water, for which no regulatory floodway is designated, encroachments, including without limitation fill, new construction, substantial improvement and other development shall not be permitted in the floodway as determined in Section 10.25,T,2,k,(3) below unless a technical evaluation certified by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing development and anticipated development:

(a) Will not increase the water surface elevation of the base flood more than one foot at any point within the township, plantation, or town; and

(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).

(3) In Zones A1-30, AE, and A adjacent to areas of flowing water for which no regulatory floodway is designated, the regulatory floodway is determined to be the channel of the river or other flowing water and the adjacent land areas to a distance of one-half the width of the floodplain as measured from the normal high water mark to the upland limit of the floodplain.

l. Enclosed Areas Below the Lowest Floor. New construction or substantial improvement of any structure in Zones A1-30, AE, and A that meets the development standards of Section 10.25,T, including the elevation requirements, and is elevated on posts, columns, piers, piles, stilts, or crawl spaces may be enclosed below the base flood elevation requirements provided all the following criteria are met or exceeded:

(1) Enclosed areas are not basements as defined in Section l0.02;

(2) Enclosed areas shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of flood water. Designs for meeting this requirement must either:

(a) Be engineered and certified by a registered professional engineer or architect; or

(b) Meet or exceed the following minimum criteria:

(i) A minimum of two openings having a total net area of not less than one square inch for every square foot of the enclosed area;

(ii) The bottom of all openings shall be below the base flood elevation and no higher than one foot above the lowest grade; and

(iii) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the entry and exit of flood waters automatically without any external influence or control such as human intervention, including the use of electrical and other non-automatic mechanical means;

(3) The enclosed area shall not be used for human habitation; and

(4) The enclosed areas are usable solely for building access, parking of vehicles, or storage.

m. Bridges. New construction or substantial improvement of any bridge shall be designed such that:

(1) When possible, the lowest horizontal member (excluding the pilings, or columns) is elevated to at least one foot above the base flood elevation; and

(2) A registered professional engineer shall certify that:

(a) The structural design and methods of construction shall meet the elevation requirements of Section 10.25,T,2,m,(1) above and the floodway standards of Section 10.25,T,2,k; and

(b) The foundation and superstructure attached thereto are designed to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all structural components. Water loading values used shall be those associated with the base flood.

n. Containment Walls. New construction or substantial improvement of any containment wall shall:

(1) Have the containment wall elevated to at least one foot above the base flood elevation;

(2) Have structural components capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy; and

(3) Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of Section 10.25,T. Such certification shall be provided with the application for a permit.

o. Commercial Wharves, Piers and Docks. A registered professional engineer shall develop or review the structural design, specifications, and plans for the new construction or substantial improvement of commercial wharves, piers, and docks.

p. Coastal Floodplains.

(1) All development shall be located landward of the reach of mean high tide except for wharves, piers and docks or as provided in Section 10.25,T,2,p,(6) below.

(2) New construction or substantial improvement of any structure located within Zone VE shall:

(a) Be elevated on posts or columns such that:

(i) The bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated to one foot above the base flood elevation;

(ii) The pile or column foundation and the elevated portion of the structure attached thereto is anchored to resist flotation, collapse, and lateral movement due to the effects of wind and water loads acting simultaneously on all building components; and

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

(b) Have the space below the lowest floor:

(i) Free of obstructions; or

(ii) Constructed with open wood lattice-work, or insect screening intended to collapse under wind and water without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting piles or columns; or

(iii) Constructed with non-supporting breakaway walls which have a design safe loading resistance of not less than 10 or more than 20 pounds per square foot.

(c) Require a registered professional engineer or architect to:

(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) Federal Emergency Management Agency (August 2011); and

(ii) Certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the criteria of Section 10.25,T,2,p,(2).

(3) The use of fill for structural support in Zone VE is prohibited.

(4) Human alteration of sand dunes within Zone VE is prohibited unless it can be demonstrated that such alterations will not increase potential flood damage.

(5) Enclosed areas below the lowest floor may be used solely for parking vehicles, building access, and storage.

(6) Lobster sheds and fishing sheds may be located seaward of mean high tide and shall be exempt from the elevation requirement only if permitted as a special exception, and if all the following requirements and those of Section 10.25,T,2,a,k, and l are met:

(a) The special exception shall be limited to low value structures such as metal or wood sheds 200 square feet or less and shall not exceed more than one story.

(b) The structure shall be securely anchored to the wharf or pier to resist flotation, collapse, and lateral movement due to the effect of wind and water loads acting simultaneously on all building components.

(c) The structure will not adversely increase wave or debris impact forces affecting nearby buildings.

(d) The structure shall have unfinished interiors and shall not be used for human habitation.

(e) Any mechanical, utility equipment and fuel storage tanks must be anchored and either elevated or floodproofed to one foot above the base flood elevation.

(f) All electrical outlets shall be ground fault interrupt type. The electrical service disconnect shall be located on shore above the base flood elevation and when possible outside the Special Flood Hazard Area.

U. AFFORDABLE HOUSING

The following requirements and standards apply to affordable housing in all subdistricts where dwelling units are allowed.

1. Dimensional Requirements. The Commission may reduce dimensional requirements for dwelling units in order to accommodate proposals to provide affordable housing opportunities. The minimum lot size may be reduced to 20,000 square feet per dwelling unit or less than 20,000 square feet per dwelling unit for proposals utilizing subsurface wastewater disposal in accordance with 12 M.R.S. § 4807, and to less than 20,000 square feet per dwelling unit for proposals utilizing public sewer systems, and other dimensional requirements may be modified to the minimum extent necessary to accommodate the proposed units where the applicant demonstrates there will be no undue adverse effect on existing uses and resources in the area likely to be affected by the proposal.

2. Income Restrictions. Affordable housing lots or dwelling units allowed under Section 10.25,U shall be sold or rented to lower or moderate income buyers or renters. The Commission may waive the limit on percentage of household income spent on housing in those housing markets where, in its judgment, after consultation with the Maine State Housing Authority, elevated local housing costs limit affordable housing opportunities.

3. Maintenance of Long-term Affordability. Affordable housing covenants shall run with the land and comply with the provisions of 33 M.R.S. § 122 regarding creation, conveyance, acceptance and duration. Affordable housing covenants for sale and rental properties shall be recorded in the County Registry of Deeds, either concurrently with the recording of the subdivision plat or upon the conveyance of the residential lots or units.

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

a. Sales. Restricting in perpetuity title to the lots and to the dwelling units by an affordable housing covenant attached to the deed requiring that if the owner sells the lot or dwelling unit that the sale price must remain affordable to lower or moderate income households and be in accord with the method for limiting the sale price as specified in the covenant;

b. Rentals. Limiting annual rent increases for lower or moderate income households to changes in the rental market, such as, but not limited to, changes in the area fair market rents published by HUD for the HMFA/County, and providing that no rent increase may take effect until approved by a qualified housing entity, as defined in Section 10.25,U,4; or

c. Other mechanisms. Providing for and maintaining affordable housing through affordability mechanisms as provided for in 33 M.R.S. § 124 or any other mechanisms substantially equivalent to a and b above and acceptable to the Commission.

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 Section 10.25,U in order to ensure that housing lots or dwelling units remain affordable and that buyers or renters qualify as lower or moderate income households. Such oversight must also apply to subsequent sales or rentals and must continue for the term of the housing's required affordability as required by subsection 10.25,U,3.

a. The following housing entities, upon approval by the Commission, are qualified to hold or maintain affordable housing lots or units allowed under Section 10.25,U: A governmental entity empowered to hold an interest in real property under the laws of this State or the United States or a nonprofit organization whose purposes include providing affordable housing or increasing affordable housing opportunities for lower income or moderate income households.

b. The Commission will require a back-up qualified housing entity for an approved nonprofit organization. The back-up qualified housing entity shall have the right to enforce the terms of the covenant and shall have all the rights of the primary qualified housing entity, in the event the primary qualified housing entity ceases to exist or fails to undertake monitoring, enforcement and other holder responsibilities under the covenant.

c. Transfer of the rights of the qualified housing entity or back-up qualified housing entity requires Commission approval.

5. Affordable Housing Agreement Documentation. The applicant shall submit for Commission review and approval documentation by the qualified housing entity which must include at least the following:

a. Identification of the qualified housing entity and of the back-up qualified housing entity acceptable to the Commission that will be overseeing the affordable housing lots and dwelling units and be responsible for implementing and enforcing the affordable housing covenant(s);

b. The agreement between the qualified housing entity and the back-up entity;

c. An effective method to maintain long-term affordability to lower or moderate income buyers or renters according to the requirements of 10.25,U,3;

d. A process for screening and selecting lower or moderate income households allowed to buy or rent lots or dwelling units;

e. A right of first refusal giving the qualified housing entity the right to purchase the affordable lots or units at the sale price limitation contained in the affordable housing covenant if no qualified lower or moderate income buyers apply at the affordable price within a specified time period;

f. An option to return affordable lots or units, whether for sale or rent, to market rates only if there are no qualified lower or moderate income household buyers or renters within a specified time period of the property being on the market and a method to return profits in excess of the sale price limitation contained in the affordable housing covenant to the qualified housing entity for purposes of providing affordable housing if the lots or units are returned to market rates;

g. When an applicant requests that the Commission waive the limit on the percent of household income spent on housing, documentation of housing market conditions that establish the need for the waiver; and

h. A requirement for the submission of annual reports by the qualified housing entity to the Commission documenting that the terms of items 5,a through f above, as applicable, are being met.

10.26 DIMENSIONAL REQUIREMENTS

The following dimensional requirements apply to all lots on which structural development is proposed unless otherwise provided by Section 10.26,G.

A. MINIMUM LOT SIZE

1. Residential Uses and Residential Campsites.

The minimum lot size for residential uses is 40,000 square feet per dwelling unit or residential campsite except where each dwelling unit is to use a common or community sewer and not on-site subsurface waste water disposal, the minimum lot size shall be 20,000 square feet per dwelling unit.

2. Commercial, industrial, and other non-residential uses.

The minimum lot size for commercial, industrial, and other non-residential uses involving one or more buildings is 40,000 square feet, except as provided in Section 10.26,A,3.

3. Campsites.

There shall be no minimum lot size requirement for lots developed only with a campsite.

B. MINIMUM SHORELINE FRONTAGE

1. For lots fronting on a flowing water draining more than 2 square miles but less than 50 square miles, a body of standing water less than 10 acres in size not including constructed ponds, or a coastal wetland, the minimum shoreline frontages are:

a. 150 feet per dwelling unit for residential uses;

b. 200 feet for commercial, industrial, and other non-residential uses involving one or more buildings; and

c. 150 feet for a lot that only contains a residential campsite.

2. For lots fronting on a flowing water draining 50 square miles or more or a body of standing water 10 acres or greater in size, the minimum shoreline frontage shall be:

a. 200 feet per dwelling unit for residential uses;

b. 300 feet for commercial, industrial, and other non-residential uses involving one or more buildings; and

c. 200 feet for a lot that only contains a residential campsite.

3. In the case of a lot which borders more than one water body, the shoreline frontage requirement must be met on each water body bordered by the lot.

4. Frontage shall be measured in a straight line between the points of intersection of side lot lines with the normal high water mark of the shoreline.

5. The minimum width of any portion of any lot within 100 feet, horizontal distance, of the normal high water mark of a water body shall be equal to or greater than the applicable minimum shoreline frontage requirement.

6. The shoreline frontage may be waived to no less than 200 feet for public boat launches where the applicant demonstrates there will be no undue adverse impact to surrounding uses.

7. There shall be no minimum shore frontage requirement for lots developed only with a campsite.

C. MINIMUM ROAD FRONTAGE

1. Except as provided for in Section 10.26,C,6 below, the minimum road frontage shall be:

a. 100 feet per dwelling unit for residential uses;

b. 200 feet for commercial, industrial, and other non-residential uses involving one or more buildings; and

c. 100 feet for a lot that only contains a residential campsite.

2. These requirements apply to any privately or publicly owned road that is used for public access, including roads used by the public for which a toll is paid.

3. Where the lot is located at the end of a road or on a circular turnaround with an outside diameter of less than 25 feet, the road frontage requirements shall not apply.

4. Frontage shall be measured along the traveled portion of the road between the points of intersection of side lot lines with the traveled portion of the road.

5. In the case of a lot which borders more than one road, the road frontage requirement must be met on at least one road bordered by the lot.

6. Flexible Road Frontage Requirements In Prospectively Zoned Areas.

a. Except on state or state-aid highways, road frontage requirements for commercial and residential development in the D-GN, D-GN2, D-GN3, D-RS, and D-RS2 may be reduced below those listed above in order to allow the proposed development to conform with the prevailing frontage in its immediate vicinity. The prevailing frontage is the average frontage of those lots within 500 feet on either side of the subject parcel.

b. Reductions in road frontage shall be approved only when they will not cause an increased risk of accidents or impact the posted speed of the road.

7. There shall be no minimum road frontage requirement for lots developed only with a campsite.

D. MINIMUM SETBACKS

1. Minimum setbacks must be applied in the following manner:

a. Shoreline setbacks must be measured from the normal high water mark of the nearest shoreline of each flowing water or body of standing water, and from the nearest upland edge of applicable wetlands.

b. Roadway setbacks apply to any privately or publicly owned roadway that is used for public access, including roadways used by the public for which a toll is paid, and must be measured from the travelled portion of the roadway.

2. Single-Family Residential Uses.

The minimum setbacks for structures, other than those described in Section 10.26,D,3 and except as provided in Section 10.26,G are:

a. Shoreline setbacks:

(1) 100 feet from each flowing water draining 50 square miles or more and of a body of standing water 10 acres or greater in size;

(2) 75 feet from each flowing water draining less than 50 square miles; body of standing water less than 10 acres in size except for constructed ponds; coastal wetland; and non-forested wetlands located in P-WL1 subdistricts; and

b. Roadway setbacks:

(1) 50 feet from all roadways except as provided for in Section 10.26,D,2,b,(2) and (3) below;

(2) 30 feet from all roadways within the D-RS and D- GN subdistricts, including cases where the P-FP overlaps these subdistricts; and

(3) 20 feet from all roadways on coastal islands;

c. Side and rear property line setbacks are 15 feet.

These setbacks also apply to all parking areas associated with single-family residential uses, parking areas for trailered ramps or hand-carry launches, those structures within a recreational lodging facility constructed solely for the housing of guests or staff, remote rental cabins, and residential campsites.

3. Multi-family Dwellings, and Commercial, Industrial, and Other Non-Residential Uses.

The minimum setbacks for multi-family dwellings and commercial, industrial, and other non-residential principal and accessory structures, other than those described in Section 10.26,D,2, 4, and 5 and except as provided in Sections 10.26,G and 10.27,Q are:

a. Shoreline setbacks:

(1) 150 feet from each flowing water draining 50 square miles or more and a body of standing water 10 acres or greater in size;

(2) 100 feet from each flowing water draining less than 50 square miles; body of standing water less than 10 acres in size except constructed ponds; coastal wetland, and non-forested wetlands located in P-WL1 subdistricts; and

b. Roadway setbacks:

(1) 75 feet from all roadways except as provided for in Section 10.26,D,3,b,(2) and (3) below;

(2) 30 feet from all roadways in D-RS and D-GN subdistricts, including cases where the P-FP overlaps these subdistricts; and

(3) 20 feet from all roadways on coastal islands;

c. 25 feet from the side and rear property lines.

Except as provided for in Section 10.26,D,2 above, these setbacks also apply to all parking areas associated with multi-family dwellings and commercial, industrial, and other non-residential uses, and campsites and all other structures within a recreational lodging facility, including, but not limited to, a main lodge, dining area, workshop and parking area.

4. Campsites.

Notwithstanding Section 10.26,D,3, the minimum setbacks for the areas designed for camping, including cleared or graded areas, fire rings, tables, and related construction, are:

a. Shoreline setbacks:

(1) 75 feet from all flowing water; bodies of standing water except constructed ponds; coastal wetlands; and non-forested wetlands located in P-WL1 subdistricts;

b. Roadway setbacks:

(1) 50 feet from all roadways except as provided for in Section 10.26,D,4,b,(2) and (3) below;

(2) 30 feet from roads in D-RS and D-GN subdistricts; and

(3) Notwithstanding the above, the area designed for camping must be set back at least 10 feet from roads internal to a campground, and campsite parking areas may be located adjacent to such roads, except that the Commission may require a greater setback where necessary due to site conditions in order to protect public safety.

c. 25 feet from property lines.

5. Remote Campsites.

Notwithstanding Section 10.26,D,3 and 4, the minimum setbacks for remote campsites are:

a. Shoreline setbacks:

(1) 25 feet from all shorelines, except that the Commission may require a greater setback from shorelines for remote campsites where necessary due to site conditions in order to avoid accelerated soil erosion or sedimentation of surface waters;

b. Roadway setbacks:

(1) 50 feet from all roadways;

c. 25 feet from property lines.

6. Flexible Building Setbacks in Prospectively Zoned Areas.

a. For commercial or residential development in the D-GN, D-GN2, D-GN3, D-RS, and D-RS2 subdistricts, building setback distances from roads may be less than specified in Section 10.26,D in order to meet prevailing setbacks on adjacent properties. The prevailing setback is the average setback of those principal and accessory structures on lots within 500 feet on either side of the subject parcel.

b. In the D-GN2, D-GN3, D-RS, and D-RS2 subdistricts, road setbacks for commercial buildings may be reduced to 50 feet where all parking areas are to be placed to the side or rear of the structure.

c. These reduced setbacks will be granted where the existing character of an area will be maintained and provided that the reduction will not adversely impact public safety.

7. Farm Stands and Recreation Supply Businesses without Structures. All components of farm stands and all components of recreation supply businesses without structures, including all activity, storage, and parking areas associated with such stands and businesses, must be set back at least 30 feet from the traveled portion of all roadways, provided such will not result in unsafe conditions. Farm stands and recreation supply businesses without structures must meet setbacks for commercial facilities as specified in Sections 10.26,D,3,a, and c. A farm stand or recreation supply business without structures located on a coastal island must meet setbacks from roads specified in Section 10.26,D,3,b,(3). Pursuant to Section 10.27,B, all vegetation clearing standards apply to development of a farm stand or recreation supply business without structures.

E. MAXIMUM LOT COVERAGE

1. Except as provided in Sections 10.26,E,3, 10.26,E,4, and 10.26,E,5 below, the maximum lot coverage shall be 30% for all uses involving one or more buildings.

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

3. Flexible Lot Coverage Requirements in Prospectively Zoned Areas Outside of the Shoreland Areas.

a. For commercial and institutional development outside the shoreland area in the D-GN, D-GN2, D-GN3, D-RS, and D-RS2 subdistricts that is proposed on lots of 2 acres or less, lot coverage may be increased to 50%. This waiver shall be granted in order to accommodate in-fill development or compact development patterns that promote pedestrian access and social interaction, provided there is no adverse impact on water bodies from surface water runoff.

4. For lots in a D-CI subdistrict that are not within 250 feet of a major flowing water or a body of standing water 10 acres or greater in size, the maximum lot coverage shall be 50% for all uses involving one or more buildings.

5. For lots in a D-MT subdistrict, the maximum lot coverage shall be 50% for all uses, except residential uses, involving one or more buildings. For residential uses in the D-MT the lot coverage standard in Section 10.26,E,1 shall apply.

F. MAXIMUM STRUCTURE HEIGHT

1. Except as provided for in Section 10.26,F,2, 4, and 5 below, the maximum structure height shall be:

a. 75 feet for residential uses, campsites, and residential campsites; and

b. 100 feet for commercial, industrial, and other non-residential uses involving one or more structures.

2. Structures within 500 feet of the normal high water mark of a body of standing water 10 acres or greater or coastal wetland shall be no higher than 30 feet. The Commission may apply this provision at greater distances from the normal high water mark of bodies of standing water having significant or outstanding scenic values where there is the likelihood that such structures would have an adverse impact on scenic values. Bodies of standing water having such scenic values are shown in Appendix C.

3. Features of structures which contain no floor area such as chimneys, towers, ventilators and spires and freestanding towers and turbines may exceed these maximum heights with the Commission's approval.

4. Structure Height in Prospectively Zoned Areas.

a. In areas beyond 500 feet of the normal high water mark of a body of standing water 10 acres or greater, structure height in the D-GN, D-GN2, D-GN3, D-RS, D-RS2, D-RS3, D-CI, and D-ES in prospectively zoned areas shall be limited to 35 feet. Structures used for agricultural management, structures with no floor area, or features of buildings which contain no floor area such as chimneys, towers, ventilators, and spires may exceed these maximum heights with the Commission’s approval.

b. Structures within 500 feet of the normal high water mark of a body of standing water 10 acres or greater in size shall conform to the provisions of Section 10.26,F,2 above.

5. Structure Height in Trescott Township. Structures within 500 feet of State Route 191 in Trescott Township shall be no higher than 40 feet.

G. EXCEPTIONS TO DIMENSIONAL REQUIREMENTS

1. The Commission may reduce dimensional requirements for individual buildings in a clustered subdivision development, in accordance with Section 10.25,Q,4,b.

2. The dimensional requirements applicable to D-PD subdistricts shall be established by the Commission pursuant to the provisions of Section 10.21,H, provided that the shoreline setback requirements hereof shall not be reduced.

3. Notwithstanding other provisions of these rules, in a proposed subdivision or area that has or is likely to have relatively dense development, the Commission may increase the minimum lot size when the Commission determines that:

a. A larger lot size is required to provide sufficient area of suitable soil to accommodate the principal building and accessory structures, and subsurface waste water disposal, including a replacement system; and

b. The density of development in the vicinity of the proposed site is likely to cause nitrate or other contaminant levels in ground water to exceed public drinking water standards at any public or private well or at the property boundary. The Commission may require a nitrate study to estimate likely nitrogen levels in ground water as part of a subdivision application.

4. Where development would otherwise have an undue adverse impact on existing uses, scenic character or natural and historic resources in the area likely to be affected by the proposal, the Commission may impose additional or more protective standards with respect to clearing, frontage and setback requirements, waste water disposal, and other aspects of the development to reasonably assure that undue adverse impact is avoided.

5. An exception may be made to the shoreline, road, and/or property line setback requirements for structures where the Commission finds that such structures must be located near to the shoreline, road, or property line due to the nature of their use. Structures which must be located near to the shoreline include structures which require direct access to the water as an operational necessity, such as piers, docks, retaining walls, and structures necessary for commercial fishing activities or water dependent uses within a D-MT subdistrict. This provision shall not apply to boat houses or float plane hangars not included within a D-MT subdistrict.

6. An exception may be made to the minimum extent necessary to the shoreline frontage and lot size requirement on coastal wetlands for structures necessary for commercial fishing activities or water dependent uses within a D-MT subdistrict where such reduction would better serve the purpose of this subdistrict.

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.

8. To the extent consistent with 12 M.R.S. § 685-B(4), the Commission may reduce the minimum lot size required for a structure whose sole purpose is to house a public utility facility or to function as a public utility, provided that:

a. the size, height, and bulk of the facility is of a scale that permits such a reduction without adverse effect on surrounding properties; and

b. the facility is sited and buffered to fit harmoniously into the surrounding environment.

9. Notwithstanding the provisions of Section 10.11, structures necessary for disabled persons to gain access to buildings or facilities may be greater than the allowable size or located less than the standard setback distance from a shoreline, road and property line to the minimum extent necessary when the following criteria are met:

a. A person with a disability as defined in 5 M.R.S. § 4553 resides in or regularly uses the dwelling or facility;

b. The encroachment into the standard setback distance or exceeding of the allowable size applies only to the installation of equipment or construction of structures necessary for access to or egress from the dwelling or facility by the person with the disability;

c. The access structure is necessary to create an accessible route;

d. The access structure cannot reasonably or feasibly be created without exceeding the allowable size or encroachment into the standard setback distance; and

e. The design of the access structure minimizes the need for exceeding the allowable size or encroachment into the standard setback distance.

10. The Commission may reduce the minimum road setback requirement in the following cases:

a. For subdivisions and commercial, industrial and other non-residential structures and uses, in accordance with Section 10.25,D,3,d,(2), by up to 50 percent or to no less than 20 feet, whichever is larger.

b. For commercial, industrial and other non-residential structures and uses, to no less than 20 feet provided the following criteria are met:

(1) The road is internal to the development and not a throughway;

(2) It is impracticable to extend the road in the future to create a longer road or a throughway (based on geography, surrounding development or other characteristics);

(3) The road will be used primarily by clients or customers of the facility(ies); and

(4) The reduction in road setback will not cause an undue adverse impact to the natural resources, community character, or scenic quality of the area.

11. The Commission may reduce the minimum water body setback requirement for a residential driveway in accordance with Section 10.27,H,2,b,(2).

12. The Commission may reduce the minimum road frontage requirement for individual lots within subdivisions with shared driveways in accordance with Section 10.25,Q,3,c.

13. The Commission may reduce the property line setback where there is no practical alternative and upon prior written agreement of the adjoining property owner.

14. The Commission may reduce dimensional requirements for the purpose of providing affordable housing opportunities, in accordance with Section 10.25,U.

15. Notwithstanding any other provision of these rules, the Commission may increase the maximum lot coverage above the limits set in Section 10.26,E for any lot in a D-CI subdistrict upon a finding that the increase in the maximum lot coverage will not have an undue adverse impact on existing uses or natural resources.

16. Notwithstanding any other provision of these rules, the Commission may increase the maximum lot coverage above the limits in Section 10.26,E for any lot in a D-MT subdistrict, used for a non-residential use, upon a finding that the increase in the maximum lot coverage will not have an undue adverse impact on existing uses or natural resources.

17. The Commission may apply the dimensional requirements and standards for recreational lodging facilities in accordance with Section 10.27,Q.

18. For lots improved with public recreational facilities the minimum lot size is 20,000 square feet, the minimum shoreline frontage is 100 feet, and the minimum road frontage is 100 feet, provided:

a. the abutting land is subject, in perpetuity, to legally binding provisions that prohibit incompatible land uses in locations that would be adversely affected by the public recreational facility, and

b. the public recreational facility is otherwise sufficiently sized to fulfill the use for which it is designed.

For lots improved with a public trailered ramp or public hand-carry launch that do not satisfy the above provisions, but where the ramp or launch will not have an undue adverse impact on existing uses in the project area, the minimum shoreline frontage is 200 feet. Except as provided here, the dimensional requirements contained in Section 10.26,A through F apply to lots improved with public recreational facilities. 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.

19. The Commission may reduce the minimum setback requirements for guy wire anchors provided such reduction will not result in unsafe conditions.

10.27 ACTIVITY-SPECIFIC STANDARDS

The documents referenced within this section may be obtained from the Commission's office in Augusta, or any of its regional offices.

A. AGRICULTURAL ACTIVITIES

The standards of Section 10.27,A apply to agricultural activities. Agricultural activities not in conformance with the standards of 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 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. Agricultural Management Activities.

The following requirements shall apply to agricultural management activities in all development and protection subdistricts:

a. 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. Exposed mineral soil created by tilling of soil shall occur no closer to the normal high water mark of any body of standing water, flowing water, or coastal wetland than is indicated by the following table, provided, however, no portion of such exposed mineral soil on a back face shall be closer than 50 feet:

Average Slope of Land Between Exposed Mineral Soil and Normal High Water Mark (Percent)	**Width of Strip Between Exposed Mineral Soil and Normal High Water Mark** (Feet along Surface of the Ground)
0	50
10	90
20	130
30	170
40	210
50	250
60	290
70	330

Table 10.27,A-1. Water body setback requirements for exposed mineral soil created by tilling of soil.

2. Small-scale Agritourism.

The following standards apply to all small-scale agritourism in all subdistricts where such activities are allowed:

a. Parking. Adequate parking shall be provided for the vehicles of employees and visitors. On-street or off-street parking areas must be designed to ensure safe conditions and must be sized to accommodate the number of employees and visitors expected during peak times.

b. Lighting. All exterior lighting fixtures must be full cut-off and designed, located, installed and directed in such a manner as to illuminate only the target area, to the extent practicable. No activity shall produce a strong, dazzling light or reflection of that light beyond lot lines onto neighboring properties, or onto any roadway so as to impair the vision of the driver of any vehicles upon that roadway or to create nuisance conditions. Additionally, all non-essential lighting shall be turned off after business hours, leaving the minimum necessary for site security.

c. Noise. Facilities must meet standards for noise included in Section 10.25,F,1.

d. Sanitation. Adequate restroom and handwashing facilities, which may include temporary portable toilets, must be provided for employees and visitors.

3. Greenhouses. Non-residential greenhouse lighting must be fully shielded between sunset and sunrise and must not illuminate exterior areas or otherwise make the greenhouse appear to glow.

B. VEGETATION CLEARING

Vegetation clearing activities not in conformance with the standards of 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 Section 10.27,B, shall be conducted in a manner which produces no undue adverse impact upon the resources and uses in the area.

The following requirements shall apply to vegetation clearing activities for any purpose other than road construction, road reconstruction and maintenance, wildlife or fishery management, forest management, agricultural management, public trailered ramps or hand-carry launches:

1. A vegetative buffer strip must be retained within:

a. 50 feet of the right-of-way or similar boundary of any public roadway except as provided for in Section 10.27,B,1,b below,

b. 30 feet of the right-of-way or similar boundary of any public roadway in D-RS and D-GN subdistricts;

c. 75 feet of the normal high water mark of any body of standing water less than 10 acres in size not including constructed ponds, or any coastal wetland or flowing water draining less than 50 square miles, and

d. 100 feet of the normal high water mark of a body of standing water 10 acres or greater in size or flowing water draining 50 square miles or more.

2. Within this buffer strip, vegetation must be maintained as follows:

a. There must be no cleared opening greater than 250 square feet in the forest canopy as measured from the outer limits of the tree crown. However, a footpath is permitted, provided it does not exceed six feet in width as measured between tree trunks, and, has at least one bend in its path to divert channelized runoff.

b. Selective cutting of trees within the buffer strip is permitted provided that a well-distributed stand of trees and other natural vegetation is maintained.

For the purposes of this section a “well-distributed stand of trees” adjacent to a body of standing water 10 acres or greater in size shall be defined as maintaining a rating score of 24 or more in a 25-foot by 50-foot rectangular area as determined by the following rating system.

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.

Diameter of Tree at 4-1/2 feet Above Ground Level (inches)	**Points**
2.0 to < 4.0	1
4.0 to < 8.0	2
8.0 to < 12.0	4
12.0 +	8

Table 10.27,B-1. Rating system for a well-distributed stand of trees.

The following shall govern in applying this rating system:

(1) The 25-foot x 50-foot rectangular plots shall be established where the landowner or lessee proposes clearing within the required buffer;

(2) Each successive plot shall be adjacent to but not overlap a previous plot;

(3) Any plot not containing the required points shall have no vegetation removed except as otherwise allowed by these rules;

(4) Any plot containing the required points may have vegetation removed down to the minimum points required or as otherwise allowed by these rules; and

(5) Where conditions permit, no more than 50% of the points on any 25-foot by 50-foot rectangular area may consist of trees greater than 12 inches in diameter.

For the purposes of this section, "other natural vegetation" is defined as retaining existing vegetation under 3 feet in height and other ground cover and retaining at least 5 saplings less than 2 inches in diameter at 4½ feet above ground level for each 25-foot by 50-foot rectangular area. If 5 saplings do not exist, the landowner or lessee may not remove any woody stems less than 2 inches in diameter until 5 saplings have been recruited into the plot. In addition, the soil shall not be disturbed, except to provide for a footpath or other permitted use.

c. In addition to Section 10.27,B,2,b above, no more than 40% of the total basal area of trees 4.0 inches or more in diameter, measured at 4½ feet above ground level, may be removed in any 10 year period.

d. Pruning of live tree branches is prohibited, except on the bottom 1/3 of the tree provided that tree vitality will not be adversely affected.

e. In order to maintain a buffer strip of vegetation, when the removal of storm-damaged, diseased, unsafe, or dead trees results in the creation of cleared openings in excess of 250 square feet, these openings must be established with native tree species.

3. At distances greater than one hundred feet, horizontal distance, from the normal high water mark of a body of standing water greater than 10 acres, no more than 40% of the total basal area of trees four inches or more in diameter, measured at 4½ feet above ground level, may be removed in any 10 year period. In no instance must cleared openings exceed, in the aggregate, 10,000 square feet, including land previously cleared. These provisions apply to areas within 250 feet of all bodies of standing water greater than 10 acres, and to the full depth of the P-AL zone. This requirement does not apply to the development of uses allowed by permit.

4. Cleared openings legally in existence as of June 7, 1990 may be maintained, but shall not be enlarged except as permitted by these regulations.

5. When revegetation is required: (i) in response to violations of the vegetation standards set forth in Section 10.27,B,1 through 4; (ii) to address the removal of non-native invasive species of vegetation; (iii) as a mechanism to allow for development by permit that exceeds the vegetation standards of Section 10.27,B or the cleared opening standards of Section 10.27,Q,1,Table A,(4), including removal of vegetation in conjunction with a shoreline stabilization project; or (iv) as part of a mitigation plan for clearing associated with a recreational lodging facility, the revegetation must comply with the following requirements.

a. The property owner must submit a revegetation plan, prepared with and signed by a qualified professional (examples include: arborist, forester, landscape architect, U.S.D.A. Natural Resources Conservation Service), that describes revegetation activities and maintenance. The plan must include a scaled site plan depicting where vegetation was, or is to be removed, where existing vegetation is to remain, and where vegetation is to be planted, including a list of all vegetation to be planted.

b. Revegetation must occur along the same segment of shoreline and in the same area where vegetation was removed and at a density comparable to the pre-existing vegetation, except where a shoreline stabilization activity does not allow revegetation to occur in the same area and at a density comparable to the pre-existing vegetation, in which case revegetation must occur along the same segment of shoreline and as close as possible to the area where vegetation was removed. When part of a mitigation plan, revegetation must occur along the same segment of shoreline, road, or other resource affected by proposed uses or development, and at a density and configuration comparable to other naturally occurring forests on the site or in the vicinity.

c. Revegetation activities must meet the following requirements for trees and saplings:

(1) All trees and saplings removed must be replaced with native noninvasive species;

(2) Replacement vegetation must at a minimum consist of saplings;

(3) If more than three trees or saplings are planted, then at least three different species shall be used;

(4) No one species shall make up 50% or more of the number of trees and saplings planted;

(5) If revegetation is required for a shoreline stabilization project, and it is not possible to plant trees and saplings in the same area where trees or saplings were removed, then trees or sapling must be planted in a location that effectively reestablishes the screening between the shoreline and structures; and

(6) A survival rate of at least 80% of planted trees or saplings is required for a minimum five years period from the time of planting. Replanting of trees or saplings that did not survive does not trigger a new five year period.

d. Revegetation activities must meet the following requirements for woody vegetation and other vegetation under three feet in height:

(1) All woody vegetation and vegetation under three feet in height must be replaced with native noninvasive species of woody vegetation and vegetation under three feet in height as applicable;

(2) Woody vegetation and vegetation under three feet in height shall be planted in quantities and variety sufficient to prevent erosion and provide for effective infiltration of stormwater;

(3) If more than three woody vegetation plants are to be planted, then at least three different species shall be planted;

(4) No one species shall make up 50% or more of the number of planted woody vegetation plants; and

(5) Survival of planted woody vegetation and vegetation under three feet in height must be sufficient to remain in compliance with the standards contained within this chapter for a minimum of five years from the time of planting. Replanting of trees or saplings that did not survive does not trigger a new five year period.

e. Revegetation activities must meet the following requirements for ground vegetation and ground cover:

(1) All ground vegetation and ground cover removed must be replaced with native herbaceous vegetation, in quantities and variety sufficient to prevent erosion and provide for effective infiltration of stormwater;

(2) Where necessary due to a lack of sufficient ground cover, an area must be supplemented with a minimum four inch depth of leaf mulch and/or bark mulch to prevent erosion and provide for effective infiltration of stormwater; and

(3) Survival and functionality of ground vegetation and ground cover must be sufficient to remain in compliance with the standards contained within Section 10.27,B for a minimum of five years from the time of planting.

f. The applicant may propose, and the Commission may approve or require, variations from the standards in Section 10.27,B,5,c through e if necessary to achieve effective buffering. The Commission may exempt an individual, whether an applicant or violator, from the requirement that the revegetation plan be prepared by a qualified professional in accordance with Section 10.27,B,5,a, when the proposed revegetation is routine and would not affect a particularly sensitive resource.

C. MINERAL EXPLORATION AND EXTRACTION

Mineral exploration and extraction activities for non-metallic minerals that are not in conformance with the standards of 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 Section 10.27,C, shall be conducted in a manner which produces no undue adverse impact upon the resources and uses in the area.

Mineral exploration and extraction activities for metallic minerals are not subject to the following subsections. Metallic mineral exploration and extraction are subject to Chapter 13, Metallic Mineral Exploration and Mining Certifications, including but not limited to the standards for metallic mineral exploration in that chapter.

The following standards for mineral exploration and extraction activities for non-metallic minerals shall apply in all subdistricts except as otherwise hereinafter provided:

1. Mineral Exploration. The following standards shall apply to mineral exploration activities for non-metallic minerals:

a. All excavations, including test pits and holes, shall be promptly capped, refilled or secured by other equally effective measures so as to reasonably restore disturbed areas and to protect the public health and safety.

b. Mineral exploration activities or associated access ways where the operation of machinery used in such activities results in the exposure of mineral soil, shall be located such that an unscarified filter strip of at least the width indicated below is retained between the exposed mineral soil and the normal high water mark of a flowing water, body of standing water, coastal wetland, or wetland identified as a P-WL1 subdistrict:

Average Slope of Land Between Exposed Mineral Soil and Normal High Water Mark (Percent)	**Width of Strip Between Exposed Mineral Soil and Normal High Water Mark** (Feet Along Surface of the Ground)
0-29	75
30-39	85
40-49	105
50-59	125
60-69	145
70 or more	165

Table 10.27,C-1. Unscarified filter strip width requirements for exposed mineral soil created by mineral exploration activities or associated access ways.

The provisions of Section 10.27,C,1,b apply only on a face sloping toward the water, provided, however, no portion of such exposed mineral soil on a back face shall be closer than 75 feet; the provisions of Section 10.27,C,1,b do not apply where access ways cross such waters.

c. Except when surface waters are frozen, access ways for mineral exploration activities shall not utilize flowing waters bordered by P-SL2 subdistricts except to cross the same by the shortest possible route; unless culverts or bridges are installed in accordance with Section

10.27,D,2 and 5, such crossings shall only use channel beds which are composed of gravel, rock or similar hard surface which would not be eroded or otherwise damaged.

d. Access way approaches to flowing waters shall be located and designed so as to divert water runoff from the way in order to prevent such runoff from directly entering the stream.

e. In addition to the foregoing minimum requirements, when conducting mineral exploration activities and creating and maintaining associated access ways, provision shall be made to effectively stabilize all area of disturbed soil so as to reasonably avoid soil erosion and sedimentation of surface waters. These measures shall include seeding and mulching if necessary to insure effective stabilization.

2. Mineral Extraction. The following standards apply to mineral extraction activities for non-metallic minerals in all subdistricts:

a. A vegetative buffer strip must be retained between the ground area disturbed by the extraction activity and:

(1) 75 feet of the normal high water mark of any body of standing water less than 10 acres in size not including constructed ponds, any flowing water draining less than 50 square miles, coastal wetland, or wetland identified as a P-WL1 subdistrict; and

(2) 100 feet of the normal high water mark of any body of standing water 10 acres or greater in size or flowing water draining 50 square miles or more.

b. No portion of any ground area disturbed by the extraction activity shall be closer than 250 feet from any public roadway, or 250 feet from any property line in the absence of the prior written agreement of the owner of such property.

c. Within 250 feet of any water body the extraction area shall be protected from soil erosion by ditches, sedimentation basins, dikes, dams, or such other control devices which are effective in preventing sediments from being eroded or deposited into such water body.

Any such control device shall be deemed part of the extraction area for the purposes of Section 10.27,C,2,a, above;

d. A natural vegetative screen of not less than 50 feet in width shall be retained from any facility intended primarily for public use, excluding privately owned roads; and

e. If any mineral extraction operation located within 250 feet of any property line or public roadway or facility intended primarily for public use, excluding privately owned roads, is to be terminated or suspended for a period of one year or more, the site shall be rehabilitated by grading the soil to a slope of 2 horizontal to 1 vertical, or flatter.

D. ROADS AND WATER CROSSINGS

Roads and water crossings not in conformance with the standards of 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 a permit shall show by a preponderance of the evidence that the proposed activity, which is not in conformance with the standards of Section 10.27,D, will be conducted in a manner that produces no undue adverse impact upon the resources and uses in the area.

The following standards apply to roads and water crossings for any purpose other than land management roads and water crossings on/for land management roads where those uses are regulated by the Maine Forest Service; repair and maintenance of legally existing road culverts or replacement of legally existing road culverts in accordance with 12 M.R.S. §685-B(1-A)(A); and driveways associated with residential structures and uses, except as provided in Section 10.27,H.The following requirements shall apply to construction and maintenance of roads:

1. Roads, Drainage Ditches, and Turnouts. The following standards apply to construction and maintenance of roads, including the creation of drainage ditches and turnouts:

a. Sediment barriers, such as silt fences or erosion control mix berms, must be properly installed between areas of soil disturbance and downgradient non-tidal waterbodies and wetlands prior to construction. Sediment barriers must be maintained until the disturbed area is permanently stabilized, and removed within 30 days, or as soon as practicable, following final stabilization of the site;

b. Prior to any forecasted storm event and within 7 days following the completion of construction, all cut or fill slopes and areas of exposed mineral soil outside the road surface must be seeded and mulched, or otherwise stabilized to prevent unreasonable soil erosion and sedimentation of non-tidal water bodies or wetlands;

c. Road side slopes must have a slope no steeper than 2 horizontal to 1 vertical;

d. All drainage ditches created as part of the project must be properly stabilized upon completion to prevent unreasonable soil erosion;

e. Roads, drainage ditches, and turnouts must be located, constructed, and maintained to provide an undisturbed filter strip, of at least the width indicated below, between any exposed mineral soil and the normal high water mark of a non-tidal water body or upland edge of a wetland located in a P-WL1 subdistrict:

Average Slope of Land Between Exposed Mineral Soil and Normal High Water Mark (Percent)	**Width of Filter Strip Between Exposed Mineral Soil and Normal High Water Mark** (Feet Along Surface of the Ground)
0-10	25
11-20	45
21-30	65
31-40	85
41-50	105
51-60	125
61-70	145
71-100	165

Table 10.27,D-1. Filter strip width requirements for roads, drainage ditches, and turnouts.

These filter strip requirements do not apply to road surfaces for approaches to water crossings or wetlands.

f. **Drainage ditches may not extend to the resource being crossed.** Drainage ditches for roads approaching a water crossing or wetland must be designed, constructed, and maintained to empty into an undisturbed filter strip, of at least the width indicated in the table set forth in Section 10.27,D,1,e above. Where such filter strip is impracticable, appropriate techniques must be used to avoid unreasonable sedimentation of non-tidal water bodies and wetlands. Such techniques may include the installation of plunge pools or settling basins, or the effective use of additional ditch relief culverts and ditch water turnouts placed so as to reasonably avoid sedimentation of the water body or wetland;

g. Ditch relief (cross drainage) culverts, stone-lined drainage dips, water turnouts, and other best management practices must be installed, where necessary, to disperse the volume or velocity of water in drainage ditches into undisturbed filter strips to prevent ditch erosion.

(1) Stone-lined drainage dips may be used in place of ditch relief culverts only where the road grade has a sustained slope of 10% or less;

(2) On roads having sustained slopes greater than 10%, ditch relief culverts must be placed across the road at an angle of approximately thirty-degrees downslope from a line perpendicular to the center line of the road;

(3) Ditch relief culverts, stone-lined drainage dips, and water turnouts must direct drainage into undisturbed filter strips as required in Sections 10.27,D,1,e and f above;

(4) Ditch relief culverts must be sufficiently sized and properly installed to allow for effective functioning, and their inlet and outlet ends must be stabilized with appropriate materials; and

(5) Ditch relief culverts, stone-lined drainage dips, and water turnouts must be spaced along the road at intervals no greater than indicated in the following table:

Road Grade (Percent)	**Spacing** (Feet)
0-2	500-300
3-5	250-180
6-10	167-140
11-15	136-127
16-20	125-120
21+	100

Table 10.27,D-2. Spacing requirements for ditch relief culverts, drainage dips, and water turnouts.

h. Ditches, culverts, bridges, dips, water turnouts and other water control installations associated with roads must be maintained on a regular basis to assure effective functioning.

i. Maintenance of the above required water control installations must continue until the road is discontinued and put to bed by taking the following actions:

(1) All culverts, open-bottom arches, and bridges must be dismantled and removed in a fashion to reasonably avoid sedimentation of non-tidal water bodies and wetlands. Stream banks must be restored to original conditions to the fullest extent practicable, and disturbed soils must be stabilized to prevent soil erosion.

(2) Water bars must:

(a) Be constructed across the road at intervals established below:

Road Grade (Percent)	**Distance Between Water Bars** (Feet)
0-2	250
3-5	200-135
6-10	100-80
11-15	80-60
16-20	60-45
21+	40

Table 10.27,D-3. Spacing requirements for water bars.

(b) Be constructed at an angle of approximately thirty-degrees downslope from the line perpendicular to the center line of the road;

(c) Be constructed so as to reasonably avoid surface water flowing over or under the water bar; and

(d) Extend sufficient distance beyond the traveled way so that water does not reenter the road surface.

j. Extension, enlargement or resumption of use of presently existing roads, which are not in conformity with the provisions of Section 10.27,D, are subject to the provisions of Section 10.11.

2. Water Crossings of Flowing Waters. Except as provided in Section 10.27,D,2,d,(17) for trail crossings, the following standards apply to crossings of flowing waters:

a. All Crossings. All crossings must be installed, and, in the case of temporary crossings, removed during low-flow conditions between July 15 and September 30 in any calendar year, unless the notice submitted pursuant to Section 10.27,D,5 includes written approval from the Maine Department of Inland Fisheries and Wildlife for an alternative time period.

b. Temporary Crossings. Temporary crossings may be used for equipment access across flowing waters. Temporary crossings must:

(1) Be removed within 180 days;

(2) Not use soil materials for construction or stabilization;

(3) Unless constructed in a way that spans the stream channel, with no disturbance to the streambed or banks, involve a culvert installation that meets all the following standards:

(a) Placed on geotextile fabric or other equally effective material where practicable to ensure restoration to the original grade,

(b) Covered with rock large enough in size to allow for easy removal without disturbing the streambed,

(c) Designed and maintained to withstand and pass high flows, such that water height is no higher than the top of the culvert's inlet, a minimum culvert diameter of 24 inches is required to pass debris, and

(d) Aligned to prevent bank erosion or streambed scour; and

(4) Removed upon completion of the work. Impacts to the streambed or bank must be restored to original condition to the fullest extent practicable.

c. Permanent Crossings.

(1) To the greatest extent practicable, work in the stream must be minimized, and design and construction must allow the stream's natural structure and integrity to remain intact.

(2) If a stream to be crossed is a perennial watercourse and has a sustained slope of more than 2%, a bridge or open-bottom arch must be used to maintain the natural streambed.

(3) If a perennial stream to be crossed is used for navigation, the crossing must consist of a bridge span or open-bottom arch with at least 4 feet of clearance during normal high water for boat passage.

(4) Except as provided in Section 10.27,D,2,d,(5) and Section 10.27,D,2,d,(8),(c), bridges, open-bottom arches, and culverts must be installed and maintained to provide an opening sufficient in size and structure to accommodate flow from a 25-year frequency storm event, or with a cross-sectional area at least equal to 3 times the cross-sectional area of the flowing water.

(5) Bridges, open-bottom arches, and culverts located in special flood hazard areas must be designed and constructed to provide an opening sufficient in size and structure to accommodate flow from a 100-year frequency storm event.

(6) Footings and abutments for bridges and open-bottom arches must be landward of 1.2 times the width of the channel at normal high water.

(7) Culverts utilized in permanent crossings must:

(a) Not exceed 75 feet in length;

(b) Follow the alignment and grade of the existing stream channel where possible. On perennial streams, the culvert's gradient may not exceed 2%;

(c) Have the bottom of the entire culvert installed below the streambed elevation, as follows:

(i) >2 feet for box culverts and other culverts with smooth internal walls,

(ii) >1 foot for corrugated pipe arches, and

(iii) >1 foot and at least 25% of the culvert diameter for corrugated round pipe culverts;

(d) Have diameters that exceed 1.2 times the width of the channel at normal high water;

(e) Be seated on firm ground, or on geotextiles used to stabilize the ground;

(f) Have soil compacted up the side of the culvert;

(g) Be covered by soil to a minimum depth of 1 foot or according to the culvert manufacturer's specifications; and

(h) Have the inlet and outlet ends stabilized by rip-rap or other suitable means to reasonably avoid erosion of material around the culvert.

(8) Provided they are properly applied and used for circumstances for which they are designed, methods including but not limited to the following are acceptable to the Commission as means of calculating 25-year and 100-year frequency storm events and thereby determining crossing sizes as required in Section 10.27,D,2:

(a) The USDA Natural Resources Conservation Service (NRCS) Method: "Urban Hydrology for Small Watersheds." (Technical Release #55). USDA Soil Conservation Service (June 1986).

(b) The USDA NRCS Method: "TR-20 – Computer Program for Project Formulation – Hydrology," Second Edition, U.S. Department of Agriculture, Soil Conservation Service (March 1986).

(c) Provided that the only design storm used for sizing the crossing is a 100-year frequency storm event, the Commission may also allow use of the United States Geological Survey (USGS) method: StreamStats, a Web-based Geographic Information Systems application (Geological Survey, U. S. (2019, April 19). USGS. Retrieved from StreamStats: https://streamstats.usgs.gov/ss/).

(9) Except as provided in Section 10.27,D,2,d,(10), water crossings must have natural bottom substrate placed within the structure matching the characteristics of the substrate in the natural channel at the time of construction and over time as the structure has had the opportunity to pass significant flood events. To allow terrestrial passage for wildlife and prevent undermining of footings, crossings must have a bank on both sides of the stream matching the horizontal profile of the natural stream banks.

(10) Installation of substrate material in culverts with diameters (round pipes) or rises (pipe arches or box culverts) of less than 60 inches may not be safe or practicable. In those cases, natural deposition and bed development is allowed.

(11) Wheeled or tracked equipment may not operate in the water. Equipment operating on shore may, where necessary, reach into the water with a bucket or similar extension. Equipment may cross streams on rock, gravel or ledge bottom.

(12) If work is performed in a flowing water that is less than 3 feet deep at the time of the activity and at the location of the activity, the applicant must provide for temporary diversion of flow to the opposite side of the channel while work is in progress.

(a) Diversion may be accomplished by placing sandbags, timbers, sheet steel, concrete blocks, at least 6 mil polyethylene, or geotextiles from the bank to midstream on the upstream side of the activity. No more than two-thirds or 25 feet of stream width, whichever is less, may be diverted at one time.

(b) Any material used to divert water flow must be completely removed upon completion of the activity, and the stream substrate must be restored to its original condition.

(c) A pump may be operated where necessary, for a temporary diversion. The pump outlet must be located and operated such that erosion or the discharge of sediment to non-tidal waterbodies or wetlands is prevented.

(13) All wheeled or tracked equipment that must travel or work in a vegetated wetland area must travel and work on mats or platforms in order to protect wetland vegetation.

(14) All excavated material must be stockpiled either outside the wetland or on mats or platforms. Sediment control barriers must be used, where necessary, to prevent sedimentation.

(15) The use of untreated lumber is preferred. Lumber pressure treated with chromated copper arsenate (CCA) may be used only if necessary, only if use is allowed under federal law and not prohibited from sale under 38 M.R.S. § 1682, and provided it is cured on dry land in a way that exposes all surfaces to the air for a period of at least 21 days prior to construction. Wood treated with creosote or pentachlorophenol may not be used where it will contact water.

(16) Water crossings must be maintained to facilitate passage of aquatic life. Culverts that develop "hanging" inlets or outlets, bed washout, or a stream channel that does not match the characteristics of the natural stream channel, such as substrate mobility and type, and channel slope, stability, and confinement must be repaired as necessary to provide for natural channel characteristics and ensure adequate passage of aquatic life.

(17) Except that Section 10.27,D,4 below always applies, trail crossings of minor flowing waters are exempt from the standards of Section 10.27,D, provided such crossings are constructed in a manner that causes no disturbance to the streambed, and no substantial disturbance to the banks or shoreland areas in the vicinity of the crossing, and provided such crossings do not impede the flow of water or the passage of fish. If properly undertaken, acceptable methods may include, but not be limited to the laying of logs from bank to bank, or placement of bed logs and stringers with decking. This exemption does not extend to the construction of abutments or piers.

Trail crossings not so exempted are subject to the water crossing standards of Section 10.27,D.

3. Wetland Crossings. The design and construction of roads, other than those located in areas below the normal high-water mark of standing or flowing waters, must avoid wetlands unless there are no reasonable alternatives, and must maintain the existing hydrology of wetlands.

To maintain the existing hydrology of wetlands, road drainage designs must provide cross drainage of the water on the surface and in the top 12 inches of soil in wetlands during both flooded and low water conditions so as to neither create permanent changes in wetland water levels nor alter wetland drainage patterns. This must be accomplished through the incorporation of culverts or porous layers at appropriate levels in the road fill to pass water at its normal level through the road corridor. Where culverts or other cross-drainage structures are not used, all fills must consist of free draining granular material.

To accomplish the above, the following requirements apply:

a. Wetland crossings on mineral soils or those with surface organic layers up to 4 feet in thickness.

(1) Fill may be placed directly on the organic surface compressing or displacing the organic material until equilibrium is reached. With this method, culverts or other cross-drainage structures are used instead of porous layers to move surface and subsurface flows through the road fill material.

(a) For road construction on mineral soils or those with surface organic layers less than 16 inches in thickness, culverts or other cross-drainage structures must be appropriately sized and placed at each end of each wetland crossing and at the lowest elevation on the road centerline with additional culverts at intermediate low points as necessary to provide adequate cross drainage. Culverts or other cross-drainage structures must be placed at maximum intervals of 100 feet.

(b) For road construction on surface organic layers in excess of 16 inches but less than 4 feet in thickness, cross drainage must be provided by placing culverts at each end of each wetland crossing and at the lowest elevation on the road centerline with additional culverts at intermediate low points as necessary to provide adequate cross drainage. Culverts or other cross-drainage structures must be placed at maximum intervals of 100 feet. Culverts must be a minimum of 18 inches in diameter, or the functional equivalent, and have the bottom embedded at least 6 inches below the soil surface of the wetland.

(c) Where necessary to maintain existing water flows and levels in wetlands, ditches parallel to the road centerline must be constructed along the toe of the fill to collect surface and subsurface water, carry it through the culvert(s) and redistribute it on the other side. Unditched breaks must be left midway between culverts to prevent channelization.

(2) Alternatively, a porous layer may be created to move surface and subsurface flows through the road fill materials. If a porous layer is used, geotextile fabric must be placed above and below fill material to increase the bearing strength of the road and to preserve the bearing strength of fill material by preventing contamination with fine soil particles.

b. Wetland crossings on soils with organic layers in excess of 4 feet in thickness.

(1) Such construction must only take place under frozen ground conditions.

(2) Geotextile fabric must be placed directly on the soil surface. Road fill or log corduroy must then be placed on the geotextile fabric.

(3) Cross drainage must be provided by either a continuous porous layer, or appropriate placement of culverts or other cross-drainage structures and ditching as specified below:

(a) A continuous porous layer or layers must be constructed by placement of one or more layers of wood corduroy, large stone, or chunkwood separated from adjacent fill layers by geotextile fabric placed above and below the porous layer(s) such that continuous cross drainage is provided in the top 12 inches of the organic layer; or

(b) Cross drainage culverts or other cross-drainage structures must be placed at points where they will receive the greatest support. Culverts or other cross-drainage structures must be a minimum of 18 inches in diameter, or the functional equivalent, and have the bottom embeded at least 6 inches below the soil surface of the wetland. Where necessary to maintain existing water flows and levels in wetlands, ditches parallel to the roadbed on both sides must be used to collect surface and subsurface water, carry it through the culvert(s), and redistribute it on the other side. Such ditches must be located three times the depth of the organic layer from the edge of the road fill. Unditched breaks must be left midway between culverts to prevent channelization.

4. Erosion and Sedimentation Control. In addition to the foregoing minimum requirements, provision must otherwise be made in the construction and maintenance of roads and water crossings in order to reasonably avoid sedimentation of non-tidal water bodies and wetlands.

5. Written Notice Required. 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,2,d,(17) above, must be given to the Commission prior to the commencement of such activities. Such notice must conform to the requirements of Section 10.16 and must state the manner in which the water crossing size requirements of Section 10.27,D will be satisfied.

E. TIMBER HARVESTING

Timber harvesting activities not in conformance with the standards of 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 Section 10.27,E, shall be conducted in a manner which produces no undue adverse impact upon the resources and uses in the area.

The following requirements apply to timber harvesting within all development subdistricts and, in the case of P-RP subdistricts, any protection subdistricts contained within a development area, except as otherwise hereinafter provided:

1. Except when surface waters are frozen, skid trails and skid roads shall not utilize flowing waters bordered by a P-SL1 subdistrict except to cross such channels with a culvert or bridge according to the water crossing requirements of Section 10.27,D,2 and 5;

2. Timber harvesting operations in P-SL1 and P-GP subdistricts shall be conducted in the following manner:

a. Within 50 feet of the normal high water mark, no clearcutting shall be allowed and harvesting operations shall be conducted in such a manner that a well-distributed stand of trees is retained so as to maintain the aesthetic and recreational value and water quality of the area and to reasonably avoid sedimentation of surface waters.

b. At distances greater than 50 feet from the normal high water mark, harvesting activities may not create single openings greater than 14,000 square feet in the forest canopy. In such areas single canopy openings of over 10,000 square feet shall be no closer than 100 feet apart.

c. Harvesting shall not remove, in any ten year period, more than 40 percent of the volume on each acre involved of trees 6 inches in diameter and larger measured at 4½ feet above ground level. Removal of trees less than 6 inches in diameter, measured as above is permitted if otherwise in conformance with these regulations. For the purpose of these standards, volume may be determined as being equivalent to basal area.

d. No accumulation of slash shall be left within 50 feet of the normal high water mark of surface water protected by the P-SL1 and P-GP subdistricts. In such subdistricts, at distances greater than 50 feet from the normal high water mark of such waters, all slash larger than 3 inches in diameter shall be disposed of in such a manner that no part thereof extends more than 4 feet above the ground.

3. Except as provided in Section 10.27,E,7, skid trails and other sites, where the operation of machinery used in timber harvesting results in the exposure of mineral soil, shall be located such that an unscarified filter strip of at least the width indicated below is retained between the exposed mineral soil and the normal high water mark of surface water areas:

Average Slope of Land Between Exposed Mineral Soil and Normal High Water Mark (Percent)	**Width of Strip Between Exposed Mineral Soil and Normal High Water Mark** (Feet Along Surface of the Ground)
0	25
10	45
20	65
30	85
40	105
50	125
60	145
70	165

Table 10.27,E-1. Unscarified filter strip width requirements for exposed mineral soil created by the operation of machinery used in timber harvesting.

The provisions of Section 10.27,E,3 apply only on a face sloping toward the water, provided, however, no portion of such exposed mineral soil on a back face shall be closer than 25 feet; the provisions of Section 10.27,E,3 do not apply where skid roads cross such waters;

4. Timber harvesting operations shall be conducted in such a manner that slash is not left below the normal high water mark of a body of standing water or coastal wetlands, or below the normal high water mark of flowing waters downstream from the point where such channels drain 300 acres or more;

5. Except when surface waters are frozen, skid trails and skid roads shall not utilize flowing waters bordered by P-SL2 subdistricts except to cross the same by the shortest possible route; unless culverts or bridges are installed in accordance with Section 10.27,D,2 and 5, such crossings shall only use channel beds which are composed of gravel, rock or similar hard surface which would not be eroded or otherwise damaged. The requirements of Section 10.27,E,5 may be modified according to the provisions of Section 10.27,E,7;

6. Except as provided in Section 10.27,E,7, skid trail and skid road approaches to flowing waters shall be located and designed so as to divert water runoff from the trail or road in order to prevent such runoff from directly entering the stream;

7. Timber harvesting operations in P-SL2 subdistricts along flowing waters upstream from the point where they drain 300 acres or less, and in P-WL subdistricts adjacent to such P-SL2 subdistricts, may be conducted in a manner not in conformity with the requirements of the foregoing Sections 10.27,E,3, 5, and 6 provided that such operations are conducted so as to avoid the occurrence of sedimentation of water in excess of 25 Jackson Turbidity Units as measurable at the point where such flowing water drains 1 square mile or more. Jackson Turbidity Units are a standard measurement of the relative amount of light that will pass through a sample of water compared with the amount of light that will pass through a reference suspension; the Jackson Turbidity Unit measurement for water without turbidity is 0;

8. Harvesting operations in P-SL2 subdistricts along flowing waters downstream from the point where they drain 300 acres or more and along bodies of standing water shall be conducted in such a manner that sufficient vegetation is retained to maintain shading of the surface waters;

9. Written notice of all timber harvesting operations shall be given to the Commission prior to the commencement of such activity. Such notice shall conform to the requirements of Section 10.16 and shall state whether or not such operations will be conducted according to the provisions of Section 10.27,E,7; and

10. In addition to the foregoing minimum requirements, except as provided for in Section 10.27,E,7, provision shall otherwise be made in conducting timber harvesting operations in order to reasonably avoid sedimentation of surface waters.

F. FILLING AND GRADING

The following requirements for filling and grading shall apply in all subdistricts except as otherwise provided herein.

Filling and grading activities not in conformance with the standards of 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 Section 10.27,F, shall be conducted in a manner which produces no undue adverse impact upon the resources and uses in the area.

These standards do not apply to filling or grading activities which constitute forest or agricultural management activities, the construction, reconstruction and maintenance of roads, or the construction of public trailered ramps, hand-carry launches, or driveways. Such activities are separately regulated.

1. Within 250 feet of P-WL1 subdistricts, the maximum size of a filled or graded area, on any single lot or parcel, shall be 4,300 square feet. This shall include all areas of mineral soil disturbed by the filling or grading activity;

2. Beyond 250 feet from P-WL1 subdistricts, the maximum size of filled or graded areas shall be 15,000 square feet, except that in M-GN subdistricts which are greater than 250 feet from P-WL1 subdistricts, the maximum size of the filled or graded areas shall be less than 1 acre;

3. Clearing of areas to be filled or graded is subject to the clearing standards of Section 10.27,B;

4. Imported fill material to be placed within 250 feet of P-WL1 subdistricts shall not contain debris, trash, or rubbish. All fill, regardless of where placed, shall be free of hazardous or toxic materials;

5. Within 250 feet of P-WL1 subdistricts, the sustained slope between the normal high water mark or the upland edge of the resource and the soil disturbance shall be no greater than 20%. For the purposes of this standard, sustained slope means a change in elevation where the referenced percent grade is substantially maintained or exceeded throughout the measured area. The provisions of this paragraph apply only to a face sloping toward the water body or wetland;

6. Where filled or graded areas are in the vicinity of water bodies or wetlands, such filled or graded areas must not extend closer to the normal high water mark of a non-tidal water body or coastal wetland, or the upland edge of a freshwater wetland located in a P-WL1 subdistrict than the following:

a. For a minor flowing water, body of standing water less than 10 acres in size not including constructed ponds, coastal wetland, or freshwater wetland located in a P-WL1 subdistrict: 75 feet; and

b. For a major flowing water and body of standing water 10 acres or greater in size: 100 feet; and

7. All filled or graded areas shall be promptly stabilized to prevent erosion and sedimentation.

Filled or graded areas, including all areas of disturbed soil, within 250 feet of P-WL1 subdistricts, shall be stabilized according to the Guidelines for Vegetative Stabilization contained in Appendix B of this chapter.

G. MOTORIZED RECREATIONAL GOLD PROSPECTING

The following motorized recreational gold prospecting requirements apply below the normal high water mark of flowing waters, except as otherwise provided herein.

Motorized recreational gold prospecting activities not in conformance with the standards of Section 10.27,G,1 through 5 below may be allowed upon issuance of a permit from the Commission provided that such types of activities are allowed in the subdistrict involved, except that such activities are prohibited on the river and stream segments listed in Section 10.27,G,6, except as provided in Section 10.27,G,6,b. An applicant for such permit must show by a preponderance of the evidence that the proposed activity, which is not in conformance with the standards of Section 10.27,G, must be conducted in a manner which produces no undue adverse impact upon the resources and uses in the area.

1. Motorized recreational gold prospecting may only be performed from June 15 to September 15, and only with written permission of the landowner(s).

2. The activity must not cause an undue adverse effect on natural resources. The area must be kept free of litter, trash, and any other materials that may constitute a hazardous or nuisance condition.

3. Limitations on Equipment.

a. Equipment must not have any fuel, oil, or hydraulic leaks, nor cause any other unlicensed discharge.

b. Power Limit. Motorized equipment must not exceed seven horsepower.

c. Nozzle Diameter. The inside diameter of a suction dredge intake nozzle and hose must not exceed four inches.

d. Sluice Size. The area of a sluice must not exceed 10 square feet.

e. Use of a flume to transport water outside of a flowing water is prohibited.

4. Prohibition of Chemicals. Use of mercury, nitric acid or other chemicals for extraction is prohibited.

5. Specific Restrictions on Methods of Operation.

a. No motorized recreational gold prospecting may occur in a manner that:

(1) Disturbs the bank of a flowing water, including but not limited to digging into the bank, or dredging or altering water flow within a flowing water in a manner that causes the bank to erode or collapse.

(2) Removes or damages vegetation, or woody debris such as root wads, stumps or logs within a flowing water, on the bank, or on nearby upland, including cutting or abrasion of trees.

(3) Diverts, dams, or otherwise obstructs a flowing water.

(4) Deposits soil, rocks, or any other foreign material from outside of the channel into a flowing water.

(5) Deposits channel bottom sediments or rocks onto the bank or upland.

b. Upon completion of one or more consecutive days of prospecting, dredge spoils must be smoothed out and dredge holes refilled below the normal high water mark of the flowing water in order to restore the approximate original contours of the channel bottom and must not deflect the current.

6. Closed Areas. Motorized recreational gold prospecting is prohibited within the following areas.

a. Channels narrower than four feet wide.

b. Any area designated as Essential Wildlife Habitat by the Maine Department of Inland Fisheries and Wildlife (MDIFW) unless it is determined by MDIFW that:

(1) There will be no significant harm to the Essential Wildlife Habitat, and

(2) The activity will not violate protection guidelines adopted pursuant to the Maine Endangered Species Act.

c. Waters defined as Class AA waters pursuant to 38 M.R.S. § 465. Class AA waters as of the effective date of this rule are included in the areas listed below.

d. The Allagash Wilderness Waterway and all water bodies within 800 feet of normal high water mark of the watercourse.

e. Aroostook County.

(1) Allagash River and all water bodies within 800 feet of normal high water mark of the watercourse: T10 R12 WELS, T10 R13 WELS, T11 R13 WELS, T12 R13 WELS, T13 R12 WELS, T13 R13 WELS, T14 R11 WELS, T14 R12 WELS, T15 R10 WELS, T15 R11 WELS

(2) Aroostook River: T9 R5 WELS, T9 R7 WELS, T9 R8 WELS, Oxbow Plt, T10 R6 WELS

(3) Big Black River: T14 R14 WELS, T14 R15 WELS, T14 R16 WELS, T15 R13 WELS, T15 R14 WELS

(4) Chemquasabamticook Stream: T11 R13 WELS, Clayton Lake Twp, T11 R15 WELS, T12 R13 WELS

(5) Fish River from Mud Pond to St. Froid Lake: T13 R8 WELS, T14 R8 WELS, T14 R7 WELS, T13 R7 WELS, T14 R6 WELS

(6) Goddard Brook: T15 R5 WELS

(7) Machias River, Big: T12 R8 WELS, T11 R8 WELS, T11 R7 WELS, T10 R7 WELS, Garfield Plt

(8) Macwahoc Stream: Macwahoc Plt, North Yarmouth Academy Grant, Upper Molunkus Twp

(9) Mattawamkeag River: Reed Plt

(10) Mattawamkeag River, East Branch: Forkstown Twp, T3 R3 WELS, T4 R3 WELS

(11) Mattawamkeag River, West Branch: T3 R3 WELS, T4 R3 WELS

(12) McLean Brook: T17 R4 WELS

(13) Molunkus Stream: Macwahoc Plt, North Yarmouth Academy Grant, T1 R5 WELS, Benedicta Twp, Silver Ridge Twp

(14) Musquacook Stream: T11 R11 WELS, T12 R11 WELS, T13 R11 WELS, T13 R12 WELS

(15) Red River: T14 R8 WELS

(16) Smith Brook: T13 R8 WELS, T14 R8 WELS

(17) St. Croix Stream: St. Croix Twp, T9 R5 WELS

(18) St. John River: T11 R16 WELS, T11 R17 WELS, T12 R15 WELS, T12 R16 WELS, T13 R14 WELS, T13 R15 WELS, T14 R13 WELS, T14 R14 WELS, T15 R13 WELS, T16 R12 WELS, T16 R13 WELS, surrounding Hunnewell Island in St. John Plt, Hamlin

(19) St. John River, Northwest Branch downstream from outlet of Beaver Pond: T11 R17 WELS, T12 R17 WELS

(20) Unnamed stream connecting Cross Lake and Square Lake: Square Lake Twp

(21) Unnamed stream flowing east into Square Lake at Goddard Cove: Square Lake Twp

(22) Unnamed stream flowing northeast into Square Lake one mile northwest of Limestone Pt.: Square Lake Twp

(23) Wytopitlock Stream: Reed Plt, Upper Molunkus Twp, T2 R4 WELS, Glenwood Plt, T3 R4 WELS

f. Franklin County.

(1) Bemis Stream and tributaries: Township D, Rangeley Plt

(2) Carrabassett River and tributaries: Freeman Twp, Mount Abram Twp, Salem Twp

(3) Carrabassett River, West Branch: Freeman Twp, Salem Twp

(4) Cupsuptic River tributaries: Seven Ponds Twp

(5) Horseshoe Stream: Chain of Ponds Twp

(6) Kennebago River and its tributaries: Davis Twp, Stetsontown Twp, Seven Ponds Twp, Chain of Ponds Twp, Massachusetts Gore, Tim Pond Twp, Lang Twp

(7) Moose River downstream from Number One Brook: Beattie Twp, Lowelltown Twp

(8) North Branch Dead River: Jim Pond Twp

(9) Sandy River: Madrid Twp, Sandy River Plt, Township E

(10) South Bog Stream: Rangeley Plt

(11) Spencer Stream and Little Spencer Stream tributaries, including Kibby Stream: Kibby Twp, Skinner Twp

g. Hancock County.

(1) The following townships in their entirety: T9 SD, T10 SD, T16 MD, T22 MD, T28 MD, T34 MD, T35 MD, T41 MD, T4 ND

(2) Passadumkeag River: T3 ND

(3) Sunkhaze Stream and its tributaries: T32 MD BPP

h. Kennebec County.

(1) Sebasticook River: Unity Twp

i. Oxford County.

(1) Abbott Brook and its tributaries: Lincoln Plt

(2) Bear River: Grafton Twp

(3) Bull Branch of Sunday River and tributaries: Grafton Twp, Riley Twp

(4) Crooked River and its tributaries: Albany Twp

(5) Cupsuptic River and its tributaries: Lower Cupsuptic Twp, Upper Cupsuptic Twp, Oxbow Twp, Parkertown Twp, Lynchtown Twp, Seven Ponds Twp

(6) Kennebago River and its tributaries: Lower Cupsuptic Twp, Upper Cupsuptic Twp, Oxbow Twp

(7) Magalloway River and tributaries, including Little Magalloway River: Bowmantown Twp, Lincoln Plt, Lynchtown Twp, Magalloway Plt, Oxbow Twp, Parkertown Twp, Parmachenee Twp

(8) Rapid River: Magalloway Twp, Township C

(9) Wild River: Batchelders Grant

j. Penobscot County.

(1) Aroostook River: T8 R8 WELS

(2) Ayers Brook: Summit Twp

(3) Madagascal Stream: Grand Falls Twp

(4) Mattagodus Stream: Kingman Twp, Webster Plt, Prentiss Twp, Carroll Plt

(5) Mattawamkeag River: Kingman Twp, Drew Plt

(6) Millinocket Stream: T3 Indian Purchase, T1 R8 WELS

(7) Millinocket Stream: T8 R8 WELS

(8) Molunkus Stream: Kingman Twp

(9) Munsungan Stream: T8 R8 WELS

(10) Passadumkeag River: Summit Twp, Grand Falls Twp, T3 R1 NBPP, Lakeville

(11) Penobscot River: Argyle Twp, Mattamiscontis Twp, T2 R8 NWP

(12) Penobscot River, East Branch: Grindstone Twp, Soldiertown Twp, T3 R7 WELS, T4 R7 WELS, T4 R8 WELS, T5 R8 WELS, T6 R8 WELS

(13) Penobscot River, East Branch, all tributaries, the portions of which that are located in T3 R8 WELS and within the boundaries of Baxter State Park

(14) Sawtelle Brook: T6 R7 WELS

(15) Seboeis River: T3 R7 WELS, T4 R7 WELS, T5 R7 WELS, T6 R7 WELS, T7 R7 WELS

(16) Sunkhaze Stream and its tributaries: Greenfield Twp

(17) Wassataquoik Stream: T4 R8 WELS, T3 R7 WELS, T3 R8 WELS

(18) West Branch Penobscot River: TA R7 WELS, T3 Indian Purchase, T4 Indian Purchase

(19) Wytopitlock Stream: Drew Plt

k. Piscataquis County.

(1) Allagash River and all water bodies within 800 feet of normal high water mark of the watercourse: T10 R12 WELS, T10 R13 WELS

(2) Allagash Stream and all water bodies within 800 feet of normal high water mark of the watercourse: Eagle Lake Twp, T8 R14 WELS

(3) Chemquasabamticook Stream: T10 R15 WELS

(4) East Branch Pleasant River: Ebeemee Twp

(5) Kennebec River: Big Moose Twp

(6) Millinocket Stream: T7 R9 WELS

(7) Munsungan Stream: T8 R9 WELS

(8) Penobscot River, West Branch: T1 R9 WELS, T2 R9 WELS, T2 R10 WELS, T3 R11 WELS

(9) Penobscot River, West Branch, those segments of any tributary that are in T2 R9 WELS and are also within the portion of Baxter State Park served by the Land Use Planning Commission

(10) Piscataquis River, East Branch: Blanchard Twp

(11) Piscataquis River, West Branch: Blanchard Twp

(12) Pleasant River, West Branch: Shawtown Twp, Beaver Cove, Bowdoin College Grant East, Katahdin Iron Works Twp, Williamsburg Twp

(13) Stream between Lower Portage Pond and Spider Lake: T9 R11 WELS

(14) Stream between Webster Lake and Telos Pond and all water bodies within 800 feet of normal high water mark of the watercourse: T6 R11 WELS

(15) Stream in wetland on south end of Churchill Lake: T9 R12 WELS

(16) Webster Brook: T6 R11 WELS

l. Somerset County.

(1) Cold Stream and Cold Stream tributaries, including Tomhegan Stream: Chase Stream Twp, West Forks Plt, Johnson Mountain Twp

(2) Dead River: Pierce Pond Twp, T3 R4 BKP WKR, Bowtown Twp, West Forks Plt, T3 R5 BKP WKR, Lower Enchanted Twp

(3) Doucie Brook: T9 R17 WELS

(4) Enchanted Stream: Upper Enchanted Twp, Lower Enchanted Twp

(5) Gulliver Brook: Plymouth Twp

(6) Kennebec River above junction with Dead River: West Forks Plt, Moxie Gore, Chase Stream Twp, Indian Stream Twp, Sapling Twp, Taunton & Raynham Academy Grant Twp, Misery Gore, The Forks Plt

(7) Moose River: Holeb Twp, Attean Twp, T5 R7 BKP WKR, Bradstreet Twp

(8) Moxie Stream: Moxie Gore

(9) Parlin Stream: Parlin Pond Twp

(10) Spencer Stream, Little Spencer Stream, and Little Spencer Stream tributaries, including Kibby Stream: T3 R4 BKP WKR, T3 R5 BKP WKR, King and Bartlett Twp, Haynestown Twp

(11) St. John River: Big Ten Twp, T10 R16 WELS

(12) St. John River, Baker Branch: T5 R17 WELS, T6 R17 WELS, St John Twp, T7 R 16 WELS, T9 R17 WELS, T8 R17 WELS, T7 R17 WELS

(13) St. John River, Northwest Branch: Big Ten Twp

(14) St. John River, Southwest Branch: T9 R17 WELS, T9 R18 WELS, Big Ten Twp

m. Washington County.

(1) The following townships and town in their entirety: T18 MD BPP, T19 MD BPP, T24 MD BPP, T25 MD BPP, T30 MD BPP, Day Block Twp, T36 MD BPP, T37 MD BPP, T42 MD BPP, T43 MD BPP, Sakom Twp, Cathance Twp, Big Lake Twp, Berry Twp, T19 ED BPP, T26 ED BPP, Greenlaw Chopping Twp, Devereaux Twp, Marion Twp, Edmunds Twp, Baring

(2) Baskahegan Stream: Brookton Twp

(3) Cathance Stream: Edmunds Twp

(4) Clifford Brook: Marion Twp

(5) Creamer Brook: T19 ED BPP

(6) Dennys River: Cathance Twp, Edmunds Twp

(7) Hobart Stream: Edmunds Twp

(8) Machias River: Centerville Twp

(9) Machias River, East: Big Lake Twp, Berry Twp, T19 ED BPP

(10) Northern Stream: T19 ED BPP

(11) St. Croix River: Fowler Twp, Dyer Twp, Lambert Lake Twp

(12) Tomah Stream: Forest Twp, Codyville Plt, Lambert Lake Twp

(13) Venture Brook: Edmunds Twp

H. DRIVEWAYS ASSOCIATED WITH RESIDENTIAL STRUCTURES AND USES

Driveways not in conformance with the standards of 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 Section 10.27,H, shall be conducted in a manner which produces no undue adverse impact upon the resources and uses in the area.

1. Applicability.

The following requirements apply to the construction of driveways for single-family and two-family dwelling units in all subdistricts where driveways associated with residential uses are allowed without a permit. These standards, along with the standards of Section 10.25,D,2, may be used as guidance in processing an application for driveways to be located in those subdistricts where driveways require a permit from the Commission.

a. Other Permits. If a permit has been issued for the development of the lot to be served by the driveway or if the lot is part of a subdivision for which a permit has been issued, conditions of the building permit or subdivision permit regarding construction of driveways supersede provisions of this subsection.

b. Length. If the length of a proposed driveway is greater than 1,000 feet, it is regulated as a road and requires a permit from the Commission unless it qualifies as a land management road.

2. Water Body Setback.

a. Minimum Setback. The minimum water body setback for a driveway which accesses an undeveloped lot or a lot having residential structures is:

(1) 100 feet from the nearest shoreline of a flowing water draining 50 square miles, and a body of standing water greater than 10 acres in size;

(2) 75 feet from the nearest shoreline of a coastal wetland; and

(3) 50 feet from the upland edge of minor flowing waters and mapped P-WL1 wetlands.

b. Exceptions to Water Body and Wetland Setback Requirements.

(1) The water body and wetland setback requirements do not apply to approaches to water body or wetland crossings.

(2) A lesser setback may be allowed with a permit in the following instances provided no other reasonable alternative exists and appropriate techniques are used as needed to prevent sedimentation of the water body.

(a) In the case of legally existing nonconforming structures located in the shoreland area, the driveway may extend to the portion of the principal structure farthest from the normal high water mark of the water body, but in no case closer than 50 feet from the normal high water mark of the water body; or

(b) To allow access to permitted facilities located nearer to the shoreline due to an operational necessity as described in Section 10.26,G,5.

3. Property Line Setback.

a. Minimum Setback. The minimum property line setback for a driveway is 15 feet.

b. Exceptions to Property Line Setback.

(1) A shared driveway need not meet the minimum setback.

(2) The minimum setback standard does not apply to authorized approaches to and crossings of property lines or to crossings along easements or rights of way established in deed or lease.

(3) A lesser setback may be allowed with a permit upon written permission of the abutting landowner.

4. Road Frontage. The lot to be served by the driveway must have a minimum of 100 feet of road frontage.

5. Entry onto Roadways, including State Highways. The entry must not be located on a curve and must be placed so as to allow adequate line of sight for safe entry onto the roadway. The driveway must be designed such that vehicles may exit the premises without backing onto the roadway or shoulder. If a driveway is to enter directly onto a state or state-aid highway, the person wishing to construct the driveway must first obtain written permission from the Maine Department of Transportation.

6. Crossings of Flowing Waters. If a driveway will cross a flowing water, the crossing must be accomplished in accordance with the standards for installation of water crossings set forth in Section 10.27,D,2.

7. Wetlands Alteration. The driveway must not alter any portion of a mapped P-WL1 subdistrict or more than 4,300 square feet of a mapped P-WL2 or P-WL3 subdistrict without a permit.

8. Maximum Slope. The driveway must not have a sustained slope of more than 8%.

9. Erosion and Sedimentation Control.

a. The driveway must be located, designed and constructed so that:

(1) It will not erode or create any undue restriction or disruption of existing surface water drainage ways;

(2) It will divert runoff to a vegetated buffer strip so as to prevent it from directly entering a water body, mapped P-WL1 wetland, or roadway.

b. Except for the travel surface of the driveway, all areas of disturbed soil must be promptly reseeded and mulched to prevent soil erosion.

10. Fill Material. Fill material used in the construction of a driveway must not contain demolition debris, trash, rubbish, or hazardous or toxic materials.

I. PESTICIDE APPLICATION

Pesticide application in any of the subdistricts will not require a permit from the Commission provided such application is in conformance with applicable State and Federal statutes and regulations.

J. SIGNS

Signs not in conformance with the standards of 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 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.

The following signs do not require a permit from the Commission, provided such signs are in conformance with the requirements of Section 10.27,J,1 and 2, below. The following limitations may be exceeded only under the provisions of a permit from the Commission:

a. Signs identifying stops or fare zone limits of common carriers;

b. Signs erected and maintained outside the highway right-of-way, by a governmental body, showing places of interest (other than commercial establishments), the place and time of services or meetings of churches and civic organizations. Not more than two such signs may be erected and maintained which are readable by traffic proceeding in any one direction on any one highway in any one township;

c. Residential directional signs, each of which does not exceed 4 square feet in area, along roadways other than limited access highways;

d. Traffic control signs or devices;

e. Signs displayed for the direction, instruction or convenience of the public, including signs which identify rest rooms, freight entrances, posted areas, property boundaries, trails, fire precautions, campsites, or the like, with a total surface area not exceeding 12 square feet This exemption shall not apply to signs visible from any public roadway promoting or advertising commercial enterprises;

f. Signs to be maintained for not more than six weeks announcing an auction, public supper, lawn sale, campaign drive or other like event of a public, civic, philanthropic or religious organization;

g. Memorial signs or tablets;

h. Signs erected by county fairs and expositions for a period not to exceed six weeks;

i. Directional signs visible from a public roadway with a total surface area not to exceed 4 square feet providing directions to places of business offering for sale agricultural products harvested or produced on the premises where the sale is taking place;

j. Signs displayed in building windows, provided that the aggregate area of such signs does not exceed 25% of the area of the window; and

k. Official business directional signs as defined and authorized by 23 M.R.S. § 21.

l. Sign kiosks near trail intersections that do not exceed 128 square feet of surface area used for the placement of multiple individual signs including those advertising a place of business. No more than one sign kiosk may be located near any trail intersection and

individual signs (other than maps) on such kiosks shall not exceed 4 square feet in size. No other signs advertising a place of business shall be located at such intersections. Such kiosks shall not be visible from a public roadway.

m. Signs containing only a symbol or design identifying gas, food or lodging services and the distance and/or direction to such services at trail intersections without a sign kiosk. Such signs are not to exceed 4 square feet in size.

n. Signs identifying a particular place of business offering gas, food, or lodging at the intersection of a local feeder trail leading directly to that place of business. Such signs are not to exceed 4 square feet in size and shall not be visible from a public roadway.

o. **On-Premise Signs.** Owners or occupants of real property may erect and maintain on-premise signs, except roof signs, advertising the sale or lease thereof or activities being conducted thereon. Such signs shall be subject to the following requirements and the regulations set forth in Section 10.27,J,2 below:

(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, D-PR, D-RB, D-RD, D-RF, M-GN, M-HP	32	64
D-LD, 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.

(2) On-premise signs shall not be located more than 1,000 feet from the building or other particular site at which the activity advertised is conducted;

(3) Signs advertising the sale or lease of real estate by the owner or his agent shall not have an area of more than 6 square feet, except signs advertising a subdivision which shall be limited in size as provided by Section 10.27,J,1,o,(1);

(4) On-premise signs, other than wall or projecting signs, shall not extend more than 15 feet above ground level, and shall not have a supporting structure which extends more than two feet above such sign;

(5) Projecting signs must be at least 9 feet above pedestrian level and may project no more than 2 feet from the building; and

(6) Signs attached to a wall shall not extend above the top of the wall.

On-premise signs which are not in conformance with the preceding requirements and all roof signs may be allowed only under the provisions of a permit from the Commission.

2. Regulations Applying to All Signs.

Notwithstanding any other provisions of this chapter, no sign may be erected or maintained which:

a. Interferes with, imitates or resembles any official traffic control sign, signal or device, or attempts or appears to attempt, to direct the movement of traffic;

b. Prevents the driver of a motor vehicle from having a clear and unobstructed view of official traffic control signs and approaching or merging traffic;

c. Contains, includes, or is illuminated by any flashing, intermittent or moving light, moves or has any animated or moving parts, except that this restriction shall not apply to a traffic control sign;

d. Has any lighting, unless such lighting is shielded so as to effectively prevent beams or rays of light from being directed at any portion of the main traveled way of a roadway, or is of such low intensity or brilliance as not to cause glare or impair the vision of the driver of any motor vehicle or otherwise interfere with the operation thereof;

e. Is in violation of, or at variance with, any federal law or regulation, including, but not limited to, one containing or providing for conditions to, or affecting the allocation of federal highway or other funds to, or for the benefit of, the State or any political subdivision thereof;

f. Is in violation of, or at variance with, any other applicable State law or regulation;

g. With the exception of marijuana businesses, advertises activities which are illegal under any state or federal law applicable at the location of the sign or of the activities;

h. Is not clean or in good repair; or

i. Is not securely affixed to a substantial structure.

Any sign which is a combination of exempt and/or non-exempt signs shall be regulated by the most protective standards applicable.

3. Criteria for Sign Approval.

In approving, conditionally approving, or denying any application for a sign permit, the Commission shall require that the applicant demonstrate that the proposed sign complies with those criteria set forth in 12 M.R.S. § 685-B(4) as well as the following:

a. That the sign is compatible with the overall design of the building height, color, bulk, materials and other design and occupancy elements;

b. That the color, configuration, height, size, and other design elements of the sign will fit harmoniously into the surrounding natural and man-made environment;

c. That the sign will not constitute a hazard to the flow of traffic; and

d. That the applicant sufficiently demonstrates the need for any non-conformity with the size, height, and other limitations set forth in Section 10.27,J,1.

K. WATER IMPOUNDMENTS

The establishment of impoundment water levels and the maintenance of impoundments shall conform to the provisions of 38 M.R.S. Art 3-A §815 et seq., Maine Dam Inspection, Registration and Abandonment Act.

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 standards of Section 10.27,L may be allowed upon issuance of a permit from the Commission provided that such types of activities are allowed in the subdistrict involved.

Except as provided for in Section 10.27,L,4, trailered ramps, hand-carry launches, and water-access ways require a permit from the Commission. Where a permit is required, the proposal 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 these rules.

1. Private Trailered Ramps, Hand-carry Launches, and Water-access Ways.

Wherever private trailered ramps, or hand-carry launches, or water access ways are allowed by special exception, the following apply:

For a proposed private trailered ramp, hand-carry launch or set of water-access ways, the following constitutes "an alternative site reasonably available" to the applicant:

a. An existing public or commercial trailered ramp or set of water-access ways if it has two or more associated parking spaces for motor vehicles with trailers and is located within 15 road miles or 5 miles by water of the applicant's proposed development,

b. A proposed public or commercial trailered ramp or set of water-access ways located within 15 road miles or 5 miles by water of the applicant's proposed development, provided such a facility is proposed for construction within 2 years of the date of the application.

2. Facilities Associated with Shorefront Subdivisions.

Shorefront subdivisions may be permitted no more than one trailered ramp, hand-carry launch or set of water-access ways, and one permanent dock. Any such facility must comply with Section 10.27,L,5, and Section 10.27,O, and must be accessible to all lots in the subdivision. The location of the facility must be identified on the subdivision plat and right of access must be covenanted in the deeds of all lots in the subdivision.

3. Maintenance of Trailered Ramps and Hand-carry Launches.

Maintenance. Every application for a permit, or permit by special exception for a new or replacement trailered ramp or hand-carry launch, or expansion thereof, must contain a description of the procedures the applicant will follow to maintain the facility on an ongoing basis in compliance with the standards of Section 10.27,L,5, to minimize erosion, sedimentation, and transport of phosphorus into the water body.

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 Management Class 1, 2, and 6 Lakes.

The following notification provision applies to construction of new or replacement trailered ramps and hand-carry launches where such projects are allowed without a permit. If a proposed project fails to meet any notification requirement or other applicable rule, the project requires a permit.

a. Every notification must be on a form provided by the Commission.

b. At least 30 days before filing the notification with the Commission, the applicant shall inform the Commission of the intent to file, mail notice to the local board of selectmen/assessors, if applicable, and to all landowners/lessees within 1000 feet of the proposed project according to the records of Maine Revenue Services or the applicable plantation/municipality. At the time of notice, a draft notification form must be available for inspection. The notice must state how to obtain a copy of the draft notification, the anticipated date for filing of the notification with the Commission, and a statement that public comments on the notification may be submitted to the Commission. Unless this deadline is extended by the Commission, any such comments must be submitted to the Commission by the anticipated date of the filing of the notification with the Commission.

c. The applicant may proceed with the proposed project 14 days after filing the notification with the Commission unless within this time period the Commission staff informs the applicant in writing that issues have been identified by Commission staff or other persons regarding the adequacy with which Section 10.27,L,4 and 5 are met or that there may be an undue adverse impact on existing uses or resources in the project area. If these issues cannot be resolved, the Commission will determine if there is sufficient public interest in the project to warrant consideration of a public hearing on the notification. If a hearing is held, the Commission may consider compliance with the applicable requirements of Section 10.27,L,4 and 5 and impacts on existing uses or resources in the project area. Within 60 days after the close of any public hearing, the Commission shall inform the applicant in writing of its determination. If the Commission determines that the requirements of Section 10.27,L,4 and 5 are met and that the project will not have an undue adverse impact on existing uses or resources in the project area, the notification will be accepted. If the notification is not accepted, the project will require a permit to proceed.

d. Expiration. A notification expires 2 years from the date of acceptance by the Commission.

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

Unless otherwise stated, the following standards apply to trailered ramps and hand-carry launches that are subject to the notification provisions in Section 10.27,L,4, and to all commercial or private trailered ramps and hand-carry launches.

a. Erosion Prevention and Control During Construction. Eroded soil or fill material from disturbed areas must be prevented from entering a water body. Properly installed erosion control measures, such as staked hay bales and silt fence, must be in place before the project begins. These erosion control measures must remain in place, functioning as intended, until the project area is permanently stabilized. Erosion and sedimentation control measures must comply with "Maine Erosion and Sediment Control Practices Field Guide for Contractors," Maine Department of Environmental Protection, (2014).

b. Avoidance of Water Bodies. No portion of a ramp or related facilities may be located in, on, or over wetlands, other than the water body being accessed, identified as P-WL1 on the Commission's zoning map for the project area. Parking areas, access roads, and paths must not be located in a stream, wetland designated as P-WL1, or other water body, except that an access roadway may cross a stream if requirements of Section 10.27,D, pertaining to water crossings, are met.

c. Maintenance of Vegetated Buffer. Trailered ramps, hand-carry launches, and associated facilities must be designed to minimize disturbance to the water body's vegetated buffer. A vegetated buffer zone at least 25 feet wide for public facilities (100 feet for private facilities) must be maintained or established between any parking area and the water body. In the case of private trailered ramps, if the lot does not have a well established vegetated buffer consisting of trees, shrubs and woody or herbaceous ground cover within 100 feet of the normal high water mark of the water body, the applicant must propose to enhance the existing shoreland buffer to compensate for the loss of vegetated buffer due to construction of the ramp.

d. Runoff Diversion. Parking areas, access roads, and paths must divert runoff away from the ramp or launch to an area where it will infiltrate into the ground or pass through a sedimentation basin before reaching the water body. For private facilities, the total land area above the normal high water mark that drains directly into the water body along the approach or from cut slopes must be no greater than 200% of the area of the ramp or launch lane above the normal high water mark.

e. Trailered Ramps.

(1) A public trailered ramp having a slope in excess of 8% must be hard-surfaced except where the agency responsible for maintaining the facility anticipates a level of use that does not justify the expense of a hard surface facility. Should the level of use increase such that erosion problems become evident, the responsible agency shall insure that appropriate measures are taken to repair such erosion and avoid any further erosion.

(2) Private trailered ramps shall not be hard surfaced. Private sites shall be limited to those areas where the portion of the ramp below the normal high water mark is composed of natural sand, gravel or cobble bottoms.

(3) The portion of the ramp used by the towing vehicle may not have a slope that exceeds 15% within 100 feet of the normal high water mark. The portion of the ramp used by the trailer only may not have a slope that exceeds 20%;

(4) The width of the ramp lane must not exceed 20 feet for public or commercial trailered ramps, or 10 feet for private trailered ramps;

(5) The uppermost 6 inches of the base must consist of crushed rock or screened gravel having 5% or less material passing a 200 mesh sieve;

(6) Cut or filled slopes at or below the normal high water mark must be protected with riprap; cut or filled slopes above the normal high water mark must be protected by vegetation or riprap so they do not erode; and

(7) The total area disturbed in the construction of private facilities shall not exceed 1,000 square feet within 50 feet of the normal high water mark.

f. **Associated Docking Systems.** For a public or commercial trailered ramp, an additional area up to 8 feet wide may be constructed using bituminous pavement, precast concrete planks, panels or slabs to support docking systems.

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

(1) The hand-carry launch area and access pathway must not be hard surfaced and must be constructed of gravel, rock, vegetation, or other natural erosion resistant materials;

(2) The sloped portion of the launch above the normal high water mark must have a slope no greater than 18%;

(3) The access path must have a maximum width of 6 feet and must have at least one bend to divert channelized runoff;

(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

(5) Filled or cut slopes at or below the normal high water mark must be protected with riprap.

Within those subdistricts where hand-carry launches are allowed without a permit, the standards for hand-carry launches may be exceeded upon issuance of a permit.

h. **Geoweb.** Geoweb cellular confinement system must not be used below or within two vertical feet above the normal high water mark of the water body.

i. **Concrete.** Uncured concrete must not be placed directly into the water. Concrete must be pre-cast and cured at least three weeks before placing it in the water or, where necessary, must be placed in forms and must cure at least one week before the forms are removed.

j. **Washing.** No washing of tools, forms, or similar material may occur in or adjacent to the water body or wetland.

k. **Lumber.** The use of untreated lumber is preferred. Pressure-treated wood approved by the U.S. Environmental Protection Agency for dock construction may be used. Chromated copper arsenate (CCA) treated wood must not be used in freshwater environments. Creosote or pentachlorophenol (PCP) treated wood must not be used.

l. **Machinery in Water.** Machinery may enter the water traveling or operating only on newly placed material or temporary mats and only when necessary to excavate or place material below the water level.

m. **Debris.** Any debris generated during the work must be prevented from washing into the water and must be removed from the wetland or water body. Disposal of debris must be in conformance with the Solid Waste Law, 38 M.R.S. § 1301 et seq.

n. **Dimensional Requirements.** The dimensional requirements in Section 10.26 apply.

M. SERVICE DROPS

Service drops not in conformance with the standards of Section 10.27,M are prohibited. A permit is not required for a service drop provided one of the following conditions is met:

1. The Commission has issued a permit for the structure or development to be served; or

2. The Commission has confirmed, in writing, that the structure or development to be served is exempt from the Commission's permitting requirements.

N. HOME-BASED BUSINESSES

Except as hereinafter provided, home-based businesses not in conformance with the standards of Section 10.27,N are prohibited.

1. Minor Home-based Businesses.

a. Purpose. The intent of Section 10.27,N,1 is to allow minor home-based businesses under the conditions stated herein in certain subdistricts without requiring a permit.

b. Size. A home child day care provider or home adult day services program without outside staff and caring for no more than six children or adults is considered a minor home-based business, but is not subject to the limitations on percent and floor area of the structure utilized.

c. Employees. No employees outside the resident family may regularly work on the premises.

d. Exterior effects. There must be no exterior display, no exterior storage of materials, and no other exterior indications of a minor home-based business with the following exceptions:

(1) Outdoor activity areas are allowed for home child day care providers and home adult day services programs;

(2) Signs are allowed in conformance with Section 10.27,J except in D-RS, D-RS2 and D-RS3 subdistricts where one unlighted sign no greater than two square feet in area is allowed for the home-based business; and

(3) Vehicles and equipment as allowed below in Section 10.27,N,1,h.

e. Nuisances. A minor home-based business must not generate any noise, vibration, smoke, fumes, dust, odors, heat, light, glare, electrical interference, or other effects such that levels common to a residential area are exceeded beyond the property lines or beyond the walls of the dwelling unit, if the unit is part of a multifamily dwelling.

f. Traffic. A minor home-based business must not attract clients, customers, or students to the premises for sales or services on a regular basis, except for home child day care providers or home adult day services programs. The level of vehicular traffic generated by a home-based business must not significantly exceed that generated by a residence.

g. Parking. A minor home-based business must not result in more than occasional, short-term parking, except for home child day care or adult day services providers.

h. Vehicles and equipment. A minor home-based business must not involve the regular on-premise use or storage of more than one tractor truck and semitrailer and one piece of heavy equipment such as construction equipment.

i. Hazardous wastes. A minor home-based business must not generate hazardous wastes in amounts that exceed normal residential household quantities.

j. Marijuana Businesses. Minor home-based businesses involving a marijuana business are allowed in compliance with Section 10.27,S,4.

2. Major Home-based Businesses.

a. Purpose. The intent of Section 10.27,N,2 is to allow major home-based businesses in certain subdistricts through the issuance of permits.

b. Size. A home child day care provider or home adult day services program with outside staff and caring for up to 12 children or adults is considered a major home-based business, but is not subject to the limitation on the percent and floor area of the structure utilized. Adaptive rehabilitation and reuse of existing accessory structures for major home-based businesses may exceed the size limitations of such home-based businesses if the following conditions are met:

(1) The structure is a legally existing accessory structure constructed before October 31, 2000, and

(2) The structure will not be expanded in size.

c. Employees. No more than two people outside the resident family may work simultaneously on the premises in connection with all home-based businesses on the premises.

d. Exterior effects. There must be no exterior display, no exterior storage of materials, and no other exterior indications of a major home-based business with the following exceptions:

(1) Outdoor activity areas are allowed for home child day care providers and home adult day services programs;

(2) Signs are allowed in conformance with Section 10.27,J except in D-RS, D-RS2 and D-RS3 subdistricts where one unlighted sign no greater than four square feet in area is allowed for the home-based business; and

(3) Vehicles and equipment as defined below in Section 10.27,N,1,h.

e. Nuisances. A major home-based business must not generate any noise, vibration, smoke, fumes, dust, odors, heat, light, glare, electrical interference, or other effects such that levels common to a residential area are exceeded beyond the property lines or beyond the walls of the dwelling unit, if the unit is part of a multifamily dwelling.

f. Traffic. The level of vehicular traffic generated by a home-based business must not significantly exceed that generated by a residence, except for home child day care providers or home adult day services programs.

g. Parking. Adequate off-street parking must be provided for the vehicles of employees and other visitors of the home-based business during peak operating hours, not to exceed six spaces, and must be effectively screened from the view of adjacent properties, access roads, and water bodies other than waters draining less than 50 square miles.

h. Vehicles and equipment. A major home-based business must not involve the regular on-premise use or storage of more than an aggregate of four tractor trucks and semitrailers and/or pieces of heavy equipment such as construction equipment.

i. Hazardous wastes. A major home-based business 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, Section 4.

j. Marijuana Businesses. Major home-based businesses involving a marijuana business are allowed in compliance with Section 10.27,S,4.

O. PERMANENT DOCKING STRUCTURES

Except as hereinafter provided, permanent docking structures not in conformance with the standards of 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 Section 10.27,O. Permanent docking structures proposed in a (P-FP) Flood Prone Protection Subdistrict, or in an area identified on a Federal Emergency Management Agency (FEMA) Flood Hazard Boundary or Flood Insurance Rate Map, must also meet the applicable provisions of Section 10.25,T.

1. Reconstruction of Permanent Docking Structures.

a. A permit for reconstruction shall not be issued unless the permanent docking structure is legally existing. For docks larger than the size limitations for new or expanded docks in Section 10.27,O,2,b, the size of the reconstructed dock must be no more than 90 percent of the size of the original structure. The dock shall be reconstructed in the same location, except as provided for in Section 10.27,O,1,d. The reconstructed structure must not extend farther into the waterbody than the existing structure. Reconstruction of a permanent docking structure shall not include reconstruction of any other structure, such as a shed or boathouse, which is attached to the docking structure, except as provided for in a (D-MT) Maritime Development Subdistrict and in a DACSS listed in Appendix G, Section 2 of this chapter. Reconstructed docks must meet the construction standards in Section 10.27,O,4.

b. An application to obtain a permit to reconstruct a permanent docking structure must be completed and filed within two years of the date of damage, destruction, or removal; and a permit shall not be issued unless the docking structure was functional within a two year period immediately preceding the damage, destruction, or removal.

c. Reconstruction may not take place within significant wildlife habitat, as defined in Section 10.02 of the Commission's Land Use Districts and Standards, or impact rare plants and natural communities, as identified by the Maine Natural Areas Program. Reconstruction may not take place within 250 feet of essential wildlife habitat, as defined in 12 M.R.S. § § 7754 and 7755-A unless the applicant has obtained approval from the Maine Department of Inland Fisheries and Wildlife.

d. The reconstructed docking structure must be in the same location on the shoreline as the existing structure, except that when possible, reconstructed structures not meeting the minimum property line setback must be relocated to meet the property line setback.

e. The reconstructed docking structure must not interfere with, or reduce the opportunity for, existing navigation and recreational uses of the site.

f. The reconstructed docking structure and activities associated with reconstruction must not alter the hydrology of the waterbody, permanently interfere with natural flow, or cause impoundment of the waterbody in excess of the existing structure. Fish passage must not be blocked.

g. Activities associated with reconstruction of docking structures located in flowing waters must take place between July 15 and October 1. In standing waters, activities must be conducted during a period of low water, and for flowed lakes when the lake bottom is exposed.

2. New or Expanded Permanent Docking Structures.

a. Special Exception Criteria for Permanent Docking Structures.

(1) New or expanded permanent docking structures may be approved only where the applicant has demonstrated by substantial evidence that:

(a) The siting, location and size of such structure will not interfere with navigation; and

(b) In the case of a permanent docking structure to serve private, non-commercial activities, it is infeasible to utilize a temporary docking structure due to unusual or extraordinary physical conditions of the site, including, but not limited to, conditions that will not allow anchoring of a temporary structure or wind and wave action sufficient to preclude the use of a temporary structure. The burden of proof is on the applicant to demonstrate the necessary site conditions; or

(c) In the case of a permanent docking structure to serve public or institutional activities, a permanent docking structure is necessary for public safety and convenience; or

(d) In the case of a permanent docking structure to serve commercial or industrial activities, a permanent docking structure is reasonably necessary, and a temporary docking structure is not feasible or adequate to provide for public safety and convenience.

(2) The special exception criteria of “no alternative site” shall be judged according to the following:

(a) Proximity to a public or commercial dock.

For private, non-commercial docks on the mainland, the following shall constitute “an alternative site reasonably available to the applicant”:

(i) An existing public or commercial dock located within 15 road miles or 5 miles by water of the applicant’s proposed development; or

(ii) A proposed public or commercial dock located within 15 road miles or 5 miles by water of the applicant’s proposed development, provided such a facility is proposed for construction within 2 years of the date of the application.

For private, non-commercial docks located on an island, the following shall constitute “an alternative site reasonably available to the applicant”:

(iii) An existing public or commercial dock located on the island where the applicant’s dock would be located; or

(iv) A proposed public or commercial dock located on the island where the applicant's dock would be located, provided such a facility is proposed for construction within 2 years of the date of the application;

(b) Proximity to other means of access. For private, non-commercial docks, an existing sandy beach area where a small boat may be landed and pulled ashore shall constitute "an alternative site reasonably available to the applicant"; and

(c) Proximity to less ecologically sensitive areas. An alternative site that would result in the least environmental impact while still providing access shall constitute "an alternative site reasonably available to the applicant". Ecologically sensitive areas include, but are not limited to, areas defined as Significant Wildlife Habitat in Section 10.02; eel grass beds; salt marsh or emergent marsh vegetation; or other high value fisheries and wildlife habitat.

b. Maximum Dimensions. The new or expanded permanent docking structure must be no longer or wider than is necessary for the use intended, and meet the following:

(1) **Coastal Wetlands.**

(a) Maximum length. A dock must not be constructed within a marked navigable channel, and

(i) A private, non-commercial dock must extend no farther than 100 feet beyond the mean lower low water level, or no farther than is necessary to achieve a draft of 5 feet of water at mean lower low water, whichever is less; or

(ii) A public or commercial dock must extend no farther than 100 feet beyond the mean lower low water level, or no farther than is necessary to achieve a draft of 8 feet of water at mean lower low water, whichever is less; and

(b) Maximum width. A private, non-commercial dock must be no wider than 8 feet.

(2) **Non-Tidal Water Bodies.**

(a) Maximum length.

(i) A private, non-commercial dock must extend no farther than 50 feet beyond the normal high water mark; or

(ii) A public or commercial dock must extend no farther than 75 feet beyond the normal high water mark; and

(b) Maximum width. A private, non-commercial dock must be no wider than 8 feet.

3. Normal Maintenance and Repair.

a. In accordance with Section 10.02, normal maintenance and repair of permanent docking structures above the normal high water mark does not require a permit.

b. Except as provided for in a (D-MT) Maritime Development Subdistrict and in a DACSS listed in Appendix G, Section 2 of this chapter, boathouses and floatplane hangers may be maintained in accordance with the provisions for normal maintenance and repair in Section 10.02, but may not be reconstructed.

4. Construction Standards.

a. New or expanded docking structures must be constructed using methods, such as pilings, that allow for free flowing water and fish passage beneath the dock. Reconstructed docking structures must be pile-supported where feasible. Construction methods, such as rock filled cribs, that place fill below the normal high water mark of coastal wetlands or non-tidal water bodies may only be allowed where the applicant demonstrates by a preponderance of evidence that non-fill construction techniques are not practicable;

b. When located over eel grass beds, or salt or emergent marsh vegetation that is ten feet or greater in width, the deck height above the substrate must be at least equal to the dock's width;

c. The use of untreated lumber is preferred, although pressure-treated wood approved by the U.S. Environmental Protection Agency for dock construction may be used. Chromated copper arsenate (CCA) treated wood must not be used in freshwater environments. Creosote or pentachlorophenol (PCP) treated wood must not be used.

d. Uncured concrete must not be placed directly in the water. Concrete must be pre-cast and cured at least three weeks before placing it in the water or, where necessary, must be placed in forms and must cure at least one week before the forms are removed; and

e. Except within (D-MT) Maritime Development Subdistricts, new or expanded permanent docks must not include or accommodate non-water dependent structures, including but not limited to, gazebos, screen houses, or other enclosed or semi-enclosed structures.

P. ACCESSORY STRUCTURES

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. Section 10.27,P does not apply to structures identified separately in the use listings in Sub-Chapter II, such as docks or signs.

If all conditions and standards below cannot be met, a permit is required.

All new or expanded accessory structures allowed without a permit subject to standards must meet the following conditions:

1. Be accessory to a legally existing principal structure or use;

2. Meet the definition of accessory structure in Section 10.02;

3. Conform with the General Criteria for Approval in Section 10.24;

4. Meet the development standards in Sections 10.25 B, F, H and M, as applicable; and the activity specific standards in Section 10.27, as applicable;

5. Conform with any applicable permit conditions, and/or deed restrictions recorded for the property;

6. Meet all of the applicable dimensional requirements in Section 10.26,D-F;

7. Have unfinished interiors and not be used for human habitation;

8. Have no internal plumbing and not be supplied with water other than for a hose bib (exterior hose faucet);

9. Not be used for a home-based business;

10. Not be located in a flood prone area as defined in Section 10.02 and described in Section 10.23,C;

11. Neither use in construction nor produce any hazardous or toxic materials or substances;

12. Be consistent with the use of the principal structure and not add a new activity to those currently permitted at the site or facility; and

13. Not cause the total development on a property to exceed any gross floor area limitation related to the type of use.

14. If the accessory structure is a non-residential greenhouse, lighting must be fully shielded between sunset and sunrise and must not illuminate exterior areas or otherwise make the greenhouse appear to glow.

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 Section 10.27,Q or in accordance with other applicable provisions of this Chapter. If the requirements in the standards below are at variance with the requirements of any other provisions of this Chapter, or other lawfully adopted rules, regulations, standards, or ordinances, the more protective of existing natural, recreational and historic resources shall apply.

1. Recreational Lodging Categories.

A recreational lodging facility will be categorized based on the factors in Table A below. A facility will be categorized in the lowest facility level (A, B, C, D or E, with A being the lowest level and E being the highest level) in which the facility does not exceed any of the limits established in the Table A. Facilities in existence prior to July 1, 2013 may be categorized without regard to footprint of clearing.

Within the D-GN, D-GN2, D-GN3, D-RF, and M-GN Subdistricts, Level C and Level D facilities may offer expanded services to the general public and increased overnight occupancy as provided in Table B, with the rows labeled 5 through 9 in Table B substituting for the corresponding rows in Table A. In these subdistricts, Table B adjusts Table A. A Level C or Level D facility applying any of the Table B adjustments is referred to in Sub-Chapter II as a “Level C – Expanded Access” facility and “Level D – Expanded Access” facility, respectively. As provided in Sub-chapter II, these expanded access facilities require permit or special exception approval.

As used in Section 10.27,Q, the term “clearing” means an opening in the forest canopy, measured from the remaining crown or canopy, in an area that was once, but is no longer forested. Clearing includes but is not limited to areas that may now contain or be used for roads, parking, lawn, structures, or subsurface wastewater disposal systems. Land areas that are naturally devoid of trees or naturally consisting of sparse trees are not included in “clearing,” unless human intervention is required to maintain this state (e.g., burning, mowing).

Table A: Facility Level Determination.

Factors	Facility Level				
	A	B	C	D	E
(1) On-site recreation activities, features, and/or services[(i)]	N	Low noise, odor Mostly screened		Some noise, odor Partially screened	Routine noise, odor Highly visible
(2) Utilities: May be served by public utilities and/or indoor plumbing or water and electric at campsites	N	Y	Y	Y	Y
(3) Floor area of principal buildings *(in square feet)*[(ii)]:	≤ 750	≤ 8,000	≤ 12,000	≤ 20,000	No limit
(4) Footprint of clearing within 250 feet of any body of standing water not including constructed ponds, coastal wetlands, or flowing waters downstream from the point where such waters drain 50 square miles or more, in accordance with Section 10.27,Q,5. *(in square feet) Section 10.27,B still applies:*	≤ 6,000	≤ 36,000	≤ 54,000	≤ 90,000	No limit
(5) Retail *(in square feet)*:	0	≤ 100	≤ 200	≤ 500	≤ 800
		or not more than 5% of floor area of principal buildings, whichever is larger			
(6) Dining amenities	N	Guests	Guests	Guests	Public
(7) Fuel sales	N	Guests	Guests	Guests	Public
(8) Recreation activities, features, and/or services[(i)]	N	Guests	Guests	Guests	Public
(9) Overnight occupancy *(in people)*:	≤ 80	≤ 100	≤ 150	≤ 250	No limit

Table B: Expanded Access Adjustment.

A Level C or D "Expanded Access" facility provides certain amenities to the general public in addition to overnight guests, and may have increased overnight occupancy. The term Expanded Access reflects that more people will be accessing these facilities.

Factors	Facility Level				
	A	B	C (Expanded Access)	D (Expanded Access)	E
(5) Retail *(in square feet)*:			< 200	< 500	
			or not more than 10% of floor area of principal buildings, whichever is larger		
(6) Dining amenities			Public	Public	
(7) Fuel sales			Public	Public	
(8) Recreation activities, features, and/or services[(i)]			Public	Public	
(9) Overnight occupancy *(in people)*:			≤ 300	≤ 400	

Key:

- N = not allowed;
- Y = allowed but not required;
- Guests = amenities may be available to overnight guests and may be available on an incidental basis to the general public. In this regard, these amenities provide only limited services or purpose for the convenience of guests, and that, while they may be occasionally patronized by others, are not of a type, scale or design intended to meet the needs primarily of the greater region. Activities, features, and services that are individually advertised are not considered incidental. Activities, features, and services that are not incidental are regulated under separate use listings.
- Public = amenities may be available to overnight guests as well as the general public on a regular basis. With regard to fuel sales, "Public" allows the retail sale of not more than two fuel types (e.g., gas, diesel, aviation gas, natural gas, or propane) to the public with not more than one functioning dispensing device per fuel type where each device can serve no more than one vehicle, customer or container simultaneously, except when the applicant can demonstrate that such dispensing device is not practicable. A recreational lodging facility may continue to utilize any dispensing devices that: i) were in private use at the facility as of August 5, 2013; and ii) do not conform to the provisions above regarding the number of fuels or vehicles, customers, or containers served simultaneously.

However, in such cases, any new or replacement fuel dispensing devices shall conform to the provisions above regarding the number of fuels or vehicles, customers, or containers served simultaneously.

Table A and B Notes:

(i) See definitions.

(ii) Floor area limits in Table A may be increased by 25% in accordance with Section 10.27,Q,2.

2. Floor Area Adjustment for Expanding Square Footage.

In any subdistrict, a recreational lodging facility or proposed facility legally bound by provisions acceptable to the Commission that result in a 25 foot vegetative buffer along all property lines facing exterior roads and 50% more depth of the vegetative buffer than otherwise would be required by Section 10.27,B along a whole shoreline and that restrict building color to blend in with the surrounding area and restricts the use of reflective surfaces, shall be allowed 25% more square footage than the floor area limits of Section 10.27,Q,1, Table A. If the subdistrict (see Sub-chapter II) in which the facility is located or is proposed to be located has more restrictive square footage limits, then the subdistrict square footage limits shall apply.

3. Geographic Allowance Area.

Certain levels of recreational lodging facilities located within the M-GN, D-GN, or D-RF Subdistricts and within one of the areas described below may be allowed by permit or by special exception (see Sub-chapter II). Facilities located within townships or plantations located within the Prospective Zoning Plan for the Rangeley Lakes Region and facilities located on islands may not receive such geographic allowance.

a. Within 2 miles measured in a straight line from a public road (except Interstate 95), and located within 10 miles measured in a straight line from the boundary of one of the following municipalities: Anson, Ashland, Bethel, Bingham, Calais, Caribou, Carrabassett Valley, Dover-Foxcroft, Eastport, Ellsworth, Eustis, Farmington, Fort Kent, Gouldsboro, Greenville, Guilford, Houlton, Island Falls, Jackman, Jonesport, Kingfield, Lincoln, Lovell, Lubec, Machias, Madawaska, Medway, Milbridge, Millinocket, Milo, Newry, Oakfield, Old Town, Orono, Patten, Presque Isle, Princeton, Rangeley, Rockwood Strip T1 R1 NBKP, Rumford, Saint Agatha, Sullivan, The Forks Plantation, Unity, Van Buren, Waterford, Wilton. Facilities located within one of these towns, townships, or plantations shall be considered to be within 10 miles of the boundary.

4. Measuring Floor Area Limits.

Unless otherwise specified by another provision, any floor area limitations for recreational lodging facilities shall be a calculation of the total floor area for all principal buildings associated with the facility. For purposes of this calculation, principal buildings generally include, for example: main lodge, cabins for the housing of guests, bathroom facilities, sauna/spa, caretaker and guide housing, and recreation rooms (e.g., the principal space available to or necessary for serving the guests). Further, accessory structures are not counted, including but not limited to: wood shed, generator building, workshop, storage, composting toilet infrastructure, and structures having a footprint of not more than 100 square feet which are part of an on-site recreation activity. Outpost cabins may not be considered in determining conformance of a Commercial Sporting Camp with the applicable floor area limitation of Section 10.27,Q,1.

5. New or Enlarged Clearing.

a. Recreational lodging facilities may create or enlarge a clearing within 250 feet of the shoreline, provided the clearing, in combination with all other clearings at the facility, does not exceed the applicable limits in Section 10.27,Q,1, Table A and such a clearing is in an area that has:

(27) a 100 foot vegetative buffer that meets the provisions of Section 10.27,B,2[27] between the proposed clearing and all points on the shoreline; and

(28) slopes of 20% or less as measured from the highest elevation in the area within 250 feet of the shoreline in which clearing or development is proposed, to the nearest point on the shoreline.

b. Recreational lodging facilities may create or enlarge clearings within 250 feet of the shoreline regardless of the limits in Section 10.27,Q,1, Table A or the provisions of Section 10.27,Q,5,a, provided the applicant:

(1) demonstrates that the overall visual impact of the facility will not increase as a result of the creation or enlargement of clearings, or from the development or uses located within those clearings; or

(2) submits a mitigation plan for visual impacts, noise, and phosphorus, that will provide substantially equivalent or increased effectiveness over existing conditions.

6. Campgrounds.

a. RVs that are at individual sites or campgrounds shall not have permanent foundations and shall not have the wheels removed.

b. In order to comply with transient occupancy standards, a tent, trailer, camper, recreational vehicle, or similar device used for camping may be stored within a campground provided that the device is not occupied for more than 120 days in a calendar year.

7. Water-dependent Structures for Recreational Lodging Facilities.

Recreational lodging facilities may include not more than two water-dependent structures per waterbody, including but not limited to: swimmer sign-out boards, boat racks, and a shed building for the storage of personal floatation devices, paddles, anchors, and other water-related equipment. Such buildings and structures shall:

a. Contain not more than 100 square feet of floor area per structure;

b. Not be constructed on a permanent foundation;

c. Not be habitable or inhabited;

d. Be located not less than 25 feet from the normal high water mark of any waterbody or watercourse;

[27] Section 10.27,B,2 sets out restrictions on cleared openings and requirements for maintaining a well-distributed stand of trees within a buffer strip when conducting vegetative clearing activities in locations along shorelines and public roadways identified in Section 10.27,B,1. For purposes of Section 10.27,Q, the provisions of Section 10.27,B,2 shall apply to the required 100 foot vegetative buffer in the area between a proposed new or enlarged clearing within 250 feet of the shoreline and all points on the shoreline. This requirement will apply regardless of whether or not the buffer extends to the shoreline.

e. Be used only for the purposes of Section 10.27,Q,7; and

f. Be screened by vegetation or topography from the waterbody.

8. Conversion of Use.

Pursuant to 12 M.R.S. § 685-B(1)(A), recreational lodging facilities may not be converted to another use without a permit issued by the Commission. Conversion may be permitted, provided the proposed use is allowed within the subdistrict and complies with the all applicable regulations. When the conversion is to a residential use, the following shall apply:

a. The structures will comply with the provisions of Sections 10.11,B, C and D;

b. Any water dependent structures for recreational lodging facilities must be removed or relocated to a location conforming with the provisions of Section 10.26,D; and

c. The lots and structures must comply with all applicable rules, including, but not limited to, subdivision standards in Section 10.25,Q, and the dimensional requirements of Section 10.26, except as provided in Section 10.27,Q,8,d.

d. Notwithstanding Section 10.27,Q,8,c, the Commission may permit the subdivision of the facility provided that:

(1) the principal structures may be sold individually but shall be limited by deed restrictions to existing square footage of floor area or footprint;

(2) the lot must be commonly owned as a condominium lot;

(3) the conversion and related division shall meet the subdivision design standards of Section 10.25,Q to the greatest extent practicable;

(4) the condominium lot and existing structures:

(a) in the aggregate, meet all dimensional requirements of Sections 10.26,A, B, and C;

(b) as an individual lot or structure, meet all dimensional requirements of Section 10.26 to the greatest extent practicable; and

(5) in no case shall less than three principal structures be located on a commonly owned lot.

e. If a campground is converted to another use:

(1) the historic use of a site for an RV does not establish a right to use that site or permanently place an RV or other structure at that site; and

(2) permanent structures, including but not limited to an office, store, bathhouses, and recreation buildings, may be allowed to remain and/or be converted to another use, in conformance with other provisions of the Commission's Land Use Districts and Standards

R. RURAL BUSINESSES

The following requirements shall apply to rural businesses located in the D-RB subdistrict except as otherwise provided herein.

1. Category of Rural Businesses[28]

Except as hereinafter provided, rural businesses not in conformance with the standards of Section 10.27,R are prohibited.

a. Category 1 Rural Business.

(1) **Description.** Natural resource-based business.

(2) **Size.**

(a) Up to three acres utilized by the business, and

(b) Up to 4,000 square feet of gross floor area, or as provided by Section 10.27,R,2.

(3) **Exterior effects.** There must be no exterior display, no exterior storage of materials, and no other exterior indications of a rural business with the following exceptions:

(a) Outdoor storage of raw materials and finished product are allowed, provided at least 50 percent of the raw materials used in production come from the site or working farm or forest lands under the same ownership;

(b) Outdoor storage of outdoor recreation equipment and supplies; and

(c) Shipping and receiving areas appropriate for Category 1 type businesses, particularly when considering one or more of the following factors: (a) maximum number of delivery vehicles accommodated at the same time; (b) daily shipping and receiving hours of operation, including any seasonal variation; and (c) type of delivery vehicle.

(4) **Traffic.** The level of vehicular traffic generated by a Category 1 rural business must not significantly exceed that commonly associated with Category 1 types of business. If not located on a numbered state or federal route, traffic on the network of roads used to facilitate movement of goods and services to and from the business may not exceed levels common to the surrounding setting and uses.

(5) **Hours of Operation.** The Commission may limit hours of operation to minimize impacts to adjacent residents or uses.

(6) **Vehicles and Equipment.** A business must not involve the regular exterior use or storage of more than an aggregate of six tractor trucks, semitrailers, and heavy equipment such as construction equipment, all of which must be operable or in the process of being made operable. Exterior storage of abandoned or inoperable vehicles or heavy equipment is not permitted.

Seasonal variations in the number of units stored are permissible so long as the

[28] See Section 10.21,I,2,b for eligible locations for Category 1, 2, and 3 rural business.

seasonal increase is for a relatively short period of time and the increase above the limit of stored units does not cause undue adverse impacts to surrounding uses and resources.

This factor does not address delivery or pickup vehicles, which are addressed by Section 10.27,R,1,a,(3),(c).

(7) **Hazardous wastes.** A Category 1 rural business 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 requirements of DEP rules, Chapter 850 DEP Rules, Section 3(A)(5)(d)(vii), if applicable.

b. Category 2 Rural Business.

(1) **Description.** Retail, restaurants, offices, and similar small businesses.

(2) **Size.**

(a) Up to 2,500 square feet of gross floor area, or as provided by Section 10.27,R,2.

(3) **Exterior effects.**

(a) No outdoor storage is allowed.

(b) Outdoor activity areas are allowed including for child day care and adult day service programs, dining, display of merchandise (during hours of operation), outdoor dispensing or sale of products, and other activities associated with these types of businesses.

(c) Shipping and receiving areas appropriate for Category 2 type businesses, particularly when considering one or more of the following factors:
(a) maximum number of delivery vehicles accommodated at the same time;
(b) daily shipping and receiving hours of operation, including any seasonal variations, and; (c) type of delivery vehicle.

(4) **Traffic.** The level of vehicular traffic generated by a Category 2 rural business must not significantly exceed that commonly associated with Category 2 types of business. If not located on a numbered state or federal route, traffic on the network of roads used to facilitate movement of goods and services to and from businesses may not exceed levels common to the surrounding setting and uses.

(5) **Hours of Operation.** Hours of operation must conform to surrounding settings and uses. The Commission may limit hours of operation to minimize impacts to adjacent residents or uses.

(6) **Vehicles and Equipment.** A business may not involve the regular exterior use or storage of heavy equipment such as construction equipment, except building maintenance or grounds keeping equipment generally used in a Category 2 type of business.

This factor does not address delivery or pickup vehicles, which are addressed by Section 10.27,R,1,b,(3),(c).

(7) **Hazardous wastes.** A Category 2 rural business 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 requirements of DEP rules, Chapter 850 DEP Rules, Section 3(A)(5)(d)(vii), if applicable.

c. Category 3 Rural Business.

(1) **Description.** Manufacturing, Construction, Service and Similar Businesses.

(2) **Size.**

(a) Up to 20,000 square feet of gross floor area, or as provided by Section 10.27,R,2.

(3) **Exterior effects.**

(a) Site may be used for storage of raw materials and finished products.

(b) Site may be used for equipment storage.

(c) Shipping and receiving areas appropriate for Category 3 type businesses, particularly when considering one or more of the following factors:
(a) maximum number of delivery vehicles accommodated at the same time;
(b) daily shipping and receiving hours of operation, including any seasonal variations, and; (c) type of delivery vehicle.

(d) Adequate provisions must be made for noise and dust abatement.

(4) **Traffic.** The level of vehicular traffic generated by a Category 3 rural business must not significantly exceed that commonly associated with Category 3 types of business. If not located on a numbered state or federal route, traffic on network of roads used to facilitate movement of goods and services may not exceed levels common to the surrounding setting and uses.

(5) **Hours of Operation.** Hours of operation must conform to surrounding settings and uses. The Commission may limit hours of operation to minimize impacts to adjacent residents or uses.

(6) **Vehicles and Equipment.** A business must not involve the regular exterior use or storage of more than an aggregate of eight tractor trucks, semitrailers, and heavy equipment such as construction equipment, all of which must be operable or in the process of being made operable. Exterior storage of abandoned vehicles or heavy equipment is not permitted.

Seasonal variations in the number of units stored are permissible as long as the seasonal increase is for a relatively short period of time and the increase above the limit of stored units does not cause undue adverse impacts to surrounding uses and resources.

This factor does not address delivery or pickup vehicles, which are addressed by Section 10.27,R,1,c,(3),(c).

(7) **Hazardous wastes.** A Category 3 rural business 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 requirements of DEP rules, Chapter 850 DEP Rules, Section 3(A)(5)(d)(vii), if applicable.

2. Existing Businesses and Buildings.

a. Expansion of Existing Rural Business.

For the purposes of Section 10.27,R, Existing Rural Business is a business that meets the definition of Rural Business, in accordance with Section 10.02 and is an ongoing functional enterprise as of May 9, 2016.

(1) Existing Category 1 or 2 Rural Business located within the respective locational requirements for Category 1 or Category 2 Rural Business may expand in size up to 30 percent larger than the applicable size limits, provided:

(a) All other applicable Category limits are met; and

(b) All other applicable standards (such as dimensional requirements of Section 10.26) are met.

b. Utilization of Existing Buildings.

For the purposes of Section 10.27,R, Existing Building is a structure that is legally existing and meets the definition of "building", in accordance with Section 10.02, as of May 9, 2016.

The use of an Existing Building for a Rural Business located within the locational requirements for any category rural business within the D-RB, including reconstruction within the existing footprint, may be permitted without regard to building size provided:

(1) the applicant demonstrates that the use of the building will meet all other applicable category factors for that location;

(2) reconstructed buildings remain within the existing footprint and have a maximum height no higher than the height of the existing building, or 35 feet, whichever is higher[29]; and

(3) all other applicable standards (such as dimensional requirements of Section 10.26) are met.

3. Buffering.

A buffer strip shall be provided so as to minimize visual and other impacts on surrounding residential uses from non-residential buildings and uses located within the D-RB subdistrict. When required, buffering will consist of:

a. A vegetated strip of no less than 15 feet in width sited in such a way as to minimize visual impacts from non-residential buildings and uses on surrounding residential uses; or

[29] Structures used for agricultural management, structures with no floor area, or features of buildings which contain no floor area such as chimneys, towers, ventilators, and spires may exceed these maximum heights with the Commission's approval.

b. Where no natural vegetation exists, the buffer may consist of fences, walls, or berms; or tree plantings and/or hedges.

Adequate provision shall be made for the maintenance, repair and replacement of all buffers to ensure continuous year round effective screening of any abutting residential property.

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 Section 10.27,R,3.

4. Subdivision Conditions.

As required by Section 10.25,Q,6,e, all subdivision lots permitted for Rural Businesses in the D-RB subdistrict shall include a condition requiring that the lot be used only for Rural Businesses unless the Commission, or its legal successor in function, releases the condition.

S. COMMERCIAL BUSINESSES

The standards in Section 10.27,S apply to commercial businesses. Natural Resource Processing Facilities and Recreation Supply Businesses not in conformance with the standards of Section 10.27,S,2 and 3 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 a permit must show by a preponderance of the evidence that the business activity, which is not in conformance with the Standards of Section 10.27,S will be conducted in a manner which produces no undue adverse impact upon the resources and uses in the area. Sections 10.27,S,1 and 4 include standards which may not be exceeded with a permit.

1. Standards for All Commercial Development.

a. Wildlife Passage.

Except as provided in Section 10.27,S,1,b,(1) through (3), the standard for wildlife passage must be met for all commercial businesses located within a primary location and in a new development subdistrict established after June 17, 2019.

(1) The design for the business must include suitable open space for wildlife passage, around or through the development, of at least 500 feet in width. The wildlife passage must be located, in order of preference, along the side of flowing waters or wetlands, in a way that links high value wildlife habitats on or off the property, along the property line of any abutting conserved land, or adjacent to one of the boundary lines of the parcel, to the extent practicable.

(2) Notwithstanding Section 10.27,S,1,a, the Commission may allow a design without onsite open space for wildlife passage:

(a) In cases where a proposed development constitutes “in-fill” development, on a parcel surrounded by existing development, for which any designated open space would be an isolated pocket providing little long-term value.

(b) In cases where the commercial business has joined with a group of landowners to jointly establish a common wildlife corridor at least 500 feet in width, within one-quarter mile of the project site, that will be protected in accordance with the provisions of Section 10.25,S.

(c) In cases where a site-specific resource assessment shows that the Commission’s wildlife passage goal will otherwise be met on or within one-quarter mile of the project site.

(3) Permit applications for commercial businesses required to meet this standard must include a plan identifying the wildlife passage and demonstrating that the open space for wildlife passage will not be materially altered in the future by any uses allowed with or without a permit.

2. Natural Resource Processing Facilities.

a. Standards for All Natural Resource Processing Facilities

(1) Resource Dependency. A natural resource processing facility must be located on the same parcel of land as the raw materials that will be used for processing activities, or located on a parcel directly abutting the parcel of land sourcing the raw materials.

(2) Compatibility.

(a) The processing facility must be located at least one-half mile from compact patterns of residential development which include four or more dwellings within a 500-foot radius.

(b) The facility must be located at least one-half mile from the normal high-water mark of any major waterbodies.

(c) Wooded buffer strips must be maintained in conformance with the standards of Section 10.27,B.

(d) In addition, 100-foot wide wooded buffer strips must be maintained between the processing facility and any property line shared with residential uses, other non-commercial uses, or commercial facilities providing overnight accommodations.

(3) Decommissioning.

(a) Upon completion of processing activities, the site must be restored to pre-development conditions to the extent practicable.

(b) All disturbed soil areas must be stabilized in conformance with Chapter 10, Appendix B, Guidelines for Vegetative Stabilization.

b. Standards for Natural Resource Processing Facilities without Structural Development.

(1) Scale.

(a) Equipment used for the processing activity must be mobile, and must not include structures as defined in Section 10.02. The facility and all appurtenant components must not be on site for more than 10 months of the year. Mobile means that a vehicle or trailer must be ready for highway use, and must be fully licensed unless intended to travel exclusively on private roads.

(b) The site used for processing activities must be less than three acres in size.

(2) Noise. All processing equipment must be separated by a forested buffer strip at least 950 feet in width from all property lines shared with abutting residential uses, other non-commercial uses, or commercial facilities providing overnight accommodations, unless there is demonstrable data available on the noise generated by the equipment and the forested buffer widths of Table 10.27,S-1 are met:

dB(A) at the source	**Forested buffer width** (feet)
0-65	250
66-75	400
76-85	500
86-95	650
>95	950

Table 10.27,S-1. Sound pressure level limits.

(3) Erosion and Sedimentation Control.

(a) Soil disturbance must be kept to a practicable minimum, and operations that result in soil disturbance must be avoided or minimized in sensitive areas such as slopes exceeding 15 percent and areas that drain directly into water bodies or wetlands.

(b) Prior to any soil disturbance, erosion control measures must be implemented to ensure sediment is removed from runoff water before it leaves the site, or enters drainage systems, water bodies, or wetlands.

(4) Hazardous Materials.

(a) The facility must use operating procedures or equipment to minimize dust generation and accumulation.

(b) Where oil or hazardous materials will be used onsite, facility operators must take all reasonable measures to prevent, control, and clean-up any spills of oil or hazardous materials, and an adequately stocked oil and hazardous materials spill response kit must be kept onsite while the facility is operating.

(5) Solid Waste. All solid waste generated by the processing facility, including any wood wastes such as bark or sawdust, must be stored and disposed of in accordance with the Maine Solid Waste Management Rules. 06-096 CMR 400.

(6) Traffic.

(a) Any traffic generated by the processing facility must be consistent with the existing pattern on the network of roads used by the facility when considering the type of traffic (e.g., trucks or passenger vehicles), and hours of operation.

(b) If processed goods will be transported by trucks exceeding US truck classification, Class 4 commercial truck, the off-site network of roads used to transport those goods must at least meet the Class 3 roadway standards of Sections 10.25,D,4,e and f.

c. Standards for Natural Resource Processing Facilities with Structural Development.

(1) Scale.

(a) Permanent structures associated with processing activities must be limited to 4,000 square feet of gross floor area in M-GN subdistricts and limited to 20,000 square feet of gross floor area in D-RD subdistricts; and

(b) The site used for processing activities must be less than three acres in size in M-GN subdistricts, and less than 10 acres in size in D-RD subdistricts.

3. Recreation Supply Businesses.

a. Standards for All Recreation Supply Facilities.

(1) Resource Dependency. Facilities must supply equipment or services primarily for use by people pursuing recreational activities on recreational resources such as trails that support motorized vehicle, non-motorized vehicle, or equestrian use, or on bodies of standing water greater than ten acres in size.

(2) Proximity to Resource. Facilities must be located within one-quarter mile of trailheads serving permanent trails that support motorized vehicle, nonmotorized vehicle, or equestrian use; or within one-quarter mile of publicly accessible points of access to a body of standing water greater than ten acres in size, and not within one-quarter mile of Management Class 1, or Management Class 2 lakes, and not within one-half mile of Management Class 6 lakes.

(3) Sanitation.

(a) All recreation supply businesses must provide adequate trash and recycling receptacles for use by customers, and must provide for regular collection and disposal of site-generated solid wastes at a State-approved landfill or transfer station.

(b) Recreation supply businesses that sell food must meet all requirements of the Maine Food Code, and must be licensed by the Maine Department of Health and Human Services or the Maine Department of Agriculture, Conservation, and Forestry.

b. Standards for Recreation Supply Businesses without Structural Development. In addition to the standards listed in Section 10.27,S,3,a recreation supply businesses that do not have structures must comply with the following:

(1) Compatibility with Recreational Lodging Facilities. Temporary or mobile recreation supply businesses that supply food or gear to recreational users must not locate within one-half mile of a recreational lodging facility, as defined in Section 10.02, which already serves food or already rents or sells gear to the public, except upon prior written agreement of the recreational lodging facility owner.

(2) Scale.

(a) A business must be mobile, and must not include structures as defined in Section 10.02. The facility and all appurtenant components must not be in the same location for more than 120 days in a calendar year. Mobile means that a vehicle or trailer must be ready for highway use, and must be fully licensed unless intended to travel exclusively on private roads.

(b) Mobile or temporary recreation supply businesses must be self-contained, and all temporary fixtures or signs related to the facility must be stored inside the facility when closed.

(c) The site must not have more than one acre of disturbed area as a result of the development.

(3) Dimensional Requirements. Pursuant to Section 10.26, all components of a recreation supply business must meet dimensional requirements for parking areas, structures, and lots applicable to commercial activities. For the purposes of this section, structures include temporary toilets.

(4) Noise and Lighting.

(a) Noise. Facilities must meet the standards for noise included in Section 10.25,F,1.

(b) Lighting. All exterior lighting must be full cut-off and designed, located, installed and directed in such a manner as to illuminate only the target area, to the extent practicable. Activities must not produce a strong, dazzling light or reflection of that light beyond lot lines onto neighboring properties, or onto any roadway so as to impair the vision of the driver of any vehicles upon that roadway or to create nuisance conditions. Additionally, all non-essential lighting must be turned off after business hours, leaving the minimum necessary for site security.

(5) Parking.

(a) The business must provide for adequate parking to prevent nuisance or unsafe conditions. The design of on-street or off-street parking areas for use of customers and employees must be sufficient for the proposed use, and must not remove parking capacity needed for public use of trailheads or water access points, and must otherwise meet the design requirements described in Section 10.25,D,3.

c. Recreation Supply Businesses with Structural Development. In addition to the standards listed in Section 10.27,S,3,a, recreation supply businesses that have structures must comply with the following:

(1) Scale. Recreation Supply Businesses with structures as defined in Section 10.02 must not have more than 2,500 square feet of gross floor area.

(2) Exterior storage. Recreation supply businesses with structures must have no more than 200 square feet of area used for exterior storage.

4. Marijuana Businesses.

Except as specified below, the following standards apply to medical marijuana and adult use marijuana facilities.

a. Odor.

(1) Ventilation. Any building used for products manufacturing or cultivation must have a properly installed and functioning ventilation and filtration system to remove odors from air exiting the building; and

(2) Property line setbacks. All areas used for outdoor cultivation must be setback 200 feet from all property lines; and

(3) Vegetative Buffers for Outdoor Cultivation. An undisturbed vegetative buffer consisting of trees and shrubs must be maintained between areas used for outdoor cultivation of marijuana and all property lines. The buffer must be composed of a species or a combination of species that, when mature, will provide a dense vegetative buffer at least 25 feet wide and 12 feet tall. Where existing natural vegetation will meet this requirement, no additional planting is required. Where there is an existing cleared opening, a vegetative buffer must be planted to sufficiently attenuate odors. This may be accomplished by planting two staggered rows of evergreen trees 10 feet apart or by a custom planting plan approved by the Commission.

Greenhouses must comply with either ventilation standards or both property line setbacks and vegetative buffer standards, depending on whether the greenhouse most resembles an indoor or outdoor space.

b. Lighting.

(1) Greenhouse lighting must be fully shielded between sunset and sunrise and must not illuminate exterior areas or otherwise make the greenhouse appear to glow.

APPENDICES

APPENDIX A SAMPLE DETERMINATIONS TO IDENTIFY WATER QUALITY LIMITING LAKES

Purpose. The purpose of the following is to determine those lakes where a density of one dwelling unit per 150* feet of shoreline of the lake would increase the phosphorus concentration of the lake water by 5 parts per billion or more.

Method. The maximum change in phosphorus loading will be determined by:

(1) $\Delta L = \Delta P \times DA \times R$

where
- Δ = change
- L = phosphorus loading
- ΔP = phosphorus concentration
- ΔP = .005 grams/meters^3 (approximately equivalent to 5 parts per billion)
- R = run-off coefficient (average annual run-off)
- DA = drainage area

Assuming 1/4 time occupancy, four people per dwelling, and a contribution of $.4 \times 10^3$ grams of phosphorus per person per year to the body of water, the water quality limitation to shoreline development is:

(2) $\frac{\text{max. } \Delta L}{.4 \times 10^3 \text{ grams per year}}$ = number of dwelling units

If development was allowed to a density of 1 dwelling unit per 150 feet of shoreline, the maximum number of dwellings allowed according to shoreline length only would be:

(3) $\frac{\text{shoreline length}}{150 \text{ feet}}$ = number of dwelling units

If (3) is greater than (2), the lake is a water quality limiting lake;
If (2) is greater than (3), the lake is not a water quality limiting lake;

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* Since the minimum shore lot frontage on Great Ponds is 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.

Sample 1

Madawaska Lake, Aroostook County

Characteristics:

Drainage area	= 82.9 x $10^6 m^2$
Run-off coefficient	= .5 m/year
Shoreline length	= 54,000 feet
ΔP	= .005 grams

Calculations:

(1) Maximum ΔL = 20.7 x 10^4 grams per year.

(2) Number of dwelling units allowed based on water quality limitations = 518 dwelling units.

(3) Number of dwelling units allowed based on shoreline length = 360 dwelling units.

Result: Madawaska Lake is not a water quality limiting lake.

Sample 2

Tomah Lake, Washington County

Characteristics:

Drainage Area	= 1.8 x $10^6 m^2$
Run-off coefficient	= .6 m/year
Shoreline length	= 7,000 feet
ΔP	= .005 grams

Calculations:

(1) Maximum ΔL = 5.4 x 10^3 grams per year.

(2) Number of dwelling units allowed based on water quality limitations = 14 dwelling units.

(3) Number of dwelling units allowed based on shoreline length = 47 dwelling units.

Result: Tomah Lake is a water quality limiting lake.

APPENDIX B GUIDELINES FOR VEGETATIVE STABILIZATION

Areas of disturbed soil, including but not limited to areas that are filled, graded or otherwise disturbed during construction projects, should be stabilized according to the following guidelines. These guidelines do not apply to forest management activities and are not strict regulations, and therefore alternative methods of stabilizing soil may be used. However, whenever soil stabilization or stabilization of disturbed areas is required by regulation or by the terms of individual permits, individuals must assure that either these guidelines, or measures equally effective in stabilizing disturbed areas of soil are employed.

The goals to be achieved by proper stabilization are the avoidance of accelerated soil erosion and the avoidance of sedimentation or pollution of water bodies. All stabilization measures must be maintained so that grass or other vegetation remains intact and healthy, otherwise these measures will be ineffective.

In general:

1. Sterile soils such as sands and gravels should be covered with 2 to 4 inches of soil medium that will support vegetative growth.

2. Disturbed soil areas should be graded such that runoff water is either minimized or eliminated from running over the site.

3. Disturbed areas which can be seeded between May 1 and September 15 should be prepared and seeded during that period.

4. Disturbed areas which cannot be seeded between May 1 and September 15 should be mulched with hay, straw or some other suitable material to keep them as stable as possible over the winter, and particularly during spring runoff the following year. For over-wintering, mulch must be tacked down, as it is easily blown around on frozen ground, leaving areas of soil exposed. Mulch hay should be applied at a depth of 4 inches, or between 150 to 200 lbs. per 1,000 square feet, over the disturbed site. Mulched over-wintered areas should be prepared and seeded the following spring as soon as conditions allow.

It is not recommended that disturbed areas be seeded after September 15th ("dormant seeding") for a number of reasons. Among the reasons, seeding rates are doubled, which is more expensive; timing is critical to ensure that germination does not occur before the following spring; there is an increased risk of sedimentation because sites are generally wetter in the fall; the thicker mulch must be removed in the spring in order to allow the germinating seed to survive; and the application of fertilizer during this time increases the risk of leaching or runoff loss of nutrients into water bodies.

5. Seeding preparation, in addition to providing a soil medium that will support vegetative growth if the site is sterile, includes the application of lime and fertilizer, which should be lightly raked prior to seeding. After the area is seeded, it should be lightly watered and then mulched with 70 to 90 lbs. (2 standard bales) per 1,000 square feet of weed free hay or straw to protect the seed. Keep the site stable and moist, and allow the seed to germinate and grow.

6. For accurate liming as well as fertilization, it is recommended that you have the soil analyzed to determine the specific nutrient requirements of your site.

Lime should be applied at a rate of approximately 140 pounds to 1,000 square feet of area. This rate may vary depending on the natural conditions of the soil on the site. 10-5-20 fertilizer should be applied at a rate of 18.5 lbs. per 1,000 square feet of area. 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, fertilizers should be of the "quick release" low phosphorus type, such as 12-4-8 mixtures applied at a rate of 8 pounds per 1,000 square feet of area. If you are near water bodies, it is important not to apply more than approximately this amount of fertilizer, as excess may be washed into streams or lakes and contribute to lowering water quality and such things as algae blooms in lakes.

Following the establishment of vegetation, non-phosphorous fertilizer should be used in accordance with the Maine Department of Environmental Protection's recommendations.

Fertilizers should never be applied right before thunder storms or before spring runoff, because the great amounts of water running over the land will wash the fertilizer, particularly phosphorus, into water bodies. However, a light watering after the fertilizer is applied will help bind the phosphorus to the soil.

8. There are many combinations of grasses that can be used. One combination particularly good for providing soil stability, generally referred to as the Soil Conservation Mixture, consists of: (Proportions, by weight)

Creeping Red Fescue	35%	Kentucky Bluegrass	25%
Annual Rye Grass	15%	Perennial Rye Grass	10%
Red Top	10%	White Dutch Clover	5%
* Oats - See Below			

This seed would be applied at a rate of 1 pound per 1,000 square feet. These particular grasses do best if mowed no closer than 2-1/2 to 3 inches from the ground. Of course, other seed mixtures are available.

It is important, in choosing a mixture, to choose one suitable for the site being stabilized. There are many different types of seeding mixtures designed for particular site conditions such as shade, sun, and drainage. Any mix should contain some seed which germinates rapidly to provide the quickest stabilization possible while awaiting the germination of the remaining types.

(*) For quick germination, oats are very good. They germinate in 7 to 10 days. They should be planted at a rate of approximately 1 to 1-1/2 bushels per acre, in addition to the basic grass mixture. Oats should be mowed when they reach knee height to allow the germinating grasses to receive sunlight.

Alternatives:

As indicated above, other stabilization programs may be used, provided they are equivalently effective in stabilizing disturbed areas and preventing accelerated soil erosion and sedimentation of water bodies. Further assistance may be obtained, including in some cases site-specific recommendations, as follows:

- Local Soil and Water Conservation Districts
- The USDA Natural Resource Conservation Service
- Maine Department of Environmental Protection, Lakes Program
- Landscaping Professionals
- Reputable Lawn and Garden Supply Dealers

The following documents may provide valuable assistance to those developing a soil stabilization plan:

Maine Erosion and Sediment Control Handbook for Construction: Best Management Practices (Cumberland County Soil & Water Conservation District and Maine Department of Environmental Protection, 1991)

Strategy for Managing Nonpoint Source Pollution From Agricultural Sources and Best Management Guidelines (NPS Agricultural Task Force, 1991)

Erosion and Sediment Control Handbook for Maine Timber Harvesting Operations, Best Management Practices (Maine Forest Service, 1991)

APPENDIX C ALPHABETICAL LIST OF LAKES SHOWING WILDLANDS LAKE ASSESSMENT FINDINGS

LEGEND TO APPENDIX C:

Resource Ratings:

FSH	= Fisheries	**O**	= Outstanding
WLD	= Wildlife*	**S**	= Significant
SC	= Scenic	**P**	= Present
SH	= Shore Character	**m**	= missing information
BOT	= Botanic	+,-	= resource needing further field checking due to public comment
CLT	= Cultural		
PHY	= Physical	(+ = positive comment; - = negative comment)	

An "" after the wildlife rating indicates an outstanding wildlife value due to an especially concentrated and diverse wildlife value -- one of the criteria for a Management Class 2 Lake.

Resource Class:

1A = lakes of statewide significance with two or more outstanding values
1B = lakes of statewide significance with one outstanding value
2 = lakes of regional significance (with no outstanding values but at least one significant resource value)
3 = lakes of local or unknown significance (either had no significant or outstanding natural value or information was inadequate to make a determination)

Land Use:

INAC = Relatively Inaccessible--has no road passable with a 2-wheel drive car within approximately 1/4 mile of the lake shore

AC = Relatively Accessible

UNDEV = Relatively Undeveloped--has less than one development unit per shore mile, taken as an average over the entire lake (a development unit is defined as a single residence, small sporting camp cluster, or similar development)

DEV = Relatively Developed

Management Class:

1 = least accessible, undeveloped high value lakes
1/6 = meets criteria for Mgnt Class 1, but adequately protected by Mgnt Class 6 zoning (remote ponds)
2 = accessible, undeveloped lakes with exceptional values
3 = lakes potentially suitable for development
4 = high value, developed lakes
5 = heavily developed lakes
6 = remote ponds

ALPHABETICAL LIST OF LAKES SHOWING

WILDLANDS LAKE ASSESSMENT FINDINGS

PRINCIPAL LAKE NAME	LAKE #	TOWN NAME	IF&W REG	SIZE (AC)	RESOURCE RATINGS FSH	WLD	SC	SH	BOT	CLT	PHY	RESOURCE CLASS	LAND USE ACCESS	DEV	MGNT CLASS
ABBIE P	3360	BOWMANTOWN TWP	D	12	S							2	AC	DEV	
ABOL DEADWATER	2058	T02 R10 WELS	F	150	O						S	1B	AC	UNDEV	
ACKLEY P	2200	MOUNT CHASE	F	19			S					2	AC	UNDEV	
ALDER L	1778	T11 R04 WELS	G	160								3	AC	UNDEV	
ALDER P	0120	T03 R05 BKP WKR	D	108								3	INAC	UNDEV	
ALDER P	2504	ALDER BROOK TWP	E	37	S		S				S	2	AC	UNDEV	
ALLAGASH L	9787	T08 R14 WELS	E	4260	O	O	O	O		S	O	1A	AC	UNDEV	2
ALLAGASH P	2970	T09 R15 WELS	G	89	S					S		2	AC	UNDEV	
ALLEN P	4516	T35 MD	C	83	m	S	S-					2	INAC	DEV	
ALLEN P (LOWER)	4504	T34 MD	C	51	m							3	INAC	UNDEV	
ALLEN P (MIDDLE)	4502	T34 MD	C	32	m							3	AC	UNDEV	
ALLEN P (UPPER)	4500	T34 MD	C	44	m							3	AC	UNDEV	
ALLIGATOR L	4498	T34 MD	C	1159	O		O	S				1A	AC	UNDEV	2
ALLIGATOR P	0502	TA R11 WELS	E	47	S							2	INAC	UNDEV	6
AMBEJEJUS L*	PAMB	T01 R09 WELS	F	3289	S		S	S		O	S	1A	AC	DEV	3,5
ANDERSON P	4426	T10 SD	C	16	m							3	INAC	UNDEV	
ARNOLD P	3332	COBURN GORE	D	148	S		O			O		1A	AC	DEV	4
ATKINS P	4176	T08 R09 WELS	G	32								3	INAC	UNDEV	
ATTEAN P	2682	ATTEAN TWP	E	2745	O		O	O	O		O	1A	AC	UNDEV	2
ATWOOD P	4250	T05 R08 WELS	F	50	S		S					2	INAC	UNDEV	
AUSTIN P	0278	BALD MTN TWP T2R3	D	684	S							2	AC	UNDEV	
AUSTIN P	2410	T05 R17 WELS	E	43								3	INAC	UNDEV	
AUSTIN P (LITTLE)	0244	BALD MTN TWP T2R3	D	110	S							2	AC	UNDEV	
AVERY P	3001	T07 R15 WELS	E	60								3	AC	UNDEV	
AZISCOHOS L*	3290	LINCOLN PLT	D	6700	O	O	S	S		O	S	1A	AC	DEV	
AZISCOHOS L (NORTH)*	AZ02	PARKERTOWN TWP	D	4700	O	O	S	S		O	S	1A	AC	DEV	
AZISCOHOS L (SOUTH)*	AZ01	LINCOLN PLT	D	2000	O	O	S	S		O	S	1A	AC	DEV	3
AZISCOHOS P	3106	MAGALLOWAY PLT	D	12	S							1B	INAC	UNDEV	6
B LAKE	1718	HAMMOND	G	66	m							3	INAC	UNDEV	
B POND	0478	TB R11 WELS	F	644	O		S				S	1B	AC	UNDEV	
BAIT P	0978	T04 INDIAN PURCHASE TWP	F	20								3	AC	UNDEV	
BAKER FLOWAGE	0272	MAYFIELD TWP	D	40		S					S	2	INAC	UNDEV	
BAKER L	2400	T07 R17 WELS	E	1231	S					S	S	2	AC	UNDEV	
BAKER P	0422	BOWDOIN COL GR WEST	E	10	m							3	INAC	UNDEV	6
BAKER P	4060	MOXIE GORE	D	93								3	AC	UNDEV	
BAKER P	4122	TOMHEGAN TWP	E	74								3	AC	UNDEV	
BAKER P	5110	HAYNESTOWN TWP	E	270	O		S					1B	AC	UNDEV	
BAKER STREAM P	7104	BALD MTN TWP T2R3	D	12	S							2	AC	DEV	5
BALD MOUNTAIN P	0314	BALD MTN TWP T2R3	D	1152	O	O	O	O				1A	AC	UNDEV	2
BARBLESS P	4384	T07 SD	C	10								3	AC	UNDEV	
BARKER P	3118	BOWMANTOWN TWP	D	35	S							2	AC	UNDEV	
BARREN P	1220	T24 MD BPP	C	11								3	AC	UNDEV	
BARRETT P	2658	HOLEB TWP	E	34	S							2	AC	UNDEV	
BARTLETT P	1986	T10 R09 WELS	G	77	S	S						2	AC	UNDEV	
BARTLEY P (BIG)	2656	HOLEB TWP	E	10								3	INAC	UNDEV	

* This lake has multiple management classes corresponding to sections of the lake. Refer to the official zoning map for designations.

ALPHABETICAL LIST OF LAKES SHOWING

WILDLANDS LAKE ASSESSMENT FINDINGS

PRINCIPAL LAKE NAME	LAKE #	TOWN NAME	IF&W REG	SIZE (AC)	RESOURCE RATINGS FSH	WLD	SC	SH	BOT	CLT	PHY	RESOURCE CLASS	LAND USE ACCESS	DEV	MGNT CLASS
BARTLEY P (LITTLE)	2664	HOLEB TWP	E	10								3	INAC	UNDEV	
BASIN P	0042	PIERCE POND TWP	D	80	S	S						2	INAC	UNDEV	
BASKAHEGAN L	1078	BROOKTON TWP	F	6944	S	O				S	S	1B	AC	UNDEV	
BAY P (WEST)	4396	T07 SD	C	249		O						1B	INAC	UNDEV	1
BEAN P	0656	T02 R12 WELS	E	16	m							3	INAC	UNDEV	6
BEAN P	1880	T11 R17 WELS	G	44							P	3	AC	UNDEV	
BEAN P (LOWER)	0646	RAINBOW TWP	E	37	S	S						2	INAC	UNDEV	6
BEAN P (MIDDLE)	0648	RAINBOW TWP	E	10		S						2	INAC	UNDEV	6
BEAN P (UPPER)	0650	RAINBOW TWP	E	25	S	S					S	2	INAC	UNDEV	6
BEAN POT P	4026	T05 R15 WELS	E	52								3	AC	UNDEV	
BEANS (BEAN) P	0204	PLEASANT RIDGE PLT	D	20	S							2	INAC	UNDEV	
BEAR BROOK BOG	4020	T06 R15 WELS	E	15	m	S						2	INAC	UNDEV	
BEAR P	0528	TA R11 WELS	E	12								3	AC	UNDEV	
BEAR P	0636	RAINBOW TWP	E	30	S						S	2	INAC	UNDEV	6
BEAR P	0882	ELLIOTTSVILLE TWP	E	17	m							3	INAC	UNDEV	
BEAR P	2136	CEDAR LAKE TWP	F	10								3	INAC	UNDEV	
BEAR P	2934	T02 R13 WELS	E	81	S							2	INAC	UNDEV	
BEAR P	4018	T06 R15 WELS	E	138		S	O					1B	INAC	UNDEV	6
BEAR P	4480	T28 MD	C	19	m							3	AC	UNDEV	
BEATTIE P	5066	BEATTIE TWP	E	27	S							2	INAC	DEV	6
BEAU L	9785	T19 R11 WELS	G	2003	S				S	S	S	1B	AC	UNDEV	3
BEAVER MOUNTAIN L	3562	SANDY RIVER PLT	D	543	S		S					2	AC	DEV	5
BEAVER P	0484	SHAWTOWN TWP	E	27	S							2	INAC	UNDEV	6
BEAVER P	0670	T03 R11 WELS	E	15	m		S	S				2	INAC	UNDEV	6
BEAVER P	1662	T14 R05 WELS	G	10								3	AC	UNDEV	
BEAVER P	1872	T12 R17 WELS	G	70							P	3	AC	UNDEV	
BEAVER P	2636	FORSYTH TWP	E	10								3	AC	UNDEV	
BEAVER P	3076	T08 R05 WELS	G	67								3	AC	UNDEV	
BEAVER P	3310	MAGALLOWAY PLT	D	179	O		O-					1A	AC	UNDEV	2
BEAVER P	3354	SEVEN PONDS TWP	D	20	S							2	AC	DEV	5
BEAVER P	3588	TOWNSHIP D	D	20	S							2	AC	UNDEV	
BEAVER P	7309	T42 MD BPP	C	20	m							3	INAC	UNDEV	
BEAVER P	8739	RANGELEY PLT	D	14								3	AC	UNDEV	
BEAVER P	9756	ALDER BROOK TWP	E	12								3	AC	UNDEV	
BEAVER P (BIG)	0610	RAINBOW TWP	E	45	S							2	INAC	UNDEV	6
BEAVER P (BIG)	4162	T07 R09 WELS	F	329	S	+	S	+			+	2	INAC	UNDEV	
BEAVER P (LITTLE)	0612	T03 R11 WELS	E	10	m							3	INAC	UNDEV	6
BEAVER P (LITTLE)	3312	MAGALLOWAY PLT	D	50	S							2	AC	DEV	
BEAVER P (LITTLE)	4164	T07 R09 WELS	G	122	S							2	AC	UNDEV	
BEAVER P (LITTLE)	9700	RAINBOW TWP	E	8								3	INAC	UNDEV	6
BEAVER TAIL P	1536	T14 R09 WELS	G	128	S	S+						2	AC	UNDEV	
BEAVERDAM L (NORTH)	1312	T26 ED BPP	C	147	S							3	AC	UNDEV	
BEAVERDAM L (SOUTH)	1232	T26 ED BPP	C	160	m							3	INAC	UNDEV	
BECK P	5142	T03 R05 BKP WKR	D	32	S						O	1B	AC	UNDEV	
BEN L	1638	WALLAGRASS	G	37	S							2	AC	UNDEV	
BENJAMIN P	2684	ATTEAN TWP	E	121	m		S+	S+				2	INAC	UNDEV	6

ALPHABETICAL LIST OF LAKES SHOWING

WILDLANDS LAKE ASSESSMENT FINDINGS

PRINCIPAL LAKE NAME	LAKE #	TOWN NAME	IF&W REG	SIZE (AC)	RESOURCE RATINGS FSH	WLD	SC	SH	BOT	CLT	PHY	RESOURCE CLASS	LAND USE ACCESS	DEV	MGNT CLASS
BENSON P (BIG)	0864	T07 R09 NWP	E	320	O		O+			S		1B	AC	UNDEV	2
BERRY P	2550	JOHNSON MOUNTAIN TWP	E	35					S			2	INAC	UNDEV	
BERRY P	2930	T02 R13 WELS	E	71	S							2	AC	UNDEV	
BERRY P (LITTLE)	2554	JOHNSON MOUNTAIN TWP	E	12								3	AC	UNDEV	
BERRY P (LITTLE)	2932	T02 R13 WELS	E	15								3	INAC	UNDEV	
BIG BOG	2412	T05 R17 WELS	E	1064								3	AC	UNDEV	
BIG BROOK L	1480	T14 R10 WELS	G	60								2	INAC	UNDEV	
BIG L	1288	BIG LAKE TWP	C	10305	O	O	+		O	O		1A	AC	DEV	3
BIGELOW P	3318	MAGALLOWAY PLT	D	10								3	AC	UNDEV	
BILL MORRIS P	0128	T03 R05 BKP WKR	D	23	S							2	INAC	UNDEV	
BILLINGS P	1970	T11 R09 WELS	G	64								3	AC	UNDEV	
BILLINGS P #1	3108	PARMACHENEE TWP	D	20						S-		2	INAC	UNDEV	
BILLINGS P #2	3110	PARMACHENEE TWP	D	10						S-		2	INAC	UNDEV	
BIRCH RIDGE P #1	0514	TA R11 WELS	E	11	S							2	INAC	UNDEV	6
BISHOP P	1572	T13 R07 WELS	G	13								3	AC	UNDEV	
BLACK BROOK DWTR	9706	T02 R12 WELS	E	30								3	INAC	UNDEV	
BLACK BROOK L (BIG)	1860	CASWELL	G	62								3	INAC	UNDEV	
BLACK BROOK L (LIT)	1862	CASWELL	G	13								3	INAC	UNDEV	
BLACK BROOK P	0040	PIERCE POND TWP	D	47		S						2	INAC	UNDEV	
BLACK BROOK P	4062	MOXIE GORE	D	333	S	S						2	AC	UNDEV	
BLACK BROOK P #1	1184	T19 MD BPP	C	13								3	AC	UNDEV	
BLACK BROOK P #6	1192	T25 MD BPP	C	19								3	AC	UNDEV	
BLACK CAT P	3086	T08 R06 WELS	G	27	m							3	INAC	UNDEV	
BLACK L	1506	T15 R09 WELS	G	147	O		S					1B	INAC	UNDEV	1/6
BLACK L	1568	T16 R09 WELS	G	10								3	INAC	UNDEV	
BLACK P	0454	T01 R12 WELS	E	127								3	AC	UNDEV	
BLACK P	1622	ST JOHN PLT	G	21	S							2	AC	UNDEV	
BLACK P	2896	T06 R14 WELS	E	1450	m					S		2	AC	UNDEV	
BLACK P (LITTLE NO)	1508	T15 R09 WELS	G	6	S		S					2	INAC	UNDEV	6
BLACK P (LITTLE S0)	1510	T15 R09 WELS	G	7	S		S					2	INAC	UNDEV	6
BLACK P (LOWER)	7724	OXBOW TWP	D	30	O							1B	AC	DEV	
BLACK P (UPPER)	3362	BOWMANTOWN TWP	D	30	S							2	AC	UNDEV	
BLACK SPRUCE P	2844	T08 R10 WELS	G	12								3	AC	UNDEV	
BLAKE L	1648	T16 R06 WELS	G	128	S							2	AC	UNDEV	
BLAKESLEE L	5114	HAYNESTOWN TWP	E	55	O		S					1B	AC	UNDEV	
BLANCHARD P	5056	ALDER STREAM TWP	D	9							O	1B	INAC	UNDEV	
BLANCHARD P #1	2366	LANG TWP	D	4							O	1B	AC	UNDEV	
BLOOD (DUCK) P	2928	T02 R13 WELS	E	48	S							2	AC	UNDEV	
BLOOD L	1458	T14 R16 WELS	G	18								3	INAC	UNDEV	
BLUE P	1468	T13 R13 WELS	G	11								3	AC	UNDEV	
BLUFF P	0434	FRENCHTOWN TWP	E	10	S						S	2	INAC	UNDEV	6
BLUFFER P	2794	T08 R11 WELS	G	40	S	+	+		+		+	2	INAC	UNDEV	
BLUFFER P (LITTLE)	2796	T08 R11 WELS	G	12	S	+						2	INAC	UNDEV	
BLUFFER P (UPPER)	2798	T08 R11 WELS	G	15	S	+						2	INAC	UNDEV	6
BOARDWAY P (BIG)	0494	TA R11 WELS	E	15	S						S	2	INAC	UNDEV	6
BOARDWAY P (LITTLE)	0496	TA R11 WELS	E	10							S	2	INAC	UNDEV	

ALPHABETICAL LIST OF LAKES SHOWING

WILDLANDS LAKE ASSESSMENT FINDINGS

PRINCIPAL LAKE NAME	LAKE #	TOWN NAME	IF&W REG	SIZE (AC)	RESOURCE RATINGS FSH	WLD	SC	SH	BOT	CLT	PHY	RESOURCE CLASS	LAND USE ACCESS	DEV	MGNT CLASS
BOBS P	2426	T04 R17 WELS	E	27								3	AC	UNDEV	
BOG L	1376	MARION TWP	C	25		S					O	1B	INAC	UNDEV	
BOG L	1664	T14 R05 WELS	G	28		S						2	AC	UNDEV	
BOG P	0530	TA R11 WELS	E	40								3	INAC	UNDEV	
BOG P	0944	CEDAR LAKE TWP	F	44								3	AC	UNDEV	
BOG P	2680	ATTEAN TWP	E	95				+	+		S	2	INAC	UNDEV	
BOG P	2864	T07 R12 WELS	E	35								3	INAC	UNDEV	
BOGUS MEADOW P	4380	T07 SD	C	26	S	O	S					1B	INAC	UNDEV	1
BOODY P	3000	T08 R08 WELS	G	28								3	AC	UNDEV	
BOOT P	0816	T07 R09 NWP	E	17								3	INAC	UNDEV	
BOTTLE L	4702	LAKEVILLE	F	281	S		S					2	AC	DEV	5
BOTTLE P	2070	T02 R09 WELS	F	90			S					2	INAC	UNDEV	
BOULDER P	2672	T05 R07 BKP WKR	E	30	m							3	INAC	UNDEV	6
BOUNDARY P	5070	BEATTIE TWP	E	70	S				S			2	AC	UNDEV	
BOUNDARY P (SOUTH)	3346	MASSACHUSETTS GORE	D	10	S							2	INAC	UNDEV	
BOWLES L	1154	DAY BLOCK TWP	C	64		S						2	AC	UNDEV	
BOWLIN P	2188	T05 R08 WELS	F	115	S		S					2	AC	UNDEV	3
BOWLIN P (LITTLE)	2194	T05 R07 WELS	F	34	S							2	INAC	UNDEV	6
BOYD L	2158	ORNEVILLE TWP	F	1005	S					S	O	1B	AC	DEV	5
BRACEY P	4508	T34 MD	C	14	S							2	AC	UNDEV	
BRACKETT P	0290	BLANCHARD TWP	E	10	m							3	INAC	UNDEV	6
BRADFORD P	3651	MORO PLT	G	12	m							3	INAC	UNDEV	
BRALEY L	1696	T03 R04 WELS	F	147								3	AC	UNDEV	
BRANCH L (EAST)	2130	CEDAR LAKE TWP	F	1100							S	2	AC	UNDEV	
BRANCH L (SOUTH)	2144	SEBOEIS PLT	F	2035	S	S				S		2	AC	DEV	
BRANCH P (1ST WEST)	0440	SHAWTOWN TWP	E	119	O		+					1B	AC	DEV	
BRANCH P (2ND&3RD W)	0442	SHAWTOWN TWP	E	214	O		S+					1B	AC	UNDEV	
BRANCH P (EAST)	2822	T07 R11 WELS	E	45	S							2	INAC	UNDEV	
BRANCH P (MIDDLE)	0912	EBEEMEE TWP	F	34	O							1B	INAC	UNDEV	1/6
BRANDY P	1704	WEBBERTOWN TWP	G	28								3	AC	UNDEV	
BRANDY P	2898	CHESUNCOOK TWP	E	650		S						2	INAC	UNDEV	
BRANDY P	9651	T39 MD	F	723	S	O					S	1B	AC	DEV	3
BRASSUA L	4120	ROCKWOOD STRIP T01 R01	E	8979	S					O		1B	AC	DEV	3
BRAYLEY P	2706	T07 R10 WELS	F	6								3	INAC	UNDEV	6
BROKEN BRIDGE P	3264	ALBANY TWP	A	20	S							2	AC	UNDEV	
BROWN P	0788	BOWDOIN COL GR WEST	E	18	S							2	AC	UNDEV	
BROWN P	4178	T08 R09 WELS	G	104	S							2	INAC	UNDEV	
BRULEAU P	1456	T14 R15 WELS	G	35								3	INAC	UNDEV	
BUCK P	0644	RAINBOW TWP	E	6								3	INAC	UNDEV	6
BUCKLEY P	2840	T08 R10 WELS	G	18	S	+	+					2	INAC	UNDEV	
BURNHAM P	0392	BIG MOOSE TWP	E	426	S	S						2	AC	UNDEV	
BURNT P	1996	T09 R07 WELS	G	10								3	INAC	UNDEV	
BURNTLAND L	4792	T35 MD	C	80	S	S						2	AC	UNDEV	
BURNTLAND P	1878	T12 R17 WELS	G	70							P	3	INAC	UNDEV	
BURNTLAND P	2624	DENNISTOWN PLT	E	10								3	AC	UNDEV	
BUTLER P	0056	LEXINGTON TWP	D	28						S		2	INAC	UNDEV	

ALPHABETICAL LIST OF LAKES SHOWING

WILDLANDS LAKE ASSESSMENT FINDINGS

PRINCIPAL LAKE NAME	LAKE #	TOWN NAME	IF&W REG	SIZE (AC)	RESOURCE RATINGS FSH	WLD	SC	SH	BOT	CLT	PHY	RESOURCE CLASS	LAND USE ACCESS	DEV	MGNT CLASS
BUTLER P	0166	FLAGSTAFF TWP	D	18								3	AC	UNDEV	
BUTLER P	5132	KING & BARTLETT TWP	D	45	S							2	AC	UNDEV	
BUTTERFIELD L	1848	CASWELL	G	13	S				O			1B	AC	UNDEV	
C POND	3278	C SURPLUS	D	173	S	S	O	S			+	1B	INAC	DEV	
CALL P	0140	LOWER ENCHANTED TWP	D	16								3	AC	UNDEV	
CAMERON BOG	9511	HAMMOND	G	18								3	INAC	UNDEV	
CAMP P	0822	T07 R09 NWP	E	11								3	AC	UNDEV	
CAMPBELL L	4794	T35 MD	C	35	m					S-		2	AC	DEV	
CAMPBELL P	2574	BLAKE GORE	E	15								3	AC	DEV	5
CANADA FALLS L	2516	PITTSTON ACAD GRANT	E	2627	S	S				S	O	1B	AC	UNDEV	
CAPE HORN P	2568	PRENTISS TWP T04 R04 NBKP	E	22								3	INAC	UNDEV	6
CAREY L	3014	T08 R06 WELS	G	93								3	INAC	UNDEV	
CARIBOU L	1692	T03 R04 WELS	F	256						S		2	INAC	UNDEV	
CARIBOU L*	CHCA	T02 R12 WELS	E	4600	O	O			O	O	O	1A	AC	DEV	3
CARIBOU P	0176	MT ABRAM TWP	D	10	S							2	AC	UNDEV	
CARIBOU P	1976	T11 R09 WELS	G	12		S						2	AC	UNDEV	
CARIBOU P (BIG)	4142	T07 R10 WELS	F	64	S		S	S	O			1B	INAC	UNDEV	1
CARIBOU P (LITTLE)	4144	T07 R10 WELS	G	10			+					3	INAC	UNDEV	
CARLISLE P	1766	T08 R03 WELS	G	21	m							3	INAC	UNDEV	
CARLOE P	9656	T26 ED BPP	C	20	m							3	INAC	UNDEV	
CARPENTER P	0275	T07 R11 WELS	E	160	S							2	AC	UNDEV	
CARR P	1598	T13 R08 WELS	G	307	S	S						2	AC	UNDEV	
CARRY P	0678	T03 R11 WELS	E	17	S					S		2	AC	UNDEV	
CARRY P	1684	MADAWASKA LAKE TWP	G	64	S					S		2	INAC	UNDEV	
CARRY P	3016	T08 R07 WELS	G	15								3	INAC	UNDEV	
CARRY P (EAST)	0044	CARRYING PLC TWN TWP	D	267	O					S		1B	AC	DEV	
CARRY P (MIDDLE)	0046	CARRYING PLC TWN TWP	D	126	S					S		2	AC	DEV	
CARRY P (WEST)	0048	CARRYING PLC TWN TWP	D	675	O					O		1A	AC	DEV	4
CASSIDY DEADWATER	2944	T04 R15 WELS	E	236		S					P	2	AC	UNDEV	
CATHANCE L	9661	CATHANCE TWP	C	2905	O	O				S	O	1A	AC	DEV	4
CATHANCE L (LITTLE)	1382	CATHANCE TWP	C	140	S							2	AC	UNDEV	
CAUCOMGOMOC L	4012	T06 R14 WELS	E	5081	O	O*	S	S		S	O	1A	AC	UNDEV	2
CEDAR L	2004	CEDAR LAKE TWP	F	685	S							2	AC	DEV	5
CEDAR P	0474	TB R10 WELS	F	65	O						S	1B	INAC	UNDEV	1/6
CEDAR P	2654	HOLEB TWP	E	5								3	INAC	UNDEV	6
CEDAR P	2846	T08 R10 WELS	G	15								3	AC	UNDEV	
CENTER P	1582	T10 R08 WELS	G	128	S							2	INAC	UNDEV	
CENTER P	4040	SOLDIERTOWN T02 R03 NBKP	E	51	S	+				S		2	INAC	DEV	
CHAIN L (FIRST)	1236	T26 ED BPP	C	336	O					S	O	1A	AC	DEV	4
CHAIN L (LOWER)	4732	SAKOM TWP	C	179	S	S						2	INAC	UNDEV	
CHAIN L (MIDDLE)	4734	OQITON TWP	F	221	S		S					2	AC	UNDEV	
CHAIN L (SECOND)	1234	T26 ED BPP	C	589	O					S	O	1A	AC	DEV	4
CHAIN L (THIRD)	1314	T26 ED BPP	C	157	S							2	INAC	DEV	
CHAIN L (UPPER)	4736	OQITON TWP	F	717	S							2	AC	UNDEV	
CHAIN OF PONDS	5064	CHAIN OF PONDS TWP	D	700	O	O	O	S		S	O	1A	AC	UNDEV	2

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ALPHABETICAL LIST OF LAKES SHOWING

WILDLANDS LAKE ASSESSMENT FINDINGS

PRINCIPAL LAKE NAME	LAKE #	TOWN NAME	IF&W REG	SIZE (AC)	RESOURCE RATINGS FSH	WLD	SC	SH	BOT	CLT	PHY	RESOURCE CLASS	LAND USE ACCESS	DEV	MGNT CLASS
CHAIRBACK P (EAST)	0802	T07 R09 NWP	E	46	S						S	2	INAC	UNDEV	6
CHAIRBACK P (WEST)	0796	T07 R09 NWP	E	47	O						S	1B	INAC	UNDEV	1/6
CHALK P	3270	ALBANY TWP	A	25	m							3	AC	DEV	
CHALK P	4478	T22 MD	C	32								3	AC	UNDEV	
CHAMBERLAIN L	2882	T07 R12 WELS	E	11084	O	O				O		1A	AC	UNDEV	
CHAMBERLAIN P	3026	T07 R06 WELS	G	20								3	INAC	UNDEV	
CHANDLER DEADWATER	9179	T09 R08 WELS	G	14	S							2	AC	UNDEV	
CHANDLER L	1994	T09 R08 WELS	G	401	S		O	S				1B	AC	UNDEV	
CHANDLER P	2834	T08 R10 WELS	G	115	S		S			+		2	AC	UNDEV	
CHARLES (CHARLIE) P	1454	T14 R15 WELS	G	60								3	AC	UNDEV	
CHASE L	2752	T09 R10 WELS	G	403	S		S	+		O		1B	AC	UNDEV	
CHASE P	3632	MORO PLT	G	10								3	AC	UNDEV	
CHASE P	5050	JIM POND TWP	D	14		S						2	AC	DEV	
CHASE P (FIRST)	1538	T14 R09 WELS	G	12	S	S						2	INAC	UNDEV	
CHASE P (SECOND)	1540	T14 R09 WELS	G	182	S		S				S	2	INAC	UNDEV	
CHASE P (THIRD)	1542	T14 R09 WELS	G	102	S							2	AC	UNDEV	
CHASE STREAM P	4080	CHASE STREAM TWP	D	75			S					2	AC	DEV	
CHASE STREAM P	4093	MISERY TWP	E	31	S							2	INAC	UNDEV	6
CHASE STREAM P (LIT)	5798	MISERY TWP	E	17	S							2	AC	UNDEV	
CHENEY P	2494	HAMMOND TWP	E	99	S						S	2	AC	UNDEV	3
CHESUNCOOK L*	0662	T03 R12 WELS	E	23070	O	O*	+		O	O	O	1A	AC	UNDEV	
CHESUNCOOK L*	CHCH	T03 R12 WELS		18470	O	O*	+		O	O	O	1A	AC	UNDEV	2
CHESUNCOOK P	0672	T03 R11 WELS	E	272	S		O	O			O	1A	INAC	UNDEV	6
CHUB P	5100	HOBBSTOWN TWP	E	24	S							2	AC	DEV	
CHURCH P	0538	TA R10 WELS	F	53	S		+					2	AC	UNDEV	
CHURCHILL L	2856	T09 R12 WELS	G	2923	O	O*				S	S	1A	AC	UNDEV	2
CHURCHILL L (LITTLE)	9806	T10 R13 WELS	G	25							O	1B	AC	UNDEV	
CLARKSON P	2854	T09 R13 WELS	G	38								3	INAC	UNDEV	
CLAYTON L	1882	CLAYTON LAKE TWP	G	166	S						P	2	AC	UNDEV	
CLAYTON L	1958	T12 R08 WELS	G	264	S							2	AC	UNDEV	3
CLAYTON P	2406	T06 R17 WELS	E	75	m							3	INAC	UNDEV	3
CLEAR L	1938	T10 R11 WELS	G	614	O		O	S				1A	AC	UNDEV	2
CLEAR P	5074	LOWELLTOWN TWP	E	21	m+							3	INAC	UNDEV	6
CLEARWATER P	2476	PRENTISS TWP T04 R04 NBKP	E	11							P	3	INAC	UNDEV	6
CLEARWATER P	2692	ATTEAN TWP	E	34			+	+		O-		1B	INAC	UNDEV	1/6
CLIFF L	2780	T09 R12 WELS	G	563	O		O	S			+	1A	AC	UNDEV	2
CLIFFORD L	1304	GREENLAW CHOPPING TWP	C	954	O	O*	+					1A	AC	UNDEV	2
CLIFFORD P	0624	RAINBOW TWP	E	17	S							2	INAC	UNDEV	6
CLISH P	5158	T05 R20 WELS	E	21	S							2	INAC	UNDEV	6
CLOUD P	0906	ELLIOTTSVILLE TWP	E	20								3	INAC	UNDEV	
COFFEELOS P	2712	T06 R11 WELS	E	198	O	+						1B	AC	UNDEV	
COFFEELOS P (LITTLE)	2716	T06 R11 WELS	E	11								3	AC	UNDEV	
COLD BROOK L	3050	T03 R04 WELS	F	47								3	AC	UNDEV	
COLD STREAM P	2538	MISERY TWP	E	205	O		S+					1B	AC	UNDEV	
COLE P	4676	WEBSTER PLT	F	20								3	AC	UNDEV	

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ALPHABETICAL LIST OF LAKES SHOWING

WILDLANDS LAKE ASSESSMENT FINDINGS

PRINCIPAL LAKE NAME	LAKE #	TOWN NAME	IF&W REG	SIZE (AC)	RESOURCE RATINGS FSH	WLD	SC	SH	BOT	CLT	PHY	RESOURCE CLASS	LAND USE ACCESS	DEV	MGNT CLASS
COMPASS P	2072	T02 R09 WELS	F	100							P	3	AC	UNDEV	
CONIC L	7511	BARING PLT	C	32	m							3	INAC	UNDEV	
COOPER P	0540	TA R10 WELS	F	271	S		+					2	INAC	UNDEV	
CORNER P	2998	T09 R16 WELS	G	60							P	3	INAC	UNDEV	
COW P	2376	LANG TWP	D	62	S							2	AC	UNDEV	
COW P	2938	T01 R13 WELS	E	61								3	AC	UNDEV	
CRANBERRY L (LOWER)	1174	T30 MD BPP	C	285	S		O-					1B	AC	DEV	
CRANBERRY L (UPPER)	1176	T30 MD BPP	C	134	S		O-					1B	AC	UNDEV	
CRANBERRY P	2916	LOBSTER TWP	E	46								3	AC	UNDEV	
CRANBERRY P	3066	SCOPAN TWP	G	45								3	AC	UNDEV	
CRANBERRY P	3068	T09 R05 WELS	G	96								3	AC	UNDEV	
CRANBERRY P	3314	MAGALLOWAY PLT	D	100								3	AC	UNDEV	
CRANBERRY P	7509	BARING PLT	C	25								3	AC	UNDEV	
CRANBERRY P	8603	WYMAN TWP	D	12								3	INAC	UNDEV	
CRANBERRY P #1	3018	T08 R06 WELS	G	47								3	INAC	UNDEV	
CRANBERRY P #2	3020	T08 R06 WELS	G	25								3	INAC	UNDEV	
CRANBERRY P(L,NOTCH)	0784	BOWDOIN COL GR WEST	E	7								3	INAC	UNDEV	6
CRANE MILL BROOK RESERVOIR	2899	EDMUNDS TWP	C	24								3	AC	UNDEV	
CRATER P	0468	TB R11 WELS	F	15								3	INAC	UNDEV	
CRATER P	0487	T15 R09 WELS	G	12	S		O	S			+	1B	AC	UNDEV	
CRAWFORD L	1302	BIG LAKE TWP	C	1677	O	S				S		1B	AC	UNDEV	
CRAWFORD P	0520	TA R11 WELS	E	390	O		+	+				1B	AC	UNDEV	
CRESCENT P	0652	RAINBOW TWP	E	11								3	AC	UNDEV	
CRESCENT P	2964	T09 R15 WELS	G	320	O		S	S			P	1B	AC	UNDEV	
CROCKER P	0361	ALBANY TWP	A	10	S							2	AC	UNDEV	
CROCKER P	2626	DENNISTOWN PLT	E	227	S						S	2	AC	UNDEV	
CROCKETT P	0286	BLANCHARD TWP	E	12	S							2	AC	UNDEV	
CROOKED BROOK L	7393	FOREST TWP	F	58								3	AC	UNDEV	
CROSBY P	3330	COBURN GORE	D	150	O	S	O					1A	AC	UNDEV	2
CROSS L	1494	T18 R10 WELS	G	44								3	INAC	UNDEV	
CROSS L	1674	CROSS LAKE TWP	G	2515	S			+	O	S		1B	AC	DEV	5
CRYSTAL P	4778	T40 MD	F	19	S							2	AC	UNDEV	
CUNLIFFE L	1890	T12 R13 WELS	G	134	S							2	AC	UNDEV	
CUNLIFFE P	1450	T13 R16 WELS	G	45								3	AC	UNDEV	
CUNNINGHAM P	2518	PITTSTON ACAD GRANT	E	13								3	AC	UNDEV	
CUPSUPTIC L*	MLCU	ADAMSTOWN TWP	D	2199	O	O	O	S		S-		1A	AC	DEV	4
CUPSUPTIC P	7726	OXBOW TWP	D	20	S							2	AC	UNDEV	
CURRIER P (FIFTH)	2770	T09 R11 WELS	G	12								3	AC	UNDEV	
CURRIER P (FIRST)	2768	T09 R11 WELS	G	20	O		S					1B	INAC	UNDEV	1/6
CURRIER P (SECOND)	2774	T09 R11 WELS	G	28	O							1B	INAC	UNDEV	1/6
CURRIER P (SIXTH)	2754	T09 R10 WELS	G	10								3	AC	UNDEV	
CUT L	3022	T07 R06 WELS	G	294								3	AC	UNDEV	
CUT P	1706	DUDLEY TWP	G	26								3	INAC	DEV	
CUXABEXIS L	2892	T05 R12 WELS	E	592	S	S						2	AC	UNDEV	
DAGGETT P	4006	T07 R14 WELS	E	461	S							2	AC	UNDEV	

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ALPHABETICAL LIST OF LAKES SHOWING

WILDLANDS LAKE ASSESSMENT FINDINGS

PRINCIPAL LAKE NAME	LAKE #	TOWN NAME	IF&W REG	SIZE (AC)	RESOURCE RATINGS FSH	WLD	SC	SH	BOT	CLT	PHY	RESOURCE CLASS	LAND USE ACCESS	DEV	MGNT CLASS
DAISEY P	0594	T02 R10 WELS	F	11	S							2	INAC	UNDEV	6
DAVIDSON P	3060	HERSEYTOWN TWP	F	87		S						2	AC	UNDEV	
DAVIS (WAPITI) P	2196	T05 R07 WELS	F	69	S		O					1B	AC	DEV	5
DAVIS P	5112	HAYNESTOWN TWP	E	15								3	INAC	UNDEV	
DEAD P	1180	T25 MD BPP	C	12								3	AC	UNDEV	
DEAD STREAM P	4066	WEST FORKS PLT	D	67								3	AC	DEV	5
DEADWATER (LOWER)	0946	CEDAR LAKE TWP	F	15								3	AC	UNDEV	
DEADWATER P (LOWER)	1978	T11 R09 WELS	G	13								3	INAC	UNDEV	
DEADWATER P (UPPER)	0794	BOWDOIN COL GR WEST	E	10								3	INAC	UNDEV	
DEADWATER P (UPPER)	1980	T11 R10 WELS	G	38								3	AC	UNDEV	
DEADWATER P (UPPER)	2736	T10 R11 WELS	G	35	S							2	AC	UNDEV	
DEASEY PONDS	2304	T03 R07 WELS	F	23							S	2	AC	UNDEV	
DEBOULLIE L	1512	T15 R09 WELS	G	262	O	O	O	S			+	1A	INAC	UNDEV	1
DEBSCONEAG DEADWATER	2076	T02 R10 WELS	F	500	O	O					S	1A	AC	UNDEV	2
DEBSCONEAG L (1ST)	2060	T02 R10 WELS	F	320	O		O	S	O		S+	1A	INAC	UNDEV	1
DEBSCONEAG L (2ND)	0586	T02 R10 WELS	F	189	S							2	INAC	UNDEV	
DEBSCONEAG L (3RD)	0584	T01 R10 WELS	F	1011	O		O	S		S	S	1A	INAC	UNDEV	1
DEBSCONEAG L (4TH)	0582	T01 R11 WELS	E	227	O		S+	S			S	1B	AC	DEV	
DEBSCONEAG L (5TH)	0602	RAINBOW TWP	E	83	S		S	S				2	INAC	UNDEV	
DEBSCONEAG L (8TH)	0608	RAINBOW TWP	E	10								3	INAC	UNDEV	
DEBSCONEAG P (6TH)	0580	T01 R11 WELS	E	31	S					S	S	2	INAC	UNDEV	6
DEER L	4512	T34 MD	C	38	S							2	AC	DEV	5
DEER L	9587	CASWELL	G	10								3	INAC	UNDEV	
DEER P	1624	ST JOHN PLT	G	14	m							3	AC	UNDEV	
DEER P	2922	T03 R13 WELS	E	181	S	S						2	AC	UNDEV	
DEER P	3366	BOWMANTOWN TWP	D	15								3	AC	UNDEV	
DEER P	5128	KING & BARTLETT TWP	D	30	S							2	AC	UNDEV	
DEMO P	4114	ROCKWOOD STRIP T02 R01	E	192	S	S						2	AC	UNDEV	
DENNY P	1524	T15 R09 WELS	G	25	O			+				1B	AC	UNDEV	
DEPOT L	1448	T13 R16 WELS	G	883						S		2	AC	UNDEV	
DESOLATION P	2996	T08 R16 WELS	G	70	S	S	+				P	2	AC	UNDEV	
DICKEY P	1676	CROSS LAKE TWP	G	13	S							2	INAC	UNDEV	
DILL P	2378	DALLAS PLT	D	11		S						2	INAC	UNDEV	
DINGLEY P	2458	T04 R05 NBKP	E	71	S							2	INAC	UNDEV	
DINGLEY P (LITTLE)	2462	T04 R05 NBKP	E	17	S							2	INAC	UNDEV	6
DINGLEY P (UPPER)	2464	T04 R05 NBKP	E	20	S							2	INAC	UNDEV	6
DIPPER P	4042	PITTSTON ACAD GRANT	E	13						O	S	1B	INAC	UNDEV	6
DIXON P	9911	PIERCE POND TWP	D	17	O		+					1B	INAC	UNDEV	1/6
DOLBY P	2124	TA R07 WELS	F	1900		O					S	1B	AC	UNDEV	
DOLE P	2454	DOLE BROOK TWP	E	704	S							2	AC	UNDEV	
DONNELL P	4412	T09 SD	C	1120	O		O	O		S		1A	AC	DEV	4
DORITY P	2496	HAMMOND TWP	E	34	S							2	AC	UNDEV	
DOUGHNUT P	0616	RAINBOW TWP	E	12	S							2	INAC	UNDEV	6
DOUGLAS P	5044	KIBBY TWP	D	20								3	INAC	UNDEV	
DOWNING P	4428	T10 SD	C	70		O						1B	AC	UNDEV	
DRAKE L	1336	FOREST TWP	F	236								3	AC	UNDEV	

ALPHABETICAL LIST OF LAKES SHOWING

WILDLANDS LAKE ASSESSMENT FINDINGS

PRINCIPAL LAKE NAME	LAKE #	TOWN NAME	IF&W REG	SIZE (AC)	RESOURCE RATINGS FSH	WLD	SC	SH	BOT	CLT	PHY	RESOURCE CLASS	LAND USE ACCESS	DEV	MGNT CLASS
DUBOIS P	2478	PRENTISS TWP T04 R04 NBKP	E	18	m						P	3	INAC	UNDEV	6
DUCK L	4698	LAKEVILLE	F	256	S		S	S				2	AC	DEV	
DUCK L	4746	OQITON TWP	F	1222	O		S	S				1B	AC	UNDEV	
DUCK P	0257	T04 R11 WELS	E	21	S							2	AC	UNDEV	
DUCK P	1698	T02 R04 WELS	F	26								3	AC	UNDEV	
DUCK P	2894	T05 R12 WELS	E	470	m	S						2	AC	UNDEV	
DUCK P (BIG)	2954	E MIDDLESEX CANAL GR	E	79	S							2	AC	UNDEV	
DUCK P (LITTLE)	2956	E MIDDLESEX CANAL GR	E	11								3	INAC	UNDEV	
DUDLEY RIPS P	9572	T04 R09 NWP	F	20								3	INAC	UNDEV	
DUNCAN P	2480	PRENTISS TWP T04 R04 NBKP	E	143	S							2	AC	UNDEV	
DURGIN P	9855	JOHNSON MOUNTAIN TWP	E	15	S							2	AC	UNDEV	
EAGLE L	1634	T16 R06 WELS	G	5581	O					S		1B	AC	DEV	
EAGLE L	4514	T34 MD	C	260	m					S		2	AC	DEV	
EAGLE L (BIG)	2858	EAGLE LAKE TWP	G	8288	O	O*			O	O	P	1A	AC	UNDEV	2
EAGLE P	3090	DREW PLT	F	49								3	INAC	UNDEV	
EAST L	1464	T17 R14 WELS	G	2551								3	AC	UNDEV	
EAST L (LITTLE)	1466	T17 R14 WELS	G	189		S						2	INAC	UNDEV	
EBEEMEE L	0914	EBEEMEE TWP	F	940			S	S		O	S	1B	AC	DEV	5
EBEEMEE L (UPPER)	0966	T04 R09 NWP	F	196							S	2	AC	DEV	3
ECHO L	2766	T09 R11 WELS	G	115	S		S			S		2	AC	UNDEV	
ED JONES P	1886	T12 R15 WELS	G	15								3	INAC	UNDEV	
EDDY P	3546	SANDY RIVER PLT	D	9								3	INAC	UNDEV	6
EGG P	0666	T03 R12 WELS	E	10								3	AC	UNDEV	
ELAINE P	0011	LOWELLTOWN TWP	E	12								3	INAC	UNDEV	
ELBOW L*	PELB	T03 INDIAN PURCHASE TWP	F	895	S		O	S		S		1B	AC	DEV	3
ELBOW P (LOWER)	1952	T10 R10 WELS	G	36			S					2	AC	UNDEV	
ELBOW P (MIDDLE)	1950	T10 R10 WELS	G	52	S	S	S					2	AC	UNDEV	
ELBOW P (UPPER)	1948	T10 R11 WELS	G	88	S							2	AC	UNDEV	
ELLIS P	4086	CHASE STREAM TWP	D	85	O							1B	AC	DEV	
ELLIS P (LOWER)	2870	T07 R14 WELS	E	77						S		2	AC	UNDEV	
ELLIS P (UPPER)	2992	T07 R14 WELS	E	160						S		2	INAC	UNDEV	
ELM P	2446	ELM STREAM TWP	E	250		S						2	AC	UNDEV	
ELM P (LITTLE)	2444	ELM STREAM TWP	E	45								3	INAC	UNDEV	
ENCHANTED P	0150	UPPER ENCHANTED TWP	E	330	O	O	O	O			S+	1A	INAC	UNDEV	1
ENCHANTED P (LITTLE)	0148	UPPER ENCHANTED TWP	E	35	O							1B	INAC	UNDEV	1/6
ENCHANTED P (LOWER)	0142	LOWER ENCHANTED TWP	D	20	m							3	AC	UNDEV	
ENDLESS L	0942	CEDAR LAKE TWP	F	1499	S					S	S	2	AC	UNDEV	3
ENOCH L	1328	FOWLER TWP	C	18								3	INAC	DEV	
EVERETT P	5134	KING & BARTLETT TWP	D	20	S							2	AC	UNDEV	
EYELET P	1910	T12 R12 WELS	G	13								3	INAC	UNDEV	
FALLS P	1490	T18 R10 WELS	G	256	S	S						2	AC	UNDEV	3
FARRAR P	1974	T11 R10 WELS	G	51	S							2	AC	UNDEV	
FELKER P	5120	KING & BARTLETT TWP	D	50	S							2	AC	UNDEV	
FEMALE P	0574	T01 R12 WELS	E	102	S		S					2	INAC	UNDEV	
FEMALE P (LITTLE)	0578	T01 R12 WELS	E	15								3	INAC	UNDEV	

* This lake has multiple management classes corresponding to sections of the lake. Refer to the official zoning map for designations.

ALPHABETICAL LIST OF LAKES SHOWING

WILDLANDS LAKE ASSESSMENT FINDINGS

PRINCIPAL LAKE NAME	LAKE #	TOWN NAME	IF&W REG	SIZE (AC)	RESOURCE RATINGS FSH	WLD	SC	SH	BOT	CLT	PHY	RESOURCE CLASS	LAND USE ACCESS	DEV	MGNT CLASS
FERGUSON P	1592	T14 R08 WELS	G	51	S							2	AC	UNDEV	
FERNALD P	8868	PARLIN POND TWP	E	7								3	INAC	UNDEV	6
FIRST L	1152	T37 MD BPP	C	217	m	S						2	AC	UNDEV	
FISH P	0096	PIERCE POND TWP	D	10								3	INAC	UNDEV	
FISH P	2524	THORNDIKE TWP	E	211	S							2	AC	UNDEV	
FISH P	3324	LINCOLN PLT	D	20		S						2	AC	UNDEV	
FISH P	4054	MOXIE GORE	D	15	S							2	INAC	DEV	5
FISH P	6910	HOBBSTOWN TWP	E	275			S			S		2	AC	UNDEV	
FISH P (BIG)	2660	HOLEB TWP	E	64	S		S					2	AC	UNDEV	
FISH P (LITTLE)	2512	ALDER BROOK TWP	E	35	S						S	2	INAC	UNDEV	
FISH P (LITTLE)	2666	HOLEB TWP	E	18								3	INAC	UNDEV	
FISH RIVER L	0009	T13 R08 WELS	G	2642	S	S	O-	S		S		1A	AC	UNDEV	3
FISHER P #2	2560	T04 R05 NBKP	E	10							O	1B	AC	UNDEV	
FISHER P (BIG)	2940	T02 R12 WELS	E	60								3	INAC	UNDEV	
FISHER P (LITTLE)	2942	T02 R12 WELS	E	35			S					2	INAC	UNDEV	
FLAGSTAFF L	0038	DEAD RIVER TWP	D	20300	O	O*	S	S				1A	AC	UNDEV	2
FLATIRON P	2006	CEDAR LAKE TWP	F	284	S							2	AC	DEV	
FLATIRON P	2372	DAVIS TWP	D	30	S							2	AC	UNDEV	
FLETCHER P # 1	9736	BRASSUA TWP	E	12		S						2	AC	UNDEV	
FLETCHER P # 2	9734	BRASSUA TWP	E	20		S						2	AC	UNDEV	
FLINN P	3036	T01 R05 WELS	F	269								3	INAC	UNDEV	
FOGG P	0426	BOWDOIN COL GR WEST	E	23	S							2	INAC	UNDEV	6
FOGG P	2534	LONG POND TWP	E	54			S	O				1B	AC	UNDEV	
FOLEY P	2488	COMSTOCK TWP	E	124	O							1B	AC	UNDEV	
FOLEY P (LITTLE)	2492	COMSTOCK TWP	E	35	m							3	INAC	UNDEV	6
FOSS P	0388	KINGSBURY PLT	E	110	S							2	AC	DEV	
FOURTH L	1130	T37 MD BPP	C	32	m	S						2	AC	UNDEV	
FOURTH L	2820	T07 R11 WELS	E	64	S		S	S				2	AC	UNDEV	
FOWLER P	0686	T03 R11 WELS	E	19	S		O	S				1B	INAC	UNDEV	1/6
FOX P	1472	T17 R12 WELS	G	23	S							2	AC	UNDEV	
FOX P	4438	T10 SD	C	77	S	O	O	S				1A	AC	UNDEV	
FOX P	7734	LOWER CUPSUPTIC TWP	D	20		S						2	AC	UNDEV	
FROST P	0680	T03 R11 WELS	E	198	S						O	1B	AC	DEV	
FROST P	2455	T04 R05 NBKP	E	170	S							2	AC	UNDEV	
FROST P (LITTLE)	0668	T03 R12 WELS	E	35	S	S						2	INAC	UNDEV	6
FROST P FLOWAGE	2562	T04 R05 NBKP	E	70								3	AC	UNDEV	
FRYPAN P	4074	SQUARETOWN TWP	D	30	m							3	AC	UNDEV	
FURLONG P	3488	ALBANY TWP	A	17	m							3	AC	UNDEV	
GALILEE P	1526	T15 R09 WELS	G	9	S		S					2	INAC	UNDEV	
GAMMON P	0024	FREEMAN TWP	D	97		S						2	INAC	UNDEV	
GARDNER L	1358	MARION TWP	C	3886	O	O				S	O	1A	AC	UNDEV	
GARDNER L	1528	T15 R09 WELS	G	288	O	O	O					1A	INAC	UNDEV	1/6
GARDNER P	2192	T05 R07 WELS	F	30								3	INAC	UNDEV	
GASSABIAS L	4782	T41 MD	F	896	S		S			S		2	AC	UNDEV	
GAUNTLET P	0472	TB R10 WELS	F	11	S		O					1B	INAC	UNDEV	1/6
GERARD P	1868	CASWELL	G	19	m							3	INAC	UNDEV	

ALPHABETICAL LIST OF LAKES SHOWING

WILDLANDS LAKE ASSESSMENT FINDINGS

PRINCIPAL LAKE NAME	LAKE #	TOWN NAME	IF&W REG	SIZE (AC)	RESOURCE RATINGS FSH	WLD	SC	SH	BOT	CLT	PHY	RESOURCE CLASS	LAND USE ACCESS	DEV	MGNT CLASS
GETCHELL L (LOWER)	1122	T43 MD BPP	C	58	m				+	S		2	AC	UNDEV	
GETCHELL L (UPPER)	1120	T43 MD BPP	C	51	m					S-		2	AC	UNDEV	
GILBERT P	1556	ST JOHN PLT	G	12	m							3	AC	UNDEV	
GILMAN P	0004	LEXINGTON TWP	D	242		O	S					1B	AC	UNDEV	
GILMAN P	3638	MORO PLT	G	19	m							3	AC	UNDEV	
GLAZIER L	9789	T18 R10 WELS	G	1120	S				S			2	AC	UNDEV	3
GLAZIER P	1898	T11 R12 WELS	G	10								3	INAC	UNDEV	
GOOSE P	1218	T24 MD BPP	C	16								3	AC	UNDEV	
GORDON P	0146	UPPER ENCHANTED TWP	E	28	S							3	AC	UNDEV	6
GORDON P (LITTLE)	0134	LOWER ENCHANTED TWP	D	15	S							2	AC	UNDEV	
GOULD P	0620	RAINBOW TWP	E	12	m							3	INAC	UNDEV	6
GRACE P	0152	UPPER ENCHANTED TWP	E	150	O							1B	AC	UNDEV	
GRAHAM L	4350	FLETCHER'S LANDING TWP	C	7865	S	O				O		1A	AC	DEV	3
GRAND FALLS FLOWAGE	7437	FOWLER TWP	C	6691	O	O						1A	AC	UNDEV	4
GRAND L (EAST)	1070	FOREST CITY TWP	F	16070	O	O				S+		1A	AC	UNDEV	
GRAND L (WEST)	1150	T06 ND BPP	C	14340	O	O	O	O		O		1A	AC	DEV	3
GRAND LAKE SEBOIS	3011	T08 R07 WELS	G	2483	S	S	S			O		1B	AC	UNDEV	
GRANTS P	3348	MASSACHUSETTS GORE	D	20	S							2	INAC	UNDEV	
GRASS P	0104	PIERCE POND TWP	D	70	O	S						1B	AC	UNDEV	
GRASS P	2778	T09 R12 WELS	G	50								3	INAC	UNDEV	
GRASS P	3646	MORO PLT	G	55	S							2	AC	UNDEV	
GRASSY P	0660	T02 R12 WELS	E	54	S							2	AC	UNDEV	
GRASSY P	1252	T19 MD BPP	C	10								3	AC	UNDEV	
GRAY LEDGE DEADWATER	9750	CEDAR LAKE TWP	F	70	m							3	INAC	UNDEV	
GREAT WORKS P	1386	EDMUNDS TWP	C	50	S	O						1B	INAC	UNDEV	1
GREELY P	2380	DALLAS PLT	D	42		S						2	INAC	UNDEV	
GREELY P (LITTLE)	2382	DALLAS PLT	D	15	S	S						2	INAC	UNDEV	
GREELY P (THIRD)	2388	DALLAS PLT	D	14								3	INAC	UNDEV	
GREEN L #1	4518	T35 MD	C	83	m							3	AC	UNDEV	
GREEN L #2	4790	T35 MD	C	64			S					2	AC	DEV	
GREEN MTN P	3666	T06 R06 WELS	F	10	O							1B	INAC	UNDEV	1/6
GREEN P	2256	T03 R01 NBPP	F	110	S							2	INAC	UNDEV	
GREEN P	3648	MORO PLT	G	16	S							2	AC	UNDEV	
GREENBUSH P	2346	JIM POND TWP	D	24		S						2	AC	UNDEV	
GREENLAW P	1570	T12 R07 WELS	G	109	S							2	AC	UNDEV	
GREENWOOD P	0464	TB R11 WELS	F	19	S							2	INAC	UNDEV	
GREENWOOD P (BIG)	0884	ELLIOTTSVILLE TWP	E	211	O		O					1A	AC	UNDEV	4
GREENWOOD P (LITTLE)	0886	ELLIOTTSVILLE TWP	E	61	S		O					1B	AC	UNDEV	
GRENIER P (BIG)	2456	T04 R05 NBKP	E	110	S							2	AC	UNDEV	
GREY P	1894	T12 R13 WELS	G	28								3	INAC	UNDEV	
GROVER L (LITTLE)	7325	DAY BLOCK TWP	C	17	m							3	AC	UNDEV	
GROVER P	1244	DAY BLOCK TWP	C	68	S							2	AC	UNDEV	
GULL P	3532	DALLAS PLT	D	281	S							2	AC	DEV	
HADLEY L #1	1224	T24 MD BPP	C	15								3	AC	UNDEV	
HADLEY L #2	1226	T24 MD BPP	C	36								3	AC	UNDEV	
HAFEY P	1498	T18 R11 WELS	G	23	S							2	INAC	UNDEV	6

ALPHABETICAL LIST OF LAKES SHOWING

WILDLANDS LAKE ASSESSMENT FINDINGS

PRINCIPAL LAKE NAME	LAKE #	TOWN NAME	IF&W REG	SIZE (AC)	RESOURCE RATINGS FSH	WLD	SC	SH	BOT	CLT	PHY	RESOURCE CLASS	LAND USE ACCESS	DEV	MGNT CLASS
HALE P	2062	T02 R10 WELS	F	168	S							2	AC	UNDEV	
HALE P	2508	ALDER BROOK TWP	E	40	m+							3	INAC	UNDEV	6
HALE P	3652	MORO PLT	G	38	S							2	AC	UNDEV	
HALEY P	3534	DALLAS PLT	D	170	S							2	AC	UNDEV	
HALL P	2566	PRENTISS TWP T04 R04 NBKP	E	19	S							2	INAC	UNDEV	6
HALL P	5092	T05 R07 BKP WKR	E	42	m							3	INAC	UNDEV	6
HAMMOND P	7431	MARION TWP	C	18								3	INAC	UNDEV	
HANCOCK P	0082	LEXINGTON TWP	D	320	S						S	2	AC	DEV	
HARDY P	0958	LAKE VIEW PLT	F	125								3	INAC	UNDEV	
HARRINGTON L	0700	T03 R11 WELS	E	1332	O	S	S	S		S	O	1A	AC	UNDEV	
HARRINGTON P	0702	T03 R11 WELS	E	40	m		O					1B	INAC	UNDEV	1/6
HARROW L	1934	T10 R11 WELS	G	467	S	S	S			S		1B	AC	UNDEV	
HARROW L (LITTLE)	1936	T10 R11 WELS	G	40		S						2	AC	UNDEV	
HATHAN BOG (UPPER)	8837	COBURN GORE	D	55	m	S						2	INAC	UNDEV	
HATHORN P	4242	T04 R08 WELS	F	15	S							2	INAC	UNDEV	6
HATHORN P (LITTLE)	2298	T04 R08 WELS	F	8								3	INAC	UNDEV	6
HAY L	2178	T06 R08 WELS	F	588	S		S					2	AC	UNDEV	
HAY P	2824	T07 R11 WELS	E	19	S							2	AC	UNDEV	
HAY P	4252	T06 R08 WELS	F	134	S	S	S					2	AC	UNDEV	
HAYDEN P	0264	MAYFIELD TWP	D	10		S						2	INAC	UNDEV	
HAYMOCK L	2814	T07 R11 WELS	E	704	S		S	S		S		1B	AC	UNDEV	
HAYWIRE P	9769	T01 R05 WELS	F	25								3	INAC	DEV	
HEDGEHOG P	0284	BLANCHARD TWP	E	11								3	AC	UNDEV	
HEDGEHOG P	0556	T01 R11 WELS	E	5								3	INAC	UNDEV	6
HEDGEHOG P	0790	BOWDOIN COL GR WEST	E	40	S							2	AC	UNDEV	
HELEN P	0094	PIERCE POND TWP	D	15	O							1B	INAC	UNDEV	1/6
HENDERSON P	0532	TA R11 WELS	E	195	S		S	S				2	INAC	UNDEV	
HEWES BROOK P	1606	T14 R07 WELS	G	24								3	INAC	UNDEV	
HIGH P	0092	PIERCE POND TWP	D	7	O							1B	INAC	UNDEV	1/6
HILLS P	3686	PERKINS TWP T07 R03 NBPP	D	22								3	AC	DEV	5
HILTON P # 1	0304	KINGSBURY PLT	E	13								3	INAC	UNDEV	
HOBART BOG	7451	EDMUNDS TWP	C	30	S	O						1B	INAC	UNDEV	1
HOBART L	1388	EDMUNDS TWP	C	90	m							3	INAC	UNDEV	
HOBART P	2166	T06 R07 WELS	F	15								3	AC	UNDEV	
HOLBROOK P	0632	RAINBOW TWP	E	224	S		S	O				1B	INAC	UNDEV	6
HOLBROOK P (LITTLE)	9708	T03 R11 WELS	E	46			S	S				2	INAC	UNDEV	
HOLEB P	2652	HOLEB TWP	E	1055	S		O	O	O		P	1A	AC	DEV	4
HORSE L	1136	T37 MD BPP	C	26	m							3	AC	UNDEV	
HORSEBACK P	2164	T07 R07 WELS	F	10								3	INAC	UNDEV	
HORSERACE PONDS	0626	RAINBOW TWP	E	50	O		O	S			O	1A	INAC	UNDEV	1/6
HORSESHOE L	4706	LAKEVILLE	F	400	S		S					2	INAC	UNDEV	
HORSESHOE L	4788	T35 MD	C	202	m							3	AC	UNDEV	
HORSESHOE P	0102	PIERCE POND TWP	D	15								3	INAC	UNDEV	
HORSESHOE P	0412	BOWDOIN COL GR WEST	E	160	O		S+	S-			S-	1B	AC	DEV	
HORSESHOE P	1926	T11 R10 WELS	G	23	S		O	S				1B	AC	UNDEV	
HORSESHOE P	2540	PARLIN POND TWP	E	50	m		S+	S+				2	INAC	UNDEV	

ALPHABETICAL LIST OF LAKES SHOWING

WILDLANDS LAKE ASSESSMENT FINDINGS

PRINCIPAL LAKE NAME	LAKE #	TOWN NAME	IF&W REG	SIZE (AC)	RESOURCE RATINGS FSH	WLD	SC	SH	BOT	CLT	PHY	RESOURCE CLASS	LAND USE ACCESS	DEV	MGNT CLASS
HORSESHOE P	2686	ATTEAN TWP	E	50	m+			+				3	INAC	UNDEV	6
HORSESHOE P	3336	COBURN GORE	D	37		S						2	AC	UNDEV	3
HORSESHOE P	4082	CHASE STREAM TWP	D	27	O							1B	AC	UNDEV	
HORSESHOE P	4102	EAST MOXIE TWP	D	25								3	INAC	UNDEV	
HORSESHOE P	5150	T03 R05 BKP WKR	D	29		S						2	INAC	UNDEV	
HORSESHOE P	9277	T16 R09 WELS	G	15	S							2	INAC	UNDEV	6
HORSESHOE P	9823	T18 MD BPP	C	12	m							3	AC	UNDEV	
HOT BROOK L (LOWER)	1072	T08 R04 NBPP	F	713								3	INAC	UNDEV	
HOT BROOK L (UPPER)	1076	T08 R04 NBPP	F	912								3	AC	UNDEV	
HOT P	2168	T06 R07 WELS	F	70								3	AC	UNDEV	
HOULTON P	1460	T13 R16 WELS	G	19								3	INAC	UNDEV	
HOUND BROOK L	1326	DYER TWP	C	140	m							3	INAC	UNDEV	
HOUSTON P	0916	T07 R09 NWP	E	694	S		S				S-	2	AC	UNDEV	
HOUSTON P (LITTLE)	0920	KATAHDIN IRN WKS TWP	F	27	O						S	1B	INAC	UNDEV	6
HUDSON P (LITTLE)	2742	T10 R10 WELS	G	12								3	AC	UNDEV	
HUDSON P (LOWER)	1954	T10 R10 WELS	G	108	S		O	S				1B	AC	UNDEV	
HUDSON P (UPPER)	1928	T11 R10 WELS	G	32	O		O					1A	INAC	UNDEV	1
HUMPBACK BOG	4488	T28 MD	C	32	S	S						2	INAC	UNDEV	
HUNNEWELL L	1554	ST JOHN PLT	G	64	S							2	AC	UNDEV	
HUNTLEY P	3640	MORO PLT	G	13								3	INAC	UNDEV	
HURD P	2064	T02 R10 WELS	F	640	S		O	S				1B	AC	DEV	
HURD P (BIG)	4014	T06 R15 WELS	E	250	S		O				S	1B	AC	UNDEV	
HURD P (LITTLE)	0596	T02 R10 WELS	F	60	S		O	S			S	1B	INAC	UNDEV	1/6
HURD P (LITTLE)	4016	T06 R15 WELS	E	180		S	S					2	INAC	UNDEV	
HURRICANE P	5046	KIBBY TWP	D	20		S						2	INAC	UNDEV	
HURRICANE P	5166	T05 R20 WELS	E	54	S							2	AC	UNDEV	
HUSSEY P	0292	BLANCHARD TWP	E	15								3	INAC	DEV	
HUSTON BROOK P	7304	DEAD RIVER TWP	D	7	O							1B	AC	UNDEV	
HUTCH P	2498	HAMMOND TWP	E	11								3	INAC	UNDEV	
HUTCHINSON P	0492	TA R11 WELS	E	15								3	INAC	UNDEV	
HUTCHINSON P	3494	ALBANY TWP	A	96	S							2	AC	DEV	5
IMLOS P	2714	T06 R11 WELS	E	10								3	AC	UNDEV	
INDIAN & DAM PONDS	0814	T07 R09 NWP	E	299	S		S			S		2	AC	UNDEV	
INDIAN L	1242	T19 ED BPP	C	13						S-		2	INAC	UNDEV	
INDIAN P	0002	LEXINGTON TWP	D	53								3	AC	UNDEV	
INDIAN P	0782	BOWDOIN COL GR WEST	E	70	S							2	AC	UNDEV	
INDIAN P	2866	T07 R12 WELS	E	1222	S							2	AC	UNDEV	
INDIAN P	4090	SAPLING TWP	E	3746	S	O				S		1B	AC	DEV	3
INDIAN P (BIG)	0324	MOOSEHEAD JUNCTION TWP	E	280	S							2	AC	DEV	
INDIAN P (LITTLE)	2808	T07 R12 WELS	E	117						S		2	AC	UNDEV	
INDIAN P (LITTLE)	4070	SQUARETOWN TWP	D	25								3	AC	UNDEV	
IRA BOG	0332	MOOSEHEAD JUNCTION TWP	E	28		S						2	AC	UNDEV	
IRELAND P	4168	T07 R08 WELS	F	30	O							1B	INAC	UNDEV	1/6
IRON P	5106	HAYNESTOWN TWP	E	32	S							2	AC	DEV	
IRONBOUND P	2510	ALDER BROOK TWP	E	40	O		O	O			O	1A	AC	UNDEV	2
ISLAND (CHASE) P	1942	T10 R10 WELS	G	214	S		S					2	AC	UNDEV	

ALPHABETICAL LIST OF LAKES SHOWING

WILDLANDS LAKE ASSESSMENT FINDINGS

PRINCIPAL LAKE NAME	LAKE #	TOWN NAME	IF&W REG	SIZE (AC)	RESOURCE RATINGS FSH	WLD	SC	SH	BOT	CLT	PHY	RESOURCE CLASS	LAND USE ACCESS	DEV	MGNT CLASS
ISLAND P	1516	T15 R09 WELS	G	32	S							2	AC	UNDEV	
ISLAND P	1586	T14 R08 WELS	G	27	S							2	AC	UNDEV	
ISLAND P	4094	CHASE STREAM TWP	D	24	O							1B	AC	UNDEV	
ISLAND P (BIG)	3352	SEVEN PONDS TWP	D	350	S		S					2	AC	UNDEV	
ISLAND P (LITTLE)	3350	SEVEN PONDS TWP	D	50	S							2	AC	UNDEV	
ISLAND P (UPPER)	2740	T10 R10 WELS	G	45								3	INAC	UNDEV	
ISTHMUS P	2000	T08 R08 WELS	G	23								3	INAC	UNDEV	
JACK P	4140	T07 R10 WELS	F	10								3	INAC	UNDEV	
JACKSON BROOK L	1334	FOREST TWP	F	480								3	AC	DEV	
JACKSON P	0182	CONCORD TWP	D	32			O	S				1B	AC	UNDEV	
JACKSON P #1	0684	T03 R11 WELS	E	23								3	INAC	UNDEV	6
JACKSON P #2	0704	T03 R11 WELS	E	12	S		O	O				1A	AC	UNDEV	2
JERRY P	2122	MILLINOCKET	F	66	S							2	AC	UNDEV	
JERRY P	2190	T05 R07 WELS	F	272	S		O	S				1B	INAC	UNDEV	1
JEWETT P	0050	PLEASANT RIDGE PLT	D	32								3	AC	UNDEV	
JEWETT P	0460	SPENCER BAY TWP	E	13	S							2	INAC	UNDEV	
JIM P	5054	JIM POND TWP	D	320	O	O	O	S+				1A	AC	UNDEV	2
JIM P (LITTLE)	5090	JIM POND TWP	D	64	S							2	AC	UNDEV	
JIMMIES P	8259	T34 MD	C	26	m							3	AC	UNDEV	
JO-MARY L (LOWER)	0984	T01 R10 WELS	F	1910	S		O			S	S	1B	INAC	UNDEV	1
JO-MARY L (MIDDLE)	0986	T04 INDIAN PURCHASE TWP	F	1152	S		O	S		S	S	1A	AC	DEV	3
JO-MARY L (UPPER)	0243	TA R10 WELS	F	1873	O		O	S			S	1A	AC	UNDEV	2
JO-MARY P	0476	TB R10 WELS	F	38	S							2	AC	UNDEV	
JO-MARY S DWTR (UP)	9630	T04 INDIAN PURCHASE TWP	F	30						S		2	AC	UNDEV	
JOE POKUM P	5126	KING & BARTLETT TWP	D	13								3	INAC	UNDEV	
JOHNS P	0144	LOWER ENCHANTED TWP	D	15								3	AC	UNDEV	
JOHNS P	3956	DAVIS TWP	D	267	S							2	AC	UNDEV	
JOHNSON P	2986	T08 R14 WELS	E	197	S		O	S			O	1A	AC	UNDEV	
JOHNSTON P	0534	TA R10 WELS	F	59	S		O					1B	AC	UNDEV	
JONES P	0172	WYMAN TWP	D	36		O						1B	INAC	UNDEV	1
JONES P	1500	BIG TWENTY TWP	G	77	S							2	AC	UNDEV	
JONES P	2486	BALD MTN TWP T4R3	E	130	S							2	AC	UNDEV	
JONES P	3002	T07 R08 WELS	F	32	S							2	INAC	UNDEV	
JUNIOR L	4708	PUKAKON TWP	F	3866	S		S	S		S		1B	AC	UNDEV	
JUNIPER KNEE P	0878	ELLIOTTSVILLE TWP	E	32	S							2	INAC	UNDEV	6
KAMANKEAG P	3954	DAVIS TWP	D	40	O		S					1B	AC	UNDEV	
KATAHDIN L	2016	T03 R08 WELS	F	717	S		O	O		S	S	1A	INAC	UNDEV	1
KEG L	4700	LAKEVILLE	F	378	S		S	S				2	INAC	UNDEV	
KELLY P	0654	T02 R12 WELS	E	60	S							2	INAC	UNDEV	6
KELLY P (LITTLE)	0658	T02 R12 WELS	E	21								3	INAC	UNDEV	
KENNEBAGO L (BIG)	2374	DAVIS TWP	D	1700	O	O	O	O		S-	O	1A	AC	DEV	4
KENNEBAGO L (LITTLE)	3958	STETSONTOWN TWP	D	190	O					+		1B	AC	DEV	
KIDNEY P	2926	E MIDDLESEX CANAL GR	E	45	m	S						2	AC	UNDEV	
KILGORE P	0108	PIERCE POND TWP	D	96	S	S						2	AC	UNDEV	
KILGORE P (UPPER)	0106	BOWTOWN TWP	D	12								3	INAC	UNDEV	
KIMBALL P	4245	T05 R08 WELS	F	64	S		S					2	INAC	UNDEV	

ALPHABETICAL LIST OF LAKES SHOWING

WILDLANDS LAKE ASSESSMENT FINDINGS

PRINCIPAL LAKE NAME	LAKE #	TOWN NAME	IF&W REG	SIZE (AC)	RESOURCE RATINGS FSH	WLD	SC	SH	BOT	CLT	PHY	RESOURCE CLASS	LAND USE ACCESS	DEV	MGNT CLASS
KING & BARTLETT L	5136	KING & BARTLETT TWP	D	538	O						S	1B	AC	UNDEV	
KING L (LITTLE)	5138	KING & BARTLETT TWP	D	90	S		S					2	AC	UNDEV	
KING P	0111	BOWTOWN TWP	D	16	S							2	INAC	UNDEV	
KINGSBURY P	0262	MAYFIELD TWP	D	390	S						S	2	AC	DEV	5
KINGSLEY BOG	0276	MAYFIELD TWP	D	10		S						2	AC	UNDEV	
KINGSLEY FLOWAGE	7148	MAYFIELD TWP	D	14		S					S	2	INAC	UNDEV	
KNEELAND P	3266	ALBANY TWP	A	16	m		S					2	AC	DEV	5
KNIGHTS P	0377	SQUARETOWN TWP	D	128					S			2	INAC	UNDEV	
KNOX L	1142	T36 MD BPP	C	51	m							3	AC	UNDEV	
KYLE P	2810	T07 R12 WELS	E	25								3	AC	UNDEV	
L POND	5062	SEVEN PONDS TWP	D	95	S							2	INAC	UNDEV	
LA POMKEAG L (LOWER)	3010	T08 R07 WELS	G	91								3	AC	UNDEV	
LA POMKEAG L (UPPER)	3012	T08 R07 WELS	G	217								3	AC	UNDEV	
LAMBERT L	1332	T11 R03 NBPP	F	605	S		S	S	S			1B	AC	DEV	
LANE BROOK P	3664	T06 R06 WELS	F	33								3	INAC	UNDEV	6
LANE P	2490	COMSTOCK TWP	E	24	S						O	1B	INAC	UNDEV	1/6
LANE P (LITTLE)	2502	HAMMOND TWP	E	18	S							2	AC	UNDEV	
LANG P	2542	PARLIN POND TWP	E	30	O							1B	INAC	UNDEV	1/6
LANG P (LITTLE)	2543	PARLIN POND TWP	E	13	O							1B	INAC	UNDEV	1/6
LARD P	2442	ELM STREAM TWP	E	14								3	INAC	UNDEV	
LAZY TOM P	0458	T01 R13 WELS	E	17	S							2	INAC	UNDEV	
LEAD MTN P (LO & MD)	4484	T28 MD	C	486	m		S					2	AC	DEV	
LEAD MTN P (UPPER)	4482	T28 MD	C	1021	S		S	S				2	AC	DEV	
LEADBETTER P	2764	T09 R11 WELS	G	98	S	S	S-					2	AC	UNDEV	
LEADBETTER P	2880	T07 R12 WELS	E	135								3	INAC	UNDEV	
LEADBETTER P (LT)	2700	T07 R11 WELS	E	147								3	INAC	UNDEV	
LEAVITT P	0546	T01 R11 WELS	E	50	S							2	AC	UNDEV	
LEDGE P	3554	SANDY RIVER PLT	D	6								3	INAC	UNDEV	6
LEITH P	4124	BRASSUA TWP	E	18		S						2	INAC	UNDEV	
LEONARD P	1988	T10 R09 WELS	G	38		S						2	INAC	UNDEV	
LEWIS P	2862	SOPER MOUNTAIN TWP	G	30							P	3	INAC	UNDEV	
LILY (MERRILL) P	0180	CONCORD TWP	D	25								3	AC	DEV	
LILY L	1164	T30 MD BPP	C	32								3	AC	UNDEV	
LILY L	1396	TRESCOTT TWP	C	31	S							2	AC	UNDEV	
LILY P	0178	CONCORD TWP	D	10								3	AC	UNDEV	
LINCOLN P	0988	T04 INDIAN PURCHASE TWP	F	30								3	INAC	UNDEV	
LINCOLN P	3964	PARKERTOWN TWP	D	340	S	S						2	INAC	UNDEV	
LINE P	2806	T07 R11 WELS	E	20								3	INAC	UNDEV	
LINE P	5162	T05 R20 WELS	E	7								3	INAC	UNDEV	6
LINSCOTT P	1452	T13 R16 WELS	G	75								3	INAC	UNDEV	
LITTLE BOG	2404	T06 R17 WELS	E	128								3	AC	UNDEV	
LITTLE L	7513	BARING PLT	C	275	S							2	AC	UNDEV	
LITTLE P	0302	KINGSBURY PLT	E	10								3	INAC	UNDEV	
LLOYD P	0462	BOWDOIN COL GR EAST	E	10								3	AC	UNDEV	
LOBSTER L	2948	LOBSTER TWP	E	3475	O	O	O	O	O	S	O	1A	AC	UNDEV	2
LOBSTER L (LITTLE)	2946	LOBSTER TWP	E	230	S							2	AC	UNDEV	

ALPHABETICAL LIST OF LAKES SHOWING

WILDLANDS LAKE ASSESSMENT FINDINGS

PRINCIPAL LAKE NAME	LAKE #	TOWN NAME	IF&W REG	SIZE (AC)	RESOURCE RATINGS FSH	WLD	SC	SH	BOT	CLT	PHY	RESOURCE CLASS	LAND USE ACCESS	DEV	MGNT CLASS
LOGAN P # 1	2080	T02 R09 WELS	F	29								3	INAC	UNDEV	
LOGAN P # 2	2082	T02 R09 WELS	F	20			O	S				1B	INAC	UNDEV	1
LOMBARD L	4690	LAKEVILLE	F	225	S		O					1B	AC	UNDEV	
LONE JACK P	2556	JOHNSON MOUNTAIN TWP	E	15								3	AC	UNDEV	
LONG (LITTLE LONG) P	5794	CHASE STREAM TWP	D	17	S		+					2	AC	UNDEV	
LONG (MARTIN) P	4108	THE FORKS PLT	D	26	S							2	AC	DEV	5
LONG BOG	0450	SHAWTOWN TWP	E	15	S							2	AC	UNDEV	
LONG BOG	2668	HOLEB TWP	E	19	m							3	INAC	UNDEV	6
LONG L	1264	T19 ED BPP	C	698	m							3	AC	UNDEV	
LONG L	1370	MARION TWP	C	130								3	AC	UNDEV	
LONG L	1682	T17 R03 WELS	G	6000	S					S		2	AC	DEV	
LONG L	1892	T12 R13 WELS	G	1203	O	O*				S	S	1A	AC	UNDEV	2
LONG P	0506	TA R11 WELS	E	371	O						S	1B	AC	UNDEV	
LONG P	0800	T07 R09 NWP	E	643	S		S			S-		2	AC	UNDEV	
LONG P	1200	T18 MD BPP	C	15								3	AC	DEV	5
LONG P	1596	T13 R08 WELS	G	13								3	AC	UNDEV	
LONG P	1922	T11 R10 WELS	G	128	S		S					2	AC	UNDEV	
LONG P	2536	LONG POND TWP	E	3053	S	S	O	S		S		1A	AC	DEV	3
LONG P	2646	FORSYTH TWP	E	98	S							2	AC	UNDEV	
LONG P	2690	ATTEAN TWP	E	37	m							3	INAC	UNDEV	6
LONG P	3116	LYNCHTOWN TWP	D	8						S-		2	AC	UNDEV	
LONG P	3320	MAGALLOWAY PLT	D	10								3	INAC	UNDEV	
LONG P	3356	SEVEN PONDS TWP	D	35	S							2	AC	UNDEV	3
LONG P	3582	TOWNSHIP E	D	254	S							2	INAC	DEV	
LONG P	4118	TAUNTON & RAYNHAM	E	173	S							2	AC	DEV	
LONG P	4430	T10 SD	C	205	S		S	S				2	AC	UNDEV	
LONG P	5124	KING & BARTLETT TWP	D	60	S	S						2	AC	UNDEV	
LONG P	9861	DOLE BROOK TWP	E	845	S		S	S				2	AC	UNDEV	
LONG P (LITTLE)	4424	T10 SD	C	55	S		O	S				1B	INAC	UNDEV	1/6
LONGLEY P	2886	T06 R13 WELS	E	749	S	S						2	INAC	UNDEV	
LONGLEY P (LITTLE)	2888	T06 R13 WELS	E	20								3	INAC	UNDEV	
LOON L	2384	DALLAS PLT	D	168	S					S-		2	AC	DEV	5
LOON L	4024	T06 R15 WELS	E	1140	S	O	S	S			O	1A	AC	UNDEV	
LOON P	0453	T40 MD	F	13	S							2	AC	UNDEV	
LOON P	0554	T01 R11 WELS	E	5								3	INAC	UNDEV	6
LOON P	2688	ATTEAN TWP	E	37	O		+	+	+			1B	INAC	UNDEV	1/6
LOST P	0208	PLEASANT RIDGE PLT	D	18	S							2	INAC	UNDEV	
LOST P	0820	T07 R09 NWP	E	15								3	INAC	UNDEV	
LOST P	1658	T15 R06 WELS	G	10								3	INAC	UNDEV	
LOST P	1690	ISLAND FALLS	F	13								3	INAC	UNDEV	
LOST P	1924	T11 R10 WELS	G	58	+							3	INAC	UNDEV	
LOST P	1984	T10 R08 WELS	G	10								3	INAC	UNDEV	
LOST P	2420	RUSSELL POND TWP	E	45	S							2	AC	UNDEV	
LOST P	2526	THORNDIKE TWP	E	10								3	INAC	UNDEV	
LOST P	2694	ATTEAN TWP	E	5								3	INAC	UNDEV	6
LOST P	2878	T07 R13 WELS	E	47								3	INAC	UNDEV	

ALPHABETICAL LIST OF LAKES SHOWING

WILDLANDS LAKE ASSESSMENT FINDINGS

PRINCIPAL LAKE NAME	LAKE #	TOWN NAME	IF&W REG	SIZE (AC)	RESOURCE RATINGS FSH	WLD	SC	SH	BOT	CLT	PHY	RESOURCE CLASS	LAND USE ACCESS	DEV	MGNT CLASS
LOST P	3030	T07 R07 WELS	F	38	S							2	AC	UNDEV	
LOST P	3042	UPPER MOLUNKUS TWP	F	18								3	INAC	UNDEV	
LOST P	5146	T03 R05 BKP WKR	D	15								3	AC	UNDEV	
LOVE L	1238	T19 ED BPP	C	672	S						O	1B	AC	UNDEV	
LOVEJOY P	4506	T34 MD	C	40	S							2	AC	DEV	
LOWELL L	4680	CARROLL PLT	F	115								3	AC	UNDEV	
LOWER P	8255	T35 MD	C	16								3	INAC	UNDEV	
LUCIA P	0810	T07 R09 NWP	E	46			S					2	AC	UNDEV	
LUCIFEE P	9755	T14 R08 WELS	G	13								3	AC	UNDEV	
LUCKY P	0402	SPENCER BAY TWP	E	93		S					S	2	AC	UNDEV	
LUNKSOOS L	2206	T04 R07 WELS	F	288	S		S	S				2	INAC	UNDEV	
LUTHER P	2528	THORNDIKE TWP	E	154	S							2	AC	UNDEV	
LYFORD P (BIG)	0438	SHAWTOWN TWP	E	152	O					O		1A	AC	DEV	4
LYFORD P(1ST LITTLE)	0430	BOWDOIN COL GR EAST	E	21	S							2	AC	UNDEV	
LYFORD P(2ND LITTLE)	0428	BOWDOIN COL GR EAST	E	18	S							2	AC	UNDEV	
MACHIAS L (BIG)	1960	T12 R08 WELS	G	692	S	S				S		2	AC	UNDEV	3
MACHIAS L (FIFTH)	1144	T36 MD BPP	C	1069	m					S		2	AC	UNDEV	
MACHIAS L (FIRST)	1140	T37 MD BPP	C	109	S					S		2	AC	DEV	
MACHIAS L (FOURTH)	1148	SAKOM TWP	C	1539	O	S	+			S		1B	AC	UNDEV	
MACHIAS L (LITTLE)	1578	NASHVILLE PLT	G	275	S	S						2	AC	UNDEV	3
MACHIAS L (SECOND)	1138	T37 MD BPP	C	192	S					S		2	AC	DEV	
MACHIAS L (THIRD)	1124	T42 MD BPP	C	2778	O	O	+	+	+	S	+	1A	AC	UNDEV	2
MACWAHOC L (LOWER)	3058	T02 R04 WELS	F	188								3	AC	UNDEV	
MACWAHOC L (UPPER)	3052	T03 R04 WELS	F	269	S							2	AC	UNDEV	
MADAGASCAL P (BIG)	2254	T03 R01 NBPP	F	750	S							2	AC	UNDEV	
MADAGASCAL P(LITTLE)	2258	T03 R01 NBPP	F	40	S							2	AC	UNDEV	
MADAWASKA L	1802	MADAWASKA LAKE TWP	G	1526	S	S			O	S		1B	AC	DEV	5
MARBLE P	0280	BLANCHARD TWP	E	15	S							2	AC	UNDEV	
MARBLE P	2186	T05 R08 WELS	F	75	S		S	S	O		O	1A	INAC	UNDEV	1
MARCIAL L	1636	WALLAGRASS	G	13								3	INAC	UNDEV	
MARTIN L	1858	CASWELL	G	13								3	INAC	UNDEV	
MARY PETUCHE P	2474	PRENTISS TWP T04 R04 NBKP	E	10	S						O	1B	INAC	UNDEV	1/6
MASSACHUSETTS BOG	8597	MASSACHUSETTS GORE	D	30	O							1B	AC	UNDEV	
MATAGAMON L	4260	T06 R08 WELS	F	4165	S	O	S	S	O	O		1A	AC	UNDEV	
MATHERSON P	3072	T09 R05 WELS	G	45								3	AC	UNDEV	
MATHEWS P	2836	T08 R10 WELS	G	19	O							1B	INAC	UNDEV	1
MATTAMISCONTIS L	2140	CEDAR LAKE TWP	F	1025	S							2	INAC	UNDEV	
MATTAMISCONTIS L(LT)	2138	CEDAR LAKE TWP	F	275	S							2	AC	UNDEV	3
MATTASEUNK L	3040	MOLUNKUS TWP	F	576	S							2	AC	DEV	3
MATTAWAMKEAG L	1686	T04 R03 WELS	F	3330	S	O	S	O		S	S	1A	AC	UNDEV	
MAY P	2826	T07 R11 WELS	E	30								3	INAC	UNDEV	
MAYFIELD P	0260	MAYFIELD TWP	D	140	S							2	AC	DEV	
MCCLUSKY L	1660	T14 R05 WELS	G	49	m							3	AC	UNDEV	
MCDOUGAL P	4022	T06 R15 WELS	E	11								3	INAC	UNDEV	
MCGILVRY P	3082	T08 R06 WELS	G	25								3	INAC	UNDEV	
MCGOOSELEY P	4032	T04 R15 WELS	E	38		S						2	AC	UNDEV	

ALPHABETICAL LIST OF LAKES SHOWING

WILDLANDS LAKE ASSESSMENT FINDINGS

PRINCIPAL LAKE NAME	LAKE #	TOWN NAME	IF&W REG	SIZE (AC)	RESOURCE RATINGS FSH	WLD	SC	SH	BOT	CLT	PHY	RESOURCE CLASS	LAND USE ACCESS	DEV	MGNT CLASS
MCGOWAN P	1962	T11 R08 WELS	G	160								3	INAC	UNDEV	
MCKEEN L	1476	T14 R10 WELS	G	147	S	+						2	AC	UNDEV	
MCKENNA P	0688	T03 R11 WELS	E	53	m		O	S				1B	INAC	UNDEV	1/6
MCKENNEY P	0154	UPPER ENCHANTED TWP	E	9								3	INAC	UNDEV	6
MCKENNEY P	2650	HOLEB TWP	E	38	S						O	1B	AC	UNDEV	
MCLELLAN P	0364	ELLIOTTSVILLE TWP	E	15								3	INAC	UNDEV	
MCNALLY P (UPPER)	1930	T11 R10 WELS	G	83	S							2	AC	UNDEV	
MCPHERSON P	1992	T10 R10 WELS	G	77	S							2	AC	UNDEV	
MEDDYBEMPS L	0177	BARING PLT	C	6765	O					S		1B	AC	UNDEV	
MEDUNKEUNK L	2132	T02 R09 NWP	F	67	S							2	AC	DEV	
MESSER P	4244	T05 R08 WELS	F	27	S							2	INAC	UNDEV	6
MESSER P (LITTLE)	5806	T05 R08 WELS	F	30								3	INAC	UNDEV	
METALLAK P	3326	TOWNSHIP C	D	75								3	INAC	UNDEV	
MIDDAY P	0890	ELLIOTTSVILLE TWP	E	12	m							3	INAC	UNDEV	
MIDDLE DEADWATER	1099	KOSSUTH TWP	F	50								3	AC	UNDEV	
MIDNIGHT P	2708	T06 R12 WELS	E	64								3	INAC	UNDEV	
MIDWAY P	3544	SANDY RIVER PLT	D	7								3	INAC	UNDEV	6
MILE P	2982	T08 R14 WELS	E	66								3	INAC	UNDEV	
MILL (CLEAR) P	0200	PLEASANT RIDGE PLT	D	23	S							2	AC	UNDEV	
MILL PRIVILEGE L	4704	PUKAKON TWP	F	109								3	AC	UNDEV	
MILLIMAGASSETT L	3004	T07 R08 WELS	F	1410	S	O	+	+				1B	INAC	UNDEV	1
MILLINOCKET L	2020	T01 R08 WELS	F	8960	S	O	S+	S+	+	S	S+	1A	AC	UNDEV	
MILLINOCKET L	4156	T07 R09 WELS	F	2701	S	S+	S	S	+	O	+	1A	AC	UNDEV	
MINISTER L (LITTLE)	0592	T02 R10 WELS	F	4								3	INAC	UNDEV	6
MINISTER P (BIG)	0590	T02 R10 WELS	F	15	O							1B	INAC	UNDEV	1/6
MINK MARSH P	1982	T10 R10 WELS	G	13	S	S						2	AC	UNDEV	
MINK P	1478	T14 R10 WELS	G	21								3	AC	UNDEV	
MISERY P	5800	MISERY TWP	E	36	S		S-	S+			+	2	AC	UNDEV	
MISERY P (UPPER)	5802	MISERY TWP	E	18	S							2	AC	UNDEV	
MITCHELL P	9757	T07 R09 WELS	F	30								3	AC	UNDEV	
MOCCASIN P	1590	T14 R08 WELS	G	32	O							1B	AC	UNDEV	1
MOLUNKUS L	3038	MOLUNKUS TWP	F	1050	S							2	AC	DEV	
MONKEY P	0526	TA R11 WELS	E	30	S							2	INAC	UNDEV	
MONROE L	1126	T43 MD BPP	C	45	S	S						2	AC	UNDEV	
MONROE P (EAST)	9641	T43 MD BPP	C	10	S							2	AC	UNDEV	
MONROE P (WEST)	9811	T43 MD BPP	C	13	S							2	AC	UNDEV	
MONTEGAIL P	1196	T19 MD BPP	C	170	S							2	AC	UNDEV	
MOORE P	5096	BRADSTREET TWP	E	47	S				O			1B	AC	UNDEV	
MOOSE BOG	7688	BOWMANTOWN TWP	D	40	S	S						2	INAC	UNDEV	
MOOSE P	0118	BOWTOWN TWP	D	11	S							2	INAC	UNDEV	
MOOSE P	0902	ELLIOTTSVILLE TWP	E	14	m							3	AC	UNDEV	
MOOSE P (BIG)	0334	MOOSEHEAD JUNCTION TWP	E	91	O						S	1B	INAC	UNDEV	1/6
MOOSE P (LITTLE)	0336	MOOSEHEAD JUNCTION TWP	E	25	O						S	1B	INAC	UNDEV	1/6
MOOSE P (LITTLE)	4152	T07 R10 WELS	F	25								3	AC	UNDEV	
MOOSE P (UPPER)	2828	T07 R10 WELS	F	35								3	INAC	UNDEV	
MOOSEHEAD L	0390	MOOSEHEAD JUNCTION TWP	E	74890	O	O	O	O	O	O	O	1A	AC	DEV	

ALPHABETICAL LIST OF LAKES SHOWING

WILDLANDS LAKE ASSESSMENT FINDINGS

PRINCIPAL LAKE NAME	LAKE #	TOWN NAME	IF&W REG	SIZE (AC)	RESOURCE RATINGS FSH	WLD	SC	SH	BOT	CLT	PHY	RESOURCE CLASS	LAND USE ACCESS	DEV	MGNT CLASS
MOOSEHEAD L #1	MH01	COVE POINT TWP	E	6091	O	O	O	S	O	O	O	1A	AC	DEV	
MOOSEHEAD L #2	MH02	BEAVER COVE	E	12066	O	O	O	S	O	O	O	1A	AC	DEV	
MOOSEHEAD L #3	MH03	LILY BAY TWP	E	6072	O	O	O	S	O	O	O	1A	AC	DEV	
MOOSEHEAD L #4	MH04	SANDBAR TRACT TWP	E	12046	O	O	S	S	O	O	O	1A	AC	DEV	
MOOSEHEAD L #5	MH05	SPENCER BAY TWP	E	4710	O	O	O	S	O	O	O	1A	AC	UNDEV	
MOOSEHEAD L #6	MH06	TOMHEGAN TWP	E	9925	O	O	O		O	O	O	1A	AC	DEV	
MOOSEHEAD L #7	MH07	DAYS ACADEMY GRANT	E	8037	O	O	O	S	O	O	O	1A	AC	DEV	
MOOSEHEAD L #8	MH08	NORTHEAST CARRY TWP	E	15802	O	O	O	O	O	O	O	1A	AC	DEV	
MOOSELEUK L	1990	T10 R09 WELS	G	422	S	O*	O-			O		1A	AC	UNDEV	2
MOOSELOOKMEGUNTIC L*	3302	RICHARDSONTOWN TWP	D	16300	O	O	O	O		O		1A	AC	DEV	
MOOSELOOKMEGUNTIC L*	MLML	RICHARDSONTOWN TWP	D	14101	O	O	S	O		O		1A	AC	DEV	
MOPANG L	1172	DEVEREAUX TWP	C	1487	O		S	S				1B	AC	UNDEV	
MOPANG L (FIRST)	7339	T30 MD BPP	C	27	S							2	AC	DEV	
MOPANG L (SECOND)	1170	DEVEREAUX TWP	C	145	S							2	AC	UNDEV	
MORANCY P	4394	T07 SD	C	64								3	AC	UNDEV	
MORRELL P	4262	T07 R08 WELS	F	40								3	INAC	UNDEV	
MOSQUITO BROOK P	1604	T14 R07 WELS	G	10	S							2	AC	UNDEV	
MOSQUITO P	4052	THE FORKS PLT	D	71	S	S	O	S				1B	AC	UNDEV	
MOUNTAIN BROOK P	0414	BOWDOIN COL GR WEST	E	21	O		+					1B	AC	UNDEV	
MOUNTAIN CATCHER P	4258	T06 R08 WELS	F	84	S							2	INAC	UNDEV	6
MOUNTAIN P	0432	BEAVER COVE	E	56	S						S	2	INAC	UNDEV	6
MOUNTAIN P	1956	T10 R10 WELS	G	80	S	S	S	+		+		2	AC	UNDEV	
MOUNTAIN P	2989	T08 R15 WELS	E	30								3	AC	UNDEV	
MOUNTAIN P	3540	RANGELEY PLT	D	35	O							1B	AC	UNDEV	
MOUNTAIN VIEW P	0269	BIG MOOSE TWP	E	550	S							2	AC	UNDEV	
MOUNTAIN VIEW P	0488	TA R11 WELS	E	13	S							2	INAC	UNDEV	6
MOXIE BOG	7106	BALD MTN TWP T2R3	D	15	S							2	AC	UNDEV	
MOXIE P	3585	TOWNSHIP D	D	6								3	INAC	UNDEV	6
MOXIE P	4050	EAST MOXIE TWP	D	2370	S		O	S		S	P	1B	AC	DEV	
MOXIE P (LITTLE)	0316	EAST MOXIE TWP	D	73	S						O	1B	AC	UNDEV	
MT CATCHER P(LITTLE)	9922	T06 R08 WELS	F	13								3	INAC	UNDEV	
MUD BROOK FLOWAGE	9632	T02 R08 WELS	F	50			S					2	INAC	UNDEV	
MUD GAUNTLET DEADWTR	0470	TB R11 WELS	F	10								3	INAC	UNDEV	
MUD L	1680	SINCLAIR TWP	G	972	S					S		2	AC	DEV	
MUD L	1688	T03 R03 WELS	F	122								3	INAC	UNDEV	
MUD L	1732	T04 R03 WELS	F	153								3	INAC	UNDEV	
MUD L	1866	CASWELL	G	19								3	INAC	UNDEV	
MUD L	7399	FOREST CITY TWP	F	291							+	3	AC	DEV	
MUD P	0330	MOOSEHEAD JUNCTION TWP	E	10								3	INAC	UNDEV	
MUD P	0398	BEAVER COVE	E	249		S					S	2	INAC	UNDEV	
MUD P	0542	TA R10 WELS	F	225			S					2	AC	UNDEV	
MUD P	1496	T19 R11 WELS	G	21								3	INAC	UNDEV	
MUD P	1532	T15 R09 WELS	G	63								3	INAC	UNDEV	
MUD P	1546	T13 R08 WELS	G	30		S						2	AC	UNDEV	
MUD P	1600	T13 R07 WELS	G	19								3	INAC	UNDEV	

* This lake has multiple management classes corresponding to sections of the lake. Refer to the official zoning map for designations.

ALPHABETICAL LIST OF LAKES SHOWING

WILDLANDS LAKE ASSESSMENT FINDINGS

PRINCIPAL LAKE NAME	LAKE #	TOWN NAME	IF&W REG	SIZE (AC)	RESOURCE RATINGS FSH	WLD	SC	SH	BOT	CLT	PHY	RESOURCE CLASS	LAND USE ACCESS	DEV	MGNT CLASS
MUD P	1874	T12 R17 WELS	G	49								3	AC	UNDEV	
MUD P	2066	T02 R10 WELS	F	20								3	INAC	UNDEV	
MUD P	2182	T06 R08 WELS	F	254								3	AC	UNDEV	
MUD P	2340	TOWNSHIP 6 N OF WELD	D	6								3	INAC	UNDEV	6
MUD P	2360	TIM POND TWP	D	30	S							2	AC	UNDEV	
MUD P	2530	THORNDIKE TWP	E	50								3	AC	UNDEV	
MUD P	2618	BALD MTN TWP T4R3	E	12								3	INAC	UNDEV	
MUD P	2648	HOLEB TWP	E	17								3	AC	UNDEV	
MUD P	2696	ATTEAN TWP	E	90			S-					2	AC	UNDEV	
MUD P	2884	T06 R12 WELS	E	1357								3	INAC	UNDEV	
MUD P	2908	T04 R12 WELS	E	392		S				S		2	INAC	UNDEV	
MUD P	2968	T09 R15 WELS	G	173								3	INAC	UNDEV	
MUD P	3092	DREW PLT	F	250		O						1B	AC	UNDEV	
MUD P	3334	COBURN GORE	D	25								3	AC	UNDEV	
MUD P	3538	RANGELEY PLT	D	15								3	INAC	UNDEV	
MUD P	4056	MOXIE GORE	D	18								3	INAC	UNDEV	
MUD P	4084	CHASE STREAM TWP	D	20								3	INAC	UNDEV	
MUD P	5068	BEATTIE TWP	E	12								3	INAC	UNDEV	
MUD P	9917	JIM POND TWP	D	14	S							2	AC	DEV	3
MUD P (LITTLE)	0738	T04 R12 WELS	E	43								3	AC	UNDEV	
MUD P (LITTLE)	2180	T06 R08 WELS	F	15								3	INAC	UNDEV	
MULE BROOK DEADWATER	9796	T10 R10 WELS	G	23	+							3	AC	UNDEV	
MULE P	2422	RUSSELL POND TWP	E	14			S					2	INAC	UNDEV	
MUNSON L	1350	BERRY TWP	C	40								3	INAC	UNDEV	
MUNSUNGAN L	4180	T08 R10 WELS	G	1415	O		O	S		O		1A	AC	UNDEV	2
MURPHY P	0486	TA R11 WELS	E	12								3	INAC	UNDEV	6
MURPHY P (BIG)	0638	RAINBOW TWP	E	15	S							2	INAC	UNDEV	6
MUSCALSEA P (BIG)	4036	RUSSELL POND TWP	E	14	m		S					2	INAC	UNDEV	6
MUSCALSEA P (LITTLE)	4034	RUSSELL POND TWP	E	11	m							3	INAC	UNDEV	6
MUSKRAT P	2532	THORNDIKE TWP	E	100								3	AC	UNDEV	
MUSQUACOOK L (1ST)	1914	T11 R11 WELS	G	698	S					S		2	AC	UNDEV	
MUSQUACOOK L (2ND)	1916	T11 R11 WELS	G	813	S					S		2	AC	UNDEV	
MUSQUACOOK L (3RD)	1918	T11 R11 WELS	G	397	S					S		2	AC	UNDEV	
MUSQUACOOK L (4TH)	1920	T10 R11 WELS	G	749	S	S	S			S		1B	AC	UNDEV	
MUSQUACOOK L (5TH)	1946	T10 R11 WELS	G	358		O	S			S		1B	AC	UNDEV	
MUSQUASH L (LITTLE)	1128	T37 MD BPP	C	26	m							3	AC	UNDEV	
MUSQUASH L (WEST)	1096	T06 R01 NBPP	C	1613	O		O	S		S		1A	AC	UNDEV	2
MUSQUASH P (FIRST)	0566	T01 R11 WELS	E	53						S		2	AC	UNDEV	
MUSQUASH P (SECOND)	0564	T01 R11 WELS	E	55						S		2	AC	UNDEV	
MUSQUASH P (THIRD)	0570	T01 R11 WELS	E	25								3	AC	UNDEV	
MYRICK P	4416	T10 SD	C	45			S					2	AC	DEV	
NAHMAKANTA L	0698	T01 R11 WELS	E	1024	O		O	O	O	S		1A	AC	UNDEV	2
NARRAGUAGUS L	4414	T16 MD	C	426	S		S	S		S		1B	INAC	DEV	
NARROW P	2976	T08 R14 WELS	E	151	S						O	1B	AC	UNDEV	
NESOURDNEHUNK DWTR	0600	T02 R10 WELS	F	300	O	O					S	1A	AC	UNDEV	
NICATOUS L	4766	T40 MD	F	5165	S	O	O	O		S		1A	AC	DEV	4

ALPHABETICAL LIST OF LAKES SHOWING

WILDLANDS LAKE ASSESSMENT FINDINGS

PRINCIPAL LAKE NAME	LAKE #	TOWN NAME	IF&W REG	SIZE (AC)	RESOURCE RATINGS FSH	WLD	SC	SH	BOT	CLT	PHY	RESOURCE CLASS	LAND USE ACCESS	DEV	MGNT CLASS
NOLLESEMIC L	2128	CEDAR LAKE TWP	F	660								3	AC	UNDEV	
NORTH P	0870	ELLIOTTSVILLE TWP	E	58	S		+					2	INAC	UNDEV	
NORTH P	1768	T08 R03 WELS	G	16	m							3	INAC	DEV	
NORTH P	3284	GRAFTON TWP	D	15								3	INAC	UNDEV	
NORTH P	9781	T14 R09 WELS	G	15	O					S		1B	INAC	UNDEV	1
NORTHWEST P	3342	MASSACHUSETTS GORE	D	45	S							2	INAC	UNDEV	
NORTHWEST P (LITTLE)	3344	MASSACHUSETTS GORE	D	10	S							2	INAC	UNDEV	
NORWAY L	9526	PUKAKON TWP	F	92			S	S				2	AC	UNDEV	
NOTCH P	0786	BOWDOIN COL GR WEST	E	10	S							2	INAC	UNDEV	6
NOTCH P (BIG)	0328	MOOSEHEAD JUNCTION TWP	E	12	S							2	INAC	UNDEV	6
NOTCH P (LITTLE)	0326	MOOSEHEAD JUNCTION TWP	E	10	S							2	INAC	UNDEV	6
NUMBER NINE L	1756	T09 R03 WELS	G	120	S							2	AC	DEV	5
NUMBER THREE P	9635	T03 R01 NBPP	F	666	S		S	S	O			1B	AC	UNDEV	
OAK KNOLL B DEADWTR	2010	CEDAR LAKE TWP	F	15								3	INAC	UNDEV	
ONAWA L	0894	ELLIOTTSVILLE TWP	E	1344	O	O	O	S		S		1A	AC	DEV	3
OQIM P (BIG)	5076	LOWELLTOWN TWP	E	97	S							2	INAC	UNDEV	
ORIE L	1094	T06 R01 NBPP	C	42	S							2	AC	UNDEV	
OTTER BOG	4408	T09 SD	C	13								3	AC	UNDEV	
OTTER L	1694	T03 R04 WELS	F	81								3	INAC	UNDEV	
OTTER P	0114	BOWTOWN TWP	D	77	S							2	AC	UNDEV	
OTTER P	1216	T24 MD BPP	C	12								3	INAC	UNDEV	
OTTER P	2860	SOPER MOUNTAIN TWP	G	40								3	AC	UNDEV	
OTTER P	2872	T08 R14 WELS	E	109								3	AC	UNDEV	
OTTER P	2924	T03 R13 WELS	E	25	S							2	INAC	UNDEV	
OTTER P	3074	T08 R05 WELS	G	64					S			2	AC	UNDEV	
OTTER P	3338	CHAIN OF PONDS TWP	D	30	S							2	AC	UNDEV	
OTTER P	3972	PARMACHENEE TWP	D	14		S						2	AC	UNDEV	
OTTER P	4110	SANDWICH ACAD GRANT	E	12	S							2	INAC	UNDEV	
OTTER P	7142	MAYFIELD TWP	D	25								3	AC	DEV	5
OTTER P	7344	CARRYING PLC TWN TWP	D	12								3	AC	DEV	
OTTER P (NORTH)	0116	BOWTOWN TWP	D	71	S							2	AC	UNDEV	
OXBROOK L (LOWER)	1106	T06 R01 NBPP	C	365	S		S	S				2	AC	DEV	
OXBROOK L (UPPER)	1104	T06 R01 NBPP	C	422	S		S	S				2	AC	UNDEV	
OXHEAD P (LOWER)	4768	T40 MD	F	20								3	AC	UNDEV	
OXHEAD P (MIDDLE)	4770	T40 MD	F	38	S							2	AC	UNDEV	
OXHEAD P (UPPER)	5808	T40 MD	F	87	S							2	AC	UNDEV	
PACKARD STREAM DWTR	9584	LAKE VIEW PLT	F	20								3	INAC	UNDEV	
PALIN P	0256	BRIGHTON PLT	D	10								3	AC	UNDEV	
PALMER P	0266	MAYFIELD TWP	D	40	S							2	AC	UNDEV	
PALMER P (LITTLE)	0268	MAYFIELD TWP	D	22								3	INAC	UNDEV	
PAPOOSE P	0338	MOOSEHEAD JUNCTION TWP	E	3								3	INAC	UNDEV	6
PAPOOSE P (LITTLE)	3268	ALBANY TWP	A	19	m		S					2	AC	DEV	5
PARKER P	5148	T03 R05 BKP WKR	D	80								3	AC	UNDEV	
PARLIN P	2544	PARLIN POND TWP	E	543	S		S	S	S			1B	AC	DEV	
PARMACHENEE L	3966	LYNCHTOWN TWP	D	912	S	S				S-	O	1B	AC	UNDEV	
PARTRIDGE P	2790	T08 R11 WELS	G	30								3	AC	UNDEV	

ALPHABETICAL LIST OF LAKES SHOWING

WILDLANDS LAKE ASSESSMENT FINDINGS

PRINCIPAL LAKE NAME	LAKE #	TOWN NAME	IF&W REG	SIZE (AC)	RESOURCE RATINGS FSH	WLD	SC	SH	BOT	CLT	PHY	RESOURCE CLASS	LAND USE ACCESS	DEV	MGNT CLASS
PARTRIDGE P (LOWER)	2788	T08 R11 WELS	G	12								3	AC	UNDEV	
PARTRIDGE P (UPPER)	2792	T08 R11 WELS	G	12								3	INAC	UNDEV	
PASSAMAGAMET L	0970	T01 R09 WELS	F	461			S	S	O			1B	INAC	UNDEV	1
PATRICK L	1380	MARION TWP	C	275	S							2	AC	UNDEV	
PATTE MILL P	6761	ALBANY TWP	A	26	m							3	AC	UNDEV	
PATTEN P	1330	GRAND LAKE STREAM PLT	C	96								3	INAC	UNDEV	
PEAKED MOUNTAIN P	1254	T19 MD BPP	C	227	S						O	1B	AC	UNDEV	
PEAKED MOUNTAIN P	2208	T04 R07 WELS	F	61	S		S	S				2	INAC	DEV	
PEAKED MOUNTAIN P	5774	T10 R11 WELS	G	13	S							2	AC	UNDEV	
PEARL P # 1	0416	BOWDOIN COL GR WEST	E	10								3	INAC	UNDEV	
PEEP L	9821	T30 MD BPP	C	32	S							2	AC	DEV	5
PELLETIER B L (1ST)	1564	T16 R09 WELS	G	25	S							2	AC	UNDEV	
PELLETIER B L (2ND)	1566	T16 R09 WELS	G	26	S							2	AC	UNDEV	
PELLETIER B L (3RD)	1560	T16 R09 WELS	G	83	O	+						1B	AC	UNDEV	
PELLETIER B L (4TH)	1562	T16 R09 WELS	G	49	O							1B	AC	UNDEV	
PELLETIER B L (5TH)	1504	T15 R09 WELS	G	27	S					+		2	INAC	UNDEV	
PELLETIER B L (6TH)	1502	T15 R09 WELS	G	32	S							2	AC	UNDEV	
PEMADUMCOOK CHAIN L*	0982	T01 R10 WELS	F	18300	S		O	S		O	S	1A	AC	DEV	3
PEMADUMCOOK L*	PPEM	T01 R09 WELS	F	7356	S		O	S		S	S	1A	AC	UNDEV	3
PENMAN P	0113	T26 ED BPP	C	29								3	AC	DEV	5
PENNINGTON P	1612	T15 R06 WELS	G	45	S		S					2	AC	UNDEV	
PENOBSCOT L	0339	DOLE BROOK TWP	E	1019	O		O	S		S	O	1A	AC	UNDEV	2
PENOBSCOT P	0568	T01 R12 WELS	E	279	S		S		O			1B	AC	UNDEV	
PENOBSCOT P (LITTLE)	0560	T01 R11 WELS	E	38						S		2	AC	UNDEV	
PEPPERPOT P	3298	ADAMSTOWN TWP	D	50	m	S						2	AC	UNDEV	
PERCH P	1522	T15 R09 WELS	G	17	S							2	AC	UNDEV	
PETE'S P	1482	T13 R10 WELS	G	20	S							2	INAC	UNDEV	
PICKEREL L	1166	T30 MD BPP	C	23	m							3	AC	UNDEV	
PICKEREL P	4587	T32 MD	F	11								3	AC	UNDEV	
PICKEREL P (LITTLE)	1080	BROOKTON TWP	F	27	S							2	AC	DEV	
PICKEREL P (LITTLE)	4780	T34 MD	C	13	m							3	INAC	UNDEV	
PICKETT MOUNTAIN P	3658	T06 R06 WELS	F	173	S		S					2	AC	UNDEV	
PIERCE P	0086	PIERCE POND TWP	D	1650	O	S	O	S+			+	1A	AC	UNDEV	2
PIKE BROOK P (EAST)	9819	T18 MD BPP	C	12	S							2	AC	UNDEV	
PIKE BROOK P (WEST)	9667	T18 MD BPP	C	32	S							2	AC	UNDEV	
PILLSBURY P	2786	T08 R11 WELS	G	301			S					2	AC	UNDEV	
PILLSBURY P (LITTLE)	2800	T08 R11 WELS	G	45	S							2	AC	UNDEV	
PINE P	2990	T07 R15 WELS	E	16								3	INAC	UNDEV	
PINE P (BIG)	2920	T03 R13 WELS	E	164	S							2	AC	UNDEV	
PINE P (LITTLE)	9716	T03 R13 WELS	E	25								3	INAC	UNDEV	
PINE STREAM FLOWAGE	2906	T04 R13 WELS	E	167		S			O			1B	AC	UNDEV	
PISTOL L (LOWER)	4756	T03 ND	F	979	S	S	S	S				1B	AC	UNDEV	
PISTOL L (MIDDLE)	4750	OQITON TWP	F	112	S							2	AC	UNDEV	
PISTOL L (SIDE)	4752	T03 ND	F	147	S							2	AC	UNDEV	
PISTOL L (UPPER)	4748	OQITON TWP	F	128	S							2	INAC	UNDEV	

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ALPHABETICAL LIST OF LAKES SHOWING

WILDLANDS LAKE ASSESSMENT FINDINGS

PRINCIPAL LAKE NAME	LAKE #	TOWN NAME	IF&W REG	SIZE (AC)	RESOURCE RATINGS FSH	WLD	SC	SH	BOT	CLT	PHY	RESOURCE CLASS	LAND USE ACCESS	DEV	MGNT CLASS
PITMAN P	0598	T02 R10 WELS	F	20								3	INAC	UNDEV	6
PLEASANT & MUD LAKES	3670	T06 R06 WELS	F	498	S		O					1B	AC	UNDEV	
PLEASANT L	1100	T06 R01 NBPP	C	1574	O		O	S	O			1A	AC	UNDEV	2
PLEASANT L	1728	T04 R03 WELS	F	1832	O		S			S		1B	AC	UNDEV	
PLEASANT L (BIG)	2756	T09 R11 WELS	G	979	S	S	O	S		S		1A	AC	UNDEV	
PLEASANT P	0224	THE FORKS PLT	D	1120	S		+	+		S	S	2	AC	DEV	5
PLEASANT P	2160	ORNEVILLE TWP	F	92	S							2	AC	DEV	
PLEASANT P (BIG)	0512	TA R11 WELS	E	195	S							2	AC	UNDEV	
PLEASANT P (LITTLE)	0510	TA R11 WELS	E	30								3	AC	UNDEV	
PLEASANT P (LITTLE)	1943	T10 R11 WELS	G	91	O	S		+				1B	AC	UNDEV	
PLEASANT RIVER L	1210	DEVEREAUX TWP	C	949	S							2	AC	DEV	
PLUNKETT P	3056	SILVER RIDGE TWP	F	435	S							2	AC	UNDEV	
POCKWOCKAMUS DEADWTR	9688	T02 R09 WELS	F	275							S	2	INAC	DEV	
POCKWOCKAMUS P	0245	T02 R09 WELS	F	46			S	S			S	2	AC	UNDEV	
POCUMCUS L	1110	SAKOM TWP	C	2201	O	O				S		1A	AC	UNDEV	3
POLAND P*	2994	T07 R14 WELS	E	490	S	O	O	S			O	1A	AC	UNDEV	
POLAND P (UPPER)*	PPUP	T07 R14 WELS	E	245	S	O	O	S			O	1A	INAC	UNDEV	1
POLLY P	0692	T03 R11 WELS	E	15	m							3	INAC	UNDEV	6
POLLYWOG P	0576	T01 R11 WELS	E	147	S							2	AC	UNDEV	
POND IN THE RIVER	3328	TOWNSHIP C	D	512	O	S	S		O			1A	AC	DEV	4
POOLER P	4106	THE FORKS PLT	D	10								3	AC	UNDEV	
PORK BARREL L	1102	T06 R01 NBPP	C	33								3	INAC	UNDEV	
PORTAGE P (LOWER)	2760	T09 R11 WELS	G	35			S			S		2	AC	UNDEV	
PORTAGE P (UPPER)	2762	T09 R11 WELS	G	96	S					S		2	AC	UNDEV	
PORTER P	4760	T03 ND	F	58	S							2	INAC	UNDEV	6
POSSUM P	1310	T26 ED BPP	C	30	m							3	AC	DEV	
PRATT L	1972	T11 R09 WELS	G	96	S	S						2	AC	UNDEV	
PRENTISS P	0562	T01 R11 WELS	E	12	S							2	AC	UNDEV	
PRESCOTT P	0898	ELLIOTTSVILLE TWP	E	14	m							3	INAC	UNDEV	
PRESCOTT P	4058	MOXIE GORE	D	30		S						2	AC	UNDEV	
PRESLEY L	1870	T12 R17 WELS	G	202							P	3	AC	UNDEV	
PRESLEY L (LITTLE)	1876	T12 R17 WELS	G	32						S	P	2	INAC	UNDEV	
PRESQUE ISLE L	1758	T09 R03 WELS	G	38								3	AC	DEV	5
PRETTY P	1214	T24 MD BPP	C	27								3	AC	DEV	
PRETTY P	2802	T08 R11 WELS	G	45			S					2	INAC	UNDEV	
PRIESTLY L	1906	T10 R13 WELS	G	645	S		O			S	O	1A	AC	UNDEV	
PROCTOR P	3210	ALBANY TWP	A	45	m							3	AC	DEV	5
PRONG P	9791	BEAVER COVE	E	427	S	O	O	S				1A	AC	UNDEV	
PUDDING P	0932	BARNARD TWP	E	12								3	AC	DEV	
PUG (SILVER PUG) L	1308	T26 ED BPP	C	198	S							2	AC	DEV	
PUG L (HOSEA)	1306	T26 ED BPP	C	58	S							2	INAC	UNDEV	
PUG L (LOWER)	4694	LAKEVILLE	F	70	S							2	INAC	UNDEV	
PUG L (UPPER)	4696	LAKEVILLE	F	50	S							2	INAC	UNDEV	
PUGHOLE P	4786	T41 MD	F	70	S			+	O			1B	AC	UNDEV	
PUNCHBOWL P	0294	BLANCHARD TWP	E	40	S		O	S				1B	AC	UNDEV	

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ALPHABETICAL LIST OF LAKES SHOWING

WILDLANDS LAKE ASSESSMENT FINDINGS

PRINCIPAL LAKE NAME	LAKE #	TOWN NAME	IF&W REG	SIZE (AC)	RESOURCE RATINGS FSH	WLD	SC	SH	BOT	CLT	PHY	RESOURCE CLASS	LAND USE ACCESS	DEV	MGNT CLASS
PUSHINEER P	1514	T15 R09 WELS	G	55	O							1B	AC	UNDEV	
QUAKISH L	2116	T03 INDIAN PURCHASE TWP	F	1000	S	O				S	S	1B	AC	UNDEV	
RABBIT P	0366	ELLIOTTSVILLE TWP	E	10								3	INAC	UNDEV	6
RABBIT P	0552	T01 R11 WELS	E	10	m							3	INAC	UNDEV	6
RAGGED L	2936	T02 R13 WELS	E	2712	O		O	S		S		1A	AC	UNDEV	4
RAGGED P	2746	T09 R10 WELS	G	11	S							2	AC	UNDEV	
RAGGED P (LOWER E)	0996	T04 INDIAN PURCHASE TWP	F	30			S				S	2	INAC	UNDEV	
RAGGED P (LOWER W)	0994	T04 INDIAN PURCHASE TWP	F	30			S					2	INAC	UNDEV	
RAGGED P (UPPER E)	0998	T04 INDIAN PURCHASE TWP	F	13							S	2	INAC	UNDEV	
RAGGED P (UPPER W)	0992	T04 INDIAN PURCHASE TWP	F	40			S					2	INAC	UNDEV	
RAINBOW DEADWATERS	9698	RAINBOW TWP	E	58	O							1B	INAC	UNDEV	1/6
RAINBOW L	0614	RAINBOW TWP	E	1664	O		O	O			S	1A	INAC	UNDEV	1
RAINBOW P	4436	T10 SD	C	17								3	INAC	UNDEV	6
RANCOURT P	2632	DENNISTOWN PLT	E	23	S	S						2	INAC	UNDEV	
RANGELEY L	3300	RANGELEY PLT	D	6000	O	S	O	S	S	O	O	1A	AC	DEV	4
RAYS MILL P	0808	T07 R09 NWP	E	10								3	AC	UNDEV	
REDINGTON P	2318	REDINGTON TWP	D	37	S		S					2	AC	DEV	
REED DEADWATER	2848	T08 R10 WELS	G	10	+	S						3	INAC	UNDEV	
REED P	3088	MACWAHOC PLT	F	19								3	AC	UNDEV	
REED P (BIG)	2842	T08 R10 WELS	G	90	O				O			1A	INAC	UNDEV	1
REED P (LITTLE)	2838	T08 R10 WELS	G	25	m+				+			3	INAC	UNDEV	6
RICHARDSON L*	3308	RICHARDSONTOWN TWP	D	7100	O	O	O	O		O	S	1A	AC	DEV	
RICHARDSON L (LOWER)*	RHLW	TOWNSHIP C	D	2900	O	S	S	O		S	S	1A	AC	DEV	3
RICHARDSON L (UPPER)*	RHUP	RICHARDSONTOWN TWP	D	4200	O	O	O	O		O		1A	AC	DEV	
RICHARDSON P (LO E)	3296	ADAMSTOWN TWP	D	54								3	AC	DEV	
RICHARDSON P (UP E)	3294	ADAMSTOWN TWP	D	85	S							2	AC	DEV	
RICHARDSON P (WEST)	3292	ADAMSTOWN TWP	D	423		S	O	S				1B	AC	DEV	
RIPOGENUS P	2910	T04 R12 WELS	E	76	m	S				S		2	INAC	UNDEV	6
RIVER L (LITTLE)	1118	T43 MD BPP	C	75	m+	S	+					2	INAC	UNDEV	
RIVER P	2092	T02 R09 WELS	F	125			S				S	2	AC	UNDEV	
ROACH P (FIRST)	0436	FRENCHTOWN TWP	E	3270	S		S	S	S	S		1B	AC	DEV	3
ROACH P (FOURTH)	0446	SHAWTOWN TWP	E	266	S		O	S				1B	INAC	UNDEV	1/6
ROACH P (SECOND)	0452	T01 R12 WELS	E	970	S		S			S	S	1B	AC	UNDEV	
ROACH P (SEVENTH)	0500	TA R11 WELS	E	33	S							2	INAC	UNDEV	6
ROACH P (SIXTH)	0480	SHAWTOWN TWP	E	48	S							2	INAC	UNDEV	6
ROACH P (THIRD)	0482	SHAWTOWN TWP	E	570	S		O	S				1B	AC	UNDEV	
ROARING BROOK P	0918	T07 R09 NWP	E	55	m							3	INAC	UNDEV	
ROBAR P	2014	T04 R08 WELS	F	12								3	INAC	UNDEV	
ROBAR P (BIG)	2296	T04 R08 WELS	F	7								3	INAC	UNDEV	6
ROBBINS BROOK P	9794	T12 R11 WELS	G	27	O							1B	INAC	DEV	
ROBERTS P	5164	T05 R20 WELS	E	19	m							3	AC	UNDEV	6
ROBINSON P	2436	T04 R17 WELS	E	34								3	INAC	UNDEV	
ROCK P	3340	CHAIN OF PONDS TWP	D	26	S							2	AC	UNDEV	
ROCK P	3542	SANDY RIVER PLT	D	7								3	INAC	UNDEV	
ROCK P	5108	HAYNESTOWN TWP	E	124	O		S+	S				1B	AC	UNDEV	

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ALPHABETICAL LIST OF LAKES SHOWING

WILDLANDS LAKE ASSESSMENT FINDINGS

PRINCIPAL LAKE NAME	LAKE #	TOWN NAME	IF&W REG	SIZE (AC)	RESOURCE RATINGS FSH	WLD	SC	SH	BOT	CLT	PHY	RESOURCE CLASS	LAND USE ACCESS	DEV	MGNT CLASS
ROCKABEMA L	3636	MORO PLT	G	339	S		S	S				2	AC	DEV	3
ROCKY BOG	2008	CEDAR LAKE TWP	F	15								3	INAC	UNDEV	
ROCKY L	1348	BERRY TWP	C	1555	O	S					O	1A	AC	UNDEV	
ROCKY P	0676	T03 R11 WELS	E	16								3	INAC	UNDEV	
ROCKY P	1182	T25 MD BPP	C	32								3	AC	UNDEV	
ROCKY P	2018	T03 R08 WELS	F	16	S							2	INAC	UNDEV	
ROCKY P	4476	T22 MD	C	666	m							3	AC	UNDEV	3
ROCKY P (BIG)	0522	TA R11 WELS	E	115	S							2	INAC	UNDEV	
ROCKY P (LITTLE)	0524	TA R11 WELS	E	12	S							2	INAC	UNDEV	6
RODERIQUE P	0317	ROCKWOOD STRIP T02 R01	E	44	S							2	AC	UNDEV	
ROLAND P	0031	DALLAS PLT	D	26								3	INAC	UNDEV	
ROSS L	1888	T10 R15 WELS	G	2892	S			+		S	S	2	AC	UNDEV	
ROUND L	1240	T19 ED BPP	C	352	S	O						1B	AC	DEV	
ROUND MOUNTAIN P	1966	T11 R08 WELS	G	38	S					O		1B	AC	UNDEV	
ROUND MOUNTAIN P	5058	ALDER STREAM TWP	D	73	S+		S					2	AC	UNDEV	
ROUND P	0235	T03 R01 NBPP	F	10								3	AC	UNDEV	
ROUND P	0563	T10 SD	C	205								3	AC	UNDEV	
ROUND P	1470	T13 R12 WELS	G	697	O	O*				S		1A	AC	UNDEV	2
ROUND P	1594	T14 R08 WELS	G	90	S	S						2	AC	UNDEV	3
ROUND P	2670	APPLETON TWP	E	5								3	INAC	UNDEV	6
ROUND P	2914	LOBSTER TWP	E	93								3	AC	UNDEV	
ROUND P	3584	TOWNSHIP E	D	42	O							1B	INAC	DEV	5
ROUND P	4004	T07 R14 WELS	E	375	S		S	S				2	AC	UNDEV	
ROUND P	4076	SQUARETOWN TWP	D	60								3	AC	DEV	
ROUND P	4092	CHASE STREAM TWP	D	30	O							1B	AC	UNDEV	
ROUND P	4100	SAPLING TWP	E	40								3	INAC	UNDEV	
ROUND P	4158	T07 R09 WELS	G	30		+	+				+	3	INAC	UNDEV	
ROUND P	6755	ALBANY TWP	A	14	S							2	INAC	UNDEV	
ROUND P (LITTLE)	2874	EAGLE LAKE TWP	G	58	O	S					O	1A	INAC	UNDEV	1
ROUND P (LITTLE)	4382	T07 SD	C	13								3	INAC	UNDEV	
ROWE L	1964	T11 R08 WELS	G	252	S							2	AC	UNDEV	
ROWE P	0202	PLEASANT RIDGE PLT	D	205	S							2	AC	UNDEV	
ROWE P	4002	T07 R15 WELS	E	250	S		O	S			S	1B	AC	UNDEV	
RUM P	0780	BOWDOIN COL GR WEST	E	245	O							1B	AC	UNDEV	
RUMP P	3112	PARMACHENEE TWP	D	35	S					S-		2	AC	DEV	
RUSH P	3062	HERSEYTOWN TWP	F	243		O					S	1B	AC	UNDEV	
RUSH P	5130	KING & BARTLETT TWP	D	10								3	AC	UNDEV	
RUSSELL P	2424	RUSSELL POND TWP	E	152	S		S	S				2	AC	UNDEV	
RUSSELL P (LOWER)	2852	T09 R14 WELS	G	140								3	INAC	UNDEV	
RUSSELL P (MIDDLE)	2958	T09 R14 WELS	G	24								3	INAC	UNDEV	
RUSSELL P (UPPER)	2960	T09 R14 WELS	G	282	S							2	INAC	UNDEV	
RUSSELL P(1ST SO BR)	2978	T08 R14 WELS	E	40								3	INAC	UNDEV	
RUSSELL P(2ND SO BR)	2988	T08 R14 WELS	E	66								3	INAC	UNDEV	
SABAO L (LOWER)	4784	T35 MD	C	755	O					S		1B	AC	UNDEV	
SABAO L (UPPER)	4522	T41 MD	F	486	S		+	+	O	S	S	1B	AC	UNDEV	
SABBATH DAY P	3578	TOWNSHIP E	D	57	S							2	INAC	DEV	

ALPHABETICAL LIST OF LAKES SHOWING

WILDLANDS LAKE ASSESSMENT FINDINGS

PRINCIPAL LAKE NAME	LAKE #	TOWN NAME	IF&W REG	SIZE (AC)	RESOURCE RATINGS FSH	WLD	SC	SH	BOT	CLT	PHY	RESOURCE CLASS	LAND USE ACCESS	DEV	MGNT CLASS
SADDLE P	4240	T07 R09 WELS	F	64	S		S					2	AC	UNDEV	
SADDLEBACK L	3536	DALLAS PLT	D	358	S							2	AC	DEV	
SADDLEBACK P	3550	SANDY RIVER PLT	D	13	S							2	INAC	UNDEV	6
SADDLEROCK P	9662	TB R11 WELS	F	10							S	2	AC	UNDEV	
SAFFORD P	0006	LEXINGTON TWP	D	40					O			1B	AC	UNDEV	
SAG P	1484	T13 R10 WELS	G	10								3	INAC	UNDEV	
SAINT CROIX L	1774	ST CROIX TWP	G	416	S	S					S	2	AC	DEV	
SAINT FRANCIS L	2398	T08 R16 WELS	G	322							P	3	AC	UNDEV	
SAINT FROID L	1610	WINTERVILLE PLT	G	2400	S			+		S	S	2	AC	DEV	
SALMON P	1158	T30 MD BPP	C	11	S							2	AC	DEV	
SALMON P	2900	T04 R13 WELS	E	107								3	INAC	UNDEV	
SALMON P	4422	T10 SD	C	10	S		+					2	INAC	UNDEV	
SALMON STREAM L	3046	T01 R06 WELS	F	659			S				S	2	INAC	UNDEV	
SALMON STREAM L (LT)	3048	T01 R06 WELS	F	218								3	INAC	UNDEV	
SAM HILL L	1156	DAY BLOCK TWP	C	46								3	AC	UNDEV	
SAMPSON P	0812	T07 R09 NWP	E	30								3	AC	UNDEV	
SANDY RIVER P (MID)	3566	SANDY RIVER PLT	D	70	S							2	AC	DEV	5
SANDY RIVER P(LOWER)	3564	SANDY RIVER PLT	D	17								3	AC	DEV	5
SANDY RIVER P(UPPER)	3568	SANDY RIVER PLT	D	28								3	AC	DEV	5
SAPET P (LITTLE)	5078	LOWELLTOWN TWP	E	22								3	INAC	UNDEV	
SAPONAC P	4722	GRAND FALLS TWP	F	922	S		S	S		S	P-	1B	AC	DEV	3
SAWTELLE DEADWATER	2174	T06 R07 WELS	F	218	S	O	S					1B	AC	UNDEV	
SAWTELLE P	3008	T07 R08 WELS	F	174		O						1B	INAC	UNDEV	1
SAWTELLE P (LITTLE)	5778	T07 R08 WELS	F	10		O						1B	INAC	UNDEV	1
SCHOODIC L	0956	LAKE VIEW PLT	F	7168	S		S			S	S	1B	AC	DEV	3,5
SCHOODIC L	1230	T18 MD BPP	C	389	S				O			1B	AC	UNDEV	
SCOPAN L	1654	SCOPAN TWP	G	5120	S				S	S	P	2	AC	DEV	
SCOTT DEADWATER (LT)	4010	T06 R14 WELS	E	24								3	INAC	UNDEV	
SCOTT P	1762	T08 R03 WELS	G	12		S						2	INAC	UNDEV	
SCOTT P (LITTLE)	4030	T05 R14 WELS	E	47		S						2	AC	UNDEV	
SCRAGGLEY L	9649	T06 R01 NBPP	C	2758	S		S	S		S		1B	AC	UNDEV	
SCRAGGLY L	4264	T07 R08 WELS	F	842	O		O	O	O	S	O	1A	AC	UNDEV	2
SCRIBNER BOG	4072	SQUARETOWN TWP	D	15		S						2	AC	UNDEV	
SCUTAZE STREAM DWTR	9586	LAKE VIEW PLT	F	22	m							3	AC	UNDEV	
SEARS P	9766	DOLE BROOK TWP	E	12								3	AC	UNDEV	
SEBOEIS DEADWATER	2172	T06 R07 WELS	F	60								3	INAC	UNDEV	
SEBOEIS L	0954	T04 R09 NWP	F	4201	S	S	O	S		S	S	1A	AC	UNDEV	
SEBOOMOOK L	4048	PLYMOUTH TWP	E	6448	S	O	S	S	S	S	O	1A	AC	UNDEV	
SECOND L	1134	T37 MD BPP	C	102	S							2	AC	DEV	
SECOND L	1268	BERRY TWP	C	332	S							2	AC	UNDEV	
SECOND L	1374	MARION TWP	C	1650	S	O					O	1A	AC	UNDEV	
SECRET P	0907	ELLIOTTSVILLE TWP	E	12	S							2	INAC	UNDEV	6
SECRET P	3358	SEVEN PONDS TWP	D	10	S							2	INAC	UNDEV	
SELMORE P	4738	OQITON TWP	F	22	S							2	AC	UNDEV	
SEWALL DEADWATER P	2748	T09 R10 WELS	G	14	+	S	+					3	AC	UNDEV	
SHACK P	2912	LOBSTER TWP	E	69	m							3	AC	UNDEV	

ALPHABETICAL LIST OF LAKES SHOWING

WILDLANDS LAKE ASSESSMENT FINDINGS

PRINCIPAL LAKE NAME	LAKE #	TOWN NAME	IF&W REG	SIZE (AC)	RESOURCE RATINGS FSH	WLD	SC	SH	BOT	CLT	PHY	RESOURCE CLASS	LAND USE ACCESS	DEV	MGNT CLASS
SHAD P	2120	T03 INDIAN PURCHASE TWP	F	112								3	AC	UNDEV	
SHADOW P	0331	MOOSEHEAD JUNCTION TWP	E	17	S						S	2	AC	UNDEV	
SHALLOW L	2876	T07 R14 WELS	E	1110	m+	O						1B	AC	UNDEV	
SHALLOW L (LITTLE)	2868	T07 R14 WELS	E	308	m					S	P	2	INAC	UNDEV	
SHALLOW P	5052	JIM POND TWP	D	52		S						2	AC	UNDEV	
SHAW L	7407	T06 R01 NBPP	C	211	S		S					2	INAC	UNDEV	
SHAW P	5152	T03 R04 BKP WKR	D	45								3	AC	DEV	
SHAW P (LOWER)	5154	T03 R04 BKP WKR	D	64		S						2	AC	UNDEV	
SHILLALAH P	4440	T10 SD	C	21	m							3	INAC	UNDEV	
SHIN P (LOWER)	2198	T05 R07 WELS	F	638	S		S			S		2	AC	DEV	5
SHIN P (UPPER)	2202	MOUNT CHASE	F	544	O		S			S		1B	AC	DEV	
SHINY L	7433	MARION TWP	C	32	m							3	INAC	UNDEV	
SHIRLEY BOG (EAST)	9600	MOOSEHEAD JUNCTION TWP	E	70							S	2	AC	UNDEV	
SHIRLEY BOG (WEST)	0350	MOOSEHEAD JUNCTION TWP	E	275	S							2	AC	UNDEV	
SILVER L	0922	KATAHDIN IRN WKS TWP	F	305	S		S	S			S	1B	AC	DEV	3
SILVER L	1656	T15 R05 WELS	G	13	S							2	AC	UNDEV	
SIMON P	1324	CODYVILLE PLT	C	14								3	INAC	UNDEV	
SIMSQUISH L	1316	LAMBERT LAKE TWP	C	115								3	INAC	UNDEV	
SING SING P	0558	T01 R11 WELS	E	50	S							2	INAC	UNDEV	
SKITACOOK L	1730	T04 R03 WELS	F	435								3	AC	UNDEV	
SLAUGHTER P	0690	T03 R11 WELS	E	66	O	+	O	S+		S	+	1B	INAC	UNDEV	1/6
SMITH (WEEKS) P	0254	BRIGHTON PLT	D	160	S							2	AC	UNDEV	
SMITH BROOK P	1770	DUDLEY TWP	G	32								3	INAC	UNDEV	
SMITH BROOK P	4184	T09 R10 WELS	G	12								3	INAC	UNDEV	
SMITH P	0896	ELLIOTTSVILLE TWP	E	10	S							2	INAC	UNDEV	
SMITH P	2012	T03 INDIAN PURCHASE TWP	F	208	S							2	AC	DEV	5
SMITH P	2546	PARLIN POND TWP	E	16	S							2	AC	UNDEV	
SMITH P	2638	FORSYTH TWP	E	15	m						S	2	INAC	UNDEV	
SMITH P	3078	T08 R05 WELS	G	32								3	INAC	UNDEV	
SMITH P (LITTLE)	2112	T01 R08 WELS	F	24								3	INAC	UNDEV	
SNAKE P	2548	JOHNSON MOUNTAIN TWP	E	8								3	INAC	UNDEV	6
SNAKE P	2702	T07 R11 WELS	E	275	S		S	S				2	INAC	UNDEV	
SNOW MOUNTAIN P	5060	ALDER STREAM TWP	D	12	S							2	INAC	DEV	
SNOWSHOE L	3028	T07 R07 WELS	F	638	S		O					1B	AC	UNDEV	
SNOWSHOE P	2804	T08 R11 WELS	G	40								3	INAC	UNDEV	
SOCATEAN P #1	4044	PLYMOUTH TWP	E	42	m							3	INAC	UNDEV	6
SOCATEAN P #2	4046	PLYMOUTH TWP	E	14	m							3	INAC	UNDEV	6
SOLDIER P	2314	SOLDIERTOWN T02 R07 WELS	F	42							S	2	INAC	UNDEV	
SOLDIER P	9783	WALLAGRASS	G	96	S							2	AC	DEV	5
SOLDIER P (LITTLE)	2308	SOLDIERTOWN T02 R07 WELS	F	20			S				S	2	INAC	UNDEV	
SONGO P	3262	ALBANY TWP	A	224	S				S	S		2	AC	DEV	5
SOPER BROOK DWTR	9674	T04 R11 WELS	E	20								3	AC	UNDEV	
SOPER LOGAN	2184	T06 R08 WELS	F	15								3	INAC	UNDEV	
SOPER P	2782	SOPER MOUNTAIN TWP	G	246	S							2	INAC	UNDEV	
SOPER P (UPPER)	2784	T08 R11 WELS	G	76	m							3	AC	UNDEV	
SOULE P	4166	T07 R08 WELS	F	19								3	INAC	UNDEV	

ALPHABETICAL LIST OF LAKES SHOWING

WILDLANDS LAKE ASSESSMENT FINDINGS

PRINCIPAL LAKE NAME	LAKE #	TOWN NAME	IF&W REG	SIZE (AC)	RESOURCE RATINGS FSH	WLD	SC	SH	BOT	CLT	PHY	RESOURCE CLASS	LAND USE ACCESS	DEV	MGNT CLASS
SOURDNAHUNK L	2730	T05 R11 WELS	E	1394	O		S	S				1B	AC	UNDEV	
SOURDNAHUNK L (LIT)	2728	T05 R11 WELS	E	102	O		S					1B	AC	UNDEV	
SOUTH (PINE TREE) P	3560	SANDY RIVER PLT	D	25	S							2	INAC	UNDEV	
SOUTH P	0824	T07 R09 NWP	E	18								3	AC	UNDEV	
SPAULDING P	9764	DOLE BROOK TWP	E	28	S							2	AC	UNDEV	
SPECK P	3288	GRAFTON TWP	D	9								3	INAC	UNDEV	6
SPECTACLE (SPEC) P	4450	OSBORN	C	1754	O							1B	AC	DEV	3
SPECTACLE L (LOWER)	1342	T19 ED BPP	C	26	m							3	INAC	UNDEV	
SPECTACLE L (UPPER)	1344	T19 ED BPP	C	26	m							3	AC	UNDEV	
SPECTACLE P	0282	BLANCHARD TWP	E	60	S							2	INAC	UNDEV	
SPECTACLE P	1580	T10 R08 WELS	G	122	S		S					2	AC	UNDEV	
SPECTACLE P	5122	KING & BARTLETT TWP	D	45	S	S						2	AC	UNDEV	
SPEDNIK L	0121	FOREST CITY TWP	F	17219	S	O	+			S+	+	1B	AC	UNDEV	
SPENCER L	5104	HOBBSTOWN TWP	E	1819	O		O	O	O	O		1A	AC	UNDEV	2
SPENCER P	0404	E MIDDLESEX CANAL GR	E	980	S	O*	O	S				1A	AC	UNDEV	2
SPENCER P	2450	COMSTOCK TWP	E	13								3	AC	UNDEV	
SPENCER P	3586	TOWNSHIP D	D	15	S							2	INAC	DEV	
SPENCER P	4754	T03 ND	F	38								3	AC	UNDEV	
SPENCER P (LITTLE)	2950	E MIDDLESEX CANAL GR	E	75		S			O			1B	AC	UNDEV	
SPIDER L	2758	T09 R11 WELS	G	890	S		O	S		S		1B	AC	UNDEV	
SPRING L	0170	T03 R04 BKP WKR	D	762	S	S				S		2	AC	DEV	
SPRING L	4758	T03 ND	F	435	S		S					2	AC	UNDEV	
SPRING P	2170	T06 R07 WELS	F	17								3	AC	UNDEV	
SPRING P	2832	T07 R10 WELS	G	15	O	+	+					2	INAC	UNDEV	6
SPRING RIVER L	4432	T10 SD	C	704	S		O	O				1A	AC	DEV	4
SPRUANCE P	0508	TA R11 WELS	E	15								3	INAC	UNDEV	
SPRUCE MOUNTAIN P	0466	TB R11 WELS	F	20	S		O				S	1B	INAC	UNDEV	1/6
SPRUCE P	0052	LEXINGTON TWP	D	49	S							2	AC	UNDEV	
SQUARE L	1672	T16 R05 WELS	G	8150	O			+		S	S+	1B	AC	DEV	
SQUIRREL P	1932	T11 R10 WELS	G	51								3	AC	UNDEV	
SQUIRTGUN FLOWAGE	7754	CHASE STREAM TWP	D	30								3	INAC	UNDEV	
ST JOHN L (LITTLE)	5168	T05 R20 WELS	E	90								3	AC	UNDEV	
ST JOHN P (FIFTH)	2414	T05 R17 WELS	E	1208	S					S		2	AC	UNDEV	
ST JOHN P (FOURTH)	2416	T05 R17 WELS	E	198	S							2	AC	UNDEV	
ST JOHN P (SECOND)	2432	T04 R17 WELS	E	105					+			3	INAC	UNDEV	6
ST JOHN P (THIRD)	2438	T04 R17 WELS	E	190	S				+			2	INAC	UNDEV	6
ST JOHN P(LOWER 1ST)	2428	T04 R17 WELS	E	29					+			3	INAC	UNDEV	6
ST JOHN P(UPPER 1ST)	2440	T04 R17 WELS	E	30					+			3	INAC	UNDEV	6
STERLING P	1574	T13 R07 WELS	G	38								3	AC	UNDEV	
STILES L	9659	T35 MD	C	51	m+							2	AC	UNDEV	
STINK P	1518	T15 R09 WELS	G	16	S							2	INAC	UNDEV	
STINK P & SNAKE BOG	2818	T07 R11 WELS	E	35								3	AC	UNDEV	
STONY BROOK P	0138	LOWER ENCHANTED TWP	D	15								3	AC	UNDEV	
STRATTON BROOK P	2317	WYMAN TWP	D	26		O	O					1A	AC	UNDEV	
STRATTON P	0618	RAINBOW TWP	E	15	S							2	INAC	UNDEV	6
STURTEVANT P	3104	MAGALLOWAY PLT	D	518	S		O	S				1B	AC	DEV	

ALPHABETICAL LIST OF LAKES SHOWING

WILDLANDS LAKE ASSESSMENT FINDINGS

PRINCIPAL LAKE NAME	LAKE #	TOWN NAME	IF&W REG	SIZE (AC)	RESOURCE RATINGS FSH	WLD	SC	SH	BOT	CLT	PHY	RESOURCE CLASS	LAND USE ACCESS	DEV	MGNT CLASS
SUCKER BROOK P	0924	KATAHDIN IRN WKS TWP	F	22								3	AC	UNDEV	
SUGAR BERTH P	2634	DENNISTOWN PLT	E	23	S	S						2	AC	UNDEV	
SUMMIT P	2434	T04 R17 WELS	E	52								3	AC	UNDEV	
SUNDAY P	3316	MAGALLOWAY PLT	D	30	S	S						2	INAC	UNDEV	6
SUNDAY P	7674	LYNCHTOWN TWP	D	30								3	AC	UNDEV	
SUNKEN & ROCKY LAKES	1368	MARION TWP	C	1126		S					O	1B	AC	UNDEV	
SUNKEN P	3267	ALBANY TWP	A	26								3	INAC	UNDEV	
SUNSET P	0892	ELLIOTTSVILLE TWP	E	10	m							3	INAC	UNDEV	
SWEENEY BOG	9776	T06 R17 WELS	E	40								3	AC	UNDEV	
SWIFT RIVER P	3576	TOWNSHIP E	D	10	S							2	INAC	UNDEV	
SWIFT RIVER P (LIT)	3572	TOWNSHIP E	D	15	O							1B	INAC	UNDEV	1/6
SYSLADOBSIS L (LO)	4730	SAKOM TWP	F	5376	S		S	S+	O	S		1A	AC	DEV	4
SYSLADOBSIS L (UP)	4688	LAKEVILLE	F	1142	S		S	S		S		1B	AC	DEV	
TACK P	2134	CEDAR LAKE TWP	F	10								3	INAC	UNDEV	
TARBOX P	4008	T06 R14 WELS	E	54								3	AC	UNDEV	
TEA P	2350	JIM POND TWP	D	90	S	S					O	1B	AC	DEV	
TELOS L & ROUND P	2710	T06 R11 WELS	E	2276	O	S	O	S		S		1A	AC	UNDEV	2
TEN THOUSAND ACRE P	4088	CHASE STREAM TWP	E	37	S							2	INAC	UNDEV	
TEN-FORTY P	9704	T02 R12 WELS	E	25	S							2	INAC	UNDEV	
TENMILE L	1058	FORKSTOWN TWP	F	45								3	INAC	UNDEV	
THANKSGIVING P	0288	BLANCHARD TWP	E	17	S							2	AC	DEV	
THE HORNS POND	8601	WYMAN TWP	D	10	S		O	O				1A	INAC	UNDEV	1
THIRD L	1132	T37 MD BPP	C	141	S							2	AC	UNDEV	
THIRD L	2704	T07 R10 WELS	F	474	S	+	S+	S			+	2	INAC	UNDEV	
THIRD L	8220	T28 MD	C	12								3	AC	DEV	
THISSELL P	2726	T05 R11 WELS	E	141	S		S					2	AC	UNDEV	
THOMPSON DEADWATER	1060	REED PLT	F	50								3	AC	UNDEV	
TILDEN P	4418	T10 SD	C	36	S		+					2	INAC	UNDEV	6
TIM P	2362	TIM POND TWP	D	320	O		O			+		1A	AC	UNDEV	2
TITCOMB P	4582	T32 MD	F	38	S							2	INAC	DEV	
TOBEY P	4078	JOHNSON MOUNTAIN TWP	E	20	O							1B	AC	UNDEV	
TOBEY P #1	2674	T05 R07 BKP WKR	E	35	m		O	S				1B	INAC	UNDEV	1/6
TOBEY P #2	2676	T05 R07 BKP WKR	E	32	m		S					2	INAC	UNDEV	6
TOBEY P #3	2678	T05 R07 BKP WKR	E	14	m		S	S				2	INAC	UNDEV	6
TOBY P	5102	HOBBSTOWN TWP	D	28	S							2	INAC	UNDEV	
TOGUE P	1530	T15 R09 WELS	G	388	O		S	+				1B	AC	UNDEV	
TOGUE P (LOWER)	2084	T02 R09 WELS	F	384	S		O	S			O	1A	AC	DEV	4
TOGUE P (UPPER)	2104	T02 R09 WELS	F	294	S		O	S			O	1A	AC	DEV	4
TOM YOUNG P	2952	E MIDDLESEX CANAL GR	E	25		S					S	2	AC	UNDEV	
TOMAH L	0135	FOREST TWP	F	56	S							2	INAC	UNDEV	
TOMAH L (LITTLE)	1320	CODYVILLE PLT	C	147			S					2	AC	UNDEV	
TOMHEGAN P	4038	W MIDDLESEX CANAL GR	E	356	S							2	AC	UNDEV	
TOTE ROAD P	0425	MORO PLT	G	25	S							2	AC	UNDEV	
TRICKEY P	2514	ALDER BROOK TWP	E	23	S							2	AC	UNDEV	
TROUT L	1098	KOSSUTH TWP	F	5								3	INAC	UNDEV	6
TROUT L	1250	DAY BLOCK TWP	C	21								3	AC	UNDEV	

ALPHABETICAL LIST OF LAKES SHOWING

WILDLANDS LAKE ASSESSMENT FINDINGS

PRINCIPAL LAKE NAME	LAKE #	TOWN NAME	IF&W REG	SIZE (AC)	RESOURCE RATINGS FSH	WLD	SC	SH	BOT	CLT	PHY	RESOURCE CLASS	LAND USE ACCESS	DEV	MGNT CLASS
TROUT P	0322	MOOSEHEAD JUNCTION TWP	E	33	S							2	AC	DEV	
TROUT P	0448	SHAWTOWN TWP	E	145	S							2	AC	UNDEV	
TROUT P	0792	BOWDOIN COL GR WEST	E	20	S							2	INAC	UNDEV	6
TROUT P	2316	SOLDIERTOWN T02 R07 WELS	F	19	S		S				S	2	AC	UNDEV	
TROUT P	3260	MASON TWP	A	17	m		S		O			1B	INAC	UNDEV	1/6
TROUT P	4724	GRAND FALLS TWP	F	15	S							2	INAC	UNDEV	
TROUT P	5082	LOWELLTOWN TWP	E	55	m+							3	INAC	UNDEV	6
TRUESDALE P	2452	COMSTOCK TWP	E	46								3	AC	UNDEV	
TRUEWORTHY P	4762	T03 ND	F	10								3	INAC	UNDEV	
TUMBLEDOWN DICK P	0548	T01 R11 WELS	E	24	m							3	INAC	UNDEV	6
TUMBLEDOWN P	3512	TOWNSHIP 6 N OF WELD	D	9								3	INAC	UNDEV	6
TUNK L	4434	T10 SD	C	2010	O	O	O	O		S	S	1A	AC	DEV	4
TURNER P	2402	T07 R16 WELS	E	104	S						P	2	AC	UNDEV	
TURNER P (BIG)	2642	FORSYTH TWP	E	111	O		+				S	1B	AC	UNDEV	
TURNER P (LITTLE)	2640	FORSYTH TWP	E	77	S							2	AC	UNDEV	
TURTLE P	0952	LAKE VIEW PLT	F	81	O							1B	INAC	UNDEV	1/6
TWIN (TROUT) PONDS	2102	T02 R09 WELS	F	60	O		O	S				1A	INAC	UNDEV	1/6
TWIN ISLAND P	5084	LOWELLTOWN TWP	E	84			+					3	AC	UNDEV	
TWIN L (NORTH)*	PNTW	T04 INDIAN PURCHASE TWP	F	3347	S		O	S		S	S	1A	AC	DEV	3
TWIN L (SOUTH)*	PSTW	T04 INDIAN PURCHASE TWP	F	3406	S		O	S		S		1B	AC	DEV	3,5
TWIN P	1908	T12 R12 WELS	G	15								3	INAC	UNDEV	
TWIN P #1	2210	T04 R07 WELS	F	11								3	INAC	UNDEV	
TWO MILE P	9765	T16 R13 WELS	G	12	m							3	INAC	UNDEV	6
UGH L	1884	T12 R14 WELS	G	79	S							2	AC	UNDEV	
UMBAGOG L	3102	MAGALLOWAY PLT	D	7850	S	O	+	+		S+	+	1B	AC	UNDEV	
UMBAZOOKSUS L	2890	T06 R13 WELS	E	1590	O	S				S+		1B	AC	UNDEV	
UMCOLCUS L	3080	T07 R05 WELS	G	630	S	S						2	AC	UNDEV	
UMSASKIS L	1896	T11 R13 WELS	G	1222	O	O*				S	S	1A	AC	UNDEV	2
UNKNOWN L (LOWER)	4740	OQITON TWP	F	179	S							2	AC	DEV	
UNKNOWN L (MIDDLE)	4742	OQITON TWP	F	90	S							2	AC	UNDEV	
UNKNOWN L (UPPER)	4744	OQITON TWP	F	58								3	INAC	UNDEV	
UNKNOWN P	5072	GORHAM GORE	E	12								3	INAC	UNDEV	
UNNAMED P	2879	T03 R04 WELS	F	11								3	AC	UNDEV	
UNNAMED P	6946	T03 R05 BKP WKR	D	15		S						2	AC	UNDEV	
UNNAMED P	6948	T03 R05 BKP WKR	D	12		S						2	AC	UNDEV	
UNNAMED P	6950	T03 R05 BKP WKR	D	20		S						2	AC	UNDEV	
UNNAMED P	7016	KING & BARTLETT TWP	D	12								3	AC	UNDEV	
UNNAMED P	7020	T12 R16 WELS	G	12								3	INAC	UNDEV	
UNNAMED P	7023	T11 R17 WELS	G	12								3	INAC	UNDEV	
UNNAMED P	7062	THE FORKS PLT	D	10								3	AC	DEV	5
UNNAMED P	7066	THE FORKS PLT	D	30								3	INAC	UNDEV	
UNNAMED P	7073	T06 R15 WELS	E	8								3	INAC	UNDEV	6
UNNAMED P	7115	COMSTOCK TWP	E	15	m							3	INAC	UNDEV	6
UNNAMED P	7134	MAYFIELD TWP	D	12								3	AC	UNDEV	
UNNAMED P	7314	HIGHLAND PLT	D	12								3	AC	DEV	

* This lake has multiple management classes corresponding to sections of the lake. Refer to the official zoning map for designations.

ALPHABETICAL LIST OF LAKES SHOWING

WILDLANDS LAKE ASSESSMENT FINDINGS

PRINCIPAL LAKE NAME	LAKE #	TOWN NAME	IF&W REG	SIZE (AC)	RESOURCE RATINGS FSH	WLD	SC	SH	BOT	CLT	PHY	RESOURCE CLASS	LAND USE ACCESS	DEV	MGNT CLASS
UNNAMED P	7319	T37 MD BPP	C	12	m							3	AC	UNDEV	
UNNAMED P	7320	LEXINGTON TWP	D	10		S						2	INAC	UNDEV	
UNNAMED P	7335	T30 MD BPP	C	10	m							3	AC	UNDEV	
UNNAMED P	7379	T19 MD BPP	C	10								3	INAC	UNDEV	
UNNAMED P	7389	T18 MD BPP	C	11								3	INAC	UNDEV	
UNNAMED P	7390	SQUARETOWN TWP	D	15								3	AC	UNDEV	
UNNAMED P	7397	FOREST TWP	F	40								3	AC	UNDEV	
UNNAMED P	7403	T08 R04 NBPP	F	30								3	INAC	UNDEV	
UNNAMED P	7421	FOWLER TWP	C	32								3	AC	UNDEV	
UNNAMED P	7462	WEST FORKS PLT	D	15								3	INAC	UNDEV	
UNNAMED P	7485	CODYVILLE PLT	C	10								3	INAC	UNDEV	
UNNAMED P	7498	LOWER ENCHANTED TWP	D	10								3	INAC	UNDEV	
UNNAMED P	7594	C SURPLUS	D	35								3	INAC	UNDEV	
UNNAMED P	7596	TOWNSHIP C	D	20								3	AC	UNDEV	
UNNAMED P	7700	MAGALLOWAY PLT	D	10								3	INAC	UNDEV	
UNNAMED P	7752	CHASE STREAM TWP	D	11								3	AC	UNDEV	
UNNAMED P	7776	APPLETON TWP	E	10								3	INAC	UNDEV	
UNNAMED P	7818	CHASE STREAM TWP	D	10								3	AC	DEV	
UNNAMED P	7862	SEBOOMOOK TWP	E	22								3	INAC	UNDEV	
UNNAMED P	7864	SEBOOMOOK TWP	E	10								3	INAC	UNDEV	
UNNAMED P	7996	T07 R15 WELS	E	10								3	AC	UNDEV	
UNNAMED P	8038	T01 R09 WELS	F	10								3	INAC	UNDEV	
UNNAMED P	8062	T01 R10 WELS	F	10								3	INAC	UNDEV	
UNNAMED P	8120	T02 R09 WELS	F	20								3	AC	UNDEV	
UNNAMED P	8180	T02 R09 WELS	F	10								3	INAC	UNDEV	
UNNAMED P	8251	T41 MD	F	30								3	AC	UNDEV	
UNNAMED P	8289	T28 MD	C	10	m							3	AC	UNDEV	
UNNAMED P	8308	T04 R12 WELS	E	10								3	INAC	UNDEV	
UNNAMED P	8312	T04 R15 WELS	E	10								3	AC	UNDEV	
UNNAMED P	8314	T05 R11 WELS	E	10								3	AC	UNDEV	
UNNAMED P	8343	T10 SD	C	13								3	INAC	UNDEV	
UNNAMED P	8356	DOLE BROOK TWP	E	10								3	INAC	UNDEV	
UNNAMED P	8359	FLETCHER'S LANDING TWP	C	10								3	INAC	UNDEV	
UNNAMED P	8363	FLETCHER'S LANDING TWP	C	13								3	AC	UNDEV	
UNNAMED P	8369	T07 SD	C	37								3	AC	UNDEV	
UNNAMED P	8381	T03 ND	F	10								3	AC	UNDEV	
UNNAMED P	8385	T03 ND	F	19								3	AC	UNDEV	
UNNAMED P	8416	COMSTOCK TWP	E	20	m							3	INAC	UNDEV	6
UNNAMED P	8620	T04 R17 WELS	E	10								3	INAC	UNDEV	
UNNAMED P	8650	T05 R17 WELS	E	10								3	INAC	UNDEV	
UNNAMED P	8735	SALEM TWP	D	40								3	AC	DEV	5
UNNAMED P	8737	RANGELEY PLT	D	10								3	AC	UNDEV	
UNNAMED P	8807	FREEMAN TWP	D	10								3	INAC	UNDEV	
UNNAMED P	8874	BRADSTREET TWP	E	10								3	INAC	UNDEV	
UNNAMED P	8886	BRADSTREET TWP	E	15								3	INAC	UNDEV	
UNNAMED P	8888	BRADSTREET TWP	E	10								3	INAC	UNDEV	

ALPHABETICAL LIST OF LAKES SHOWING

WILDLANDS LAKE ASSESSMENT FINDINGS

PRINCIPAL LAKE NAME	LAKE #	TOWN NAME	IF&W REG	SIZE (AC)	RESOURCE RATINGS FSH	WLD	SC	SH	BOT	CLT	PHY	RESOURCE CLASS	LAND USE ACCESS	DEV	MGNT CLASS
UNNAMED P	8890	SOLDIERTOWN T02 R03 NBKP	E	10								3	INAC	UNDEV	
UNNAMED P	8918	FORSYTH TWP	E	10								3	INAC	UNDEV	
UNNAMED P	8934	ATTEAN TWP	E	5								3	INAC	UNDEV	6
UNNAMED P	8942	HOLEB TWP	E	2								3	INAC	UNDEV	6
UNNAMED P	8958	MISERY TWP	E	10								3	INAC	UNDEV	
UNNAMED P	8976	T05 R07 BKP WKR	E	10								3	INAC	UNDEV	
UNNAMED P	8980	T05 R07 BKP WKR	E	10	m							3	INAC	UNDEV	6
UNNAMED P	9005	T05 R08 WELS	F	10								3	AC	UNDEV	
UNNAMED P	9007	T05 R08 WELS	F	18								3	INAC	UNDEV	
UNNAMED P	9013	T05 R07 WELS	F	10								3	INAC	UNDEV	
UNNAMED P	9017	T05 R07 WELS	F	10								3	AC	UNDEV	
UNNAMED P	9019	T05 R07 WELS	F	13								3	INAC	UNDEV	
UNNAMED P	9039	T04 R07 WELS	F	10								3	AC	UNDEV	
UNNAMED P	9061	T04 R08 WELS	F	12								3	INAC	UNDEV	
UNNAMED P	9067	T04 R08 WELS	F	10								3	INAC	UNDEV	
UNNAMED P	9069	T04 R08 WELS	F	10								3	INAC	UNDEV	
UNNAMED P	9071	T04 R08 WELS	F	10								3	INAC	UNDEV	
UNNAMED P	9081	T03 R08 WELS	F	25								3	INAC	UNDEV	
UNNAMED P	9085	T03 R08 WELS	F	10								3	INAC	UNDEV	
UNNAMED P	9097	PRENTISS TWP T07 R03 NBPP	F	10								3	INAC	UNDEV	
UNNAMED P	9099	PRENTISS TWP T07 R03 NBPP	F	20								3	INAC	UNDEV	
UNNAMED P	9102	KATAHDIN IRN WKS TWP	F	10								3	AC	UNDEV	
UNNAMED P	9107	KINGMAN TWP	F	10								3	INAC	UNDEV	
UNNAMED P	9109	DREW PLT	F	20								3	INAC	UNDEV	
UNNAMED P	9111	T03 R04 WELS	F	13								3	AC	UNDEV	
UNNAMED P	9113	T03 R04 WELS	F	11								3	INAC	UNDEV	
UNNAMED P	9130	TB R10 WELS	F	10								3	INAC	UNDEV	
UNNAMED P	9137	TD R02 WELS	G	10		S						2	INAC	UNDEV	
UNNAMED P	9150	TA R11 WELS	E	10								3	AC	UNDEV	
UNNAMED P	9201	BIG TWENTY TWP	G	10								3	AC	UNDEV	
UNNAMED P	9207	T18 R12 WELS	G	13								3	INAC	UNDEV	
UNNAMED P	9220	T02 R08 WELS	F	15								3	INAC	UNDEV	
UNNAMED P	9229	T14 R15 WELS	G	18								3	INAC	UNDEV	
UNNAMED P	9232	T08 R15 WELS	E	10								3	INAC	UNDEV	
UNNAMED P	9245	T13 R15 WELS	G	51								3	INAC	UNDEV	
UNNAMED P	9263	T16 R09 WELS	G	10								3	INAC	UNDEV	
UNNAMED P	9276	GRINDSTONE TWP	F	10								3	INAC	UNDEV	
UNNAMED P	9289	T16 R06 WELS	G	16								3	INAC	UNDEV	
UNNAMED P	9384	E MIDDLESEX CANAL GR	E	10								3	INAC	UNDEV	
UNNAMED P	9434	T15 R12 WELS	G	10								3	INAC	UNDEV	
UNNAMED P	9486	T09 R11 WELS	G	10								3	INAC	UNDEV	
UNNAMED P	9518	T10 R11 WELS	G	15								3	AC	UNDEV	
UNNAMED P	9570	T04 R09 NWP	F	15								3	AC	UNDEV	
UNNAMED P	9588	KINGSBURY PLT	E	15								3	AC	UNDEV	
UNNAMED P	9608	SPENCER BAY TWP	E	20								3	AC	UNDEV	
UNNAMED P	9626	T03 INDIAN PURCHASE TWP	F	25								3	INAC	UNDEV	

ALPHABETICAL LIST OF LAKES SHOWING

WILDLANDS LAKE ASSESSMENT FINDINGS

PRINCIPAL LAKE NAME	LAKE #	TOWN NAME	IF&W REG	SIZE (AC)	RESOURCE RATINGS FSH	WLD	SC	SH	BOT	CLT	PHY	RESOURCE CLASS	LAND USE ACCESS	DEV	MGNT CLASS
UNNAMED P	9628	T03 INDIAN PURCHASE TWP	F	20								3	INAC	UNDEV	
UNNAMED P	9668	T05 R07 BKP WKR	E	12								3	AC	UNDEV	
UNNAMED P	9670	T05 R07 BKP WKR	E	15								3	INAC	UNDEV	
UNNAMED P	9672	SEBOOMOOK TWP	E	20								3	INAC	UNDEV	
UNNAMED P	9676	TA R11 WELS	E	15								3	INAC	UNDEV	
UNNAMED P	9678	T01 R11 WELS	E	25								3	AC	UNDEV	
UNNAMED P	9680	T01 R11 WELS	E	17								3	AC	UNDEV	
UNNAMED P	9684	T01 R12 WELS	E	13								3	INAC	UNDEV	
UNNAMED P	9692	T02 R09 WELS	F	12								3	INAC	UNDEV	
UNNAMED P	9702	T02 R12 WELS	E	31								3	AC	UNDEV	
UNNAMED P	9712	T03 R13 WELS	E	11								3	INAC	UNDEV	
UNNAMED P	9714	T03 R13 WELS	E	10								3	AC	UNDEV	
UNNAMED P	9718	LOBSTER TWP	E	15								3	AC	UNDEV	
UNNAMED P	9720	T04 R12 WELS	E	20		S						2	INAC	UNDEV	
UNNAMED P	9722	T04 R14 WELS	E	15								3	INAC	UNDEV	
UNNAMED P	9726	T06 R13 WELS	E	20								3	AC	UNDEV	
UNNAMED P	9738	DENNISTOWN PLT	E	20								3	INAC	UNDEV	
UNNAMED P	9740	DENNISTOWN PLT	E	20								3	AC	DEV	
UNNAMED P	9742	DENNISTOWN PLT	E	12								3	INAC	UNDEV	
UNNAMED P	9746	ATTEAN TWP	E	12	m							3	INAC	UNDEV	6
UNNAMED P	9748	SEBOEIS PLT	F	19								3	INAC	UNDEV	
UNNAMED P	9754	ALDER BROOK TWP	E	30								3	INAC	UNDEV	
UNNAMED P	9758	PRENTISS TWP T04 R04 NBKP	E	11								3	INAC	UNDEV	
UNNAMED P	9762	DOLE BROOK TWP	E	12								3	INAC	UNDEV	
UNNAMED P	9770	ELM STREAM TWP	E	30								3	INAC	UNDEV	
UNNAMED P	9772	ELM STREAM TWP	E	25								3	INAC	UNDEV	
UNNAMED P	9774	RUSSELL POND TWP	E	12								3	INAC	UNDEV	
UNNAMED P	9778	T08 R19 WELS	G	15								3	INAC	UNDEV	
UNNAMED P	9780	T07 R11 WELS	E	12								3	AC	UNDEV	
UNNAMED P	9784	T07 R09 WELS	F	12								3	INAC	UNDEV	
UNNAMED P	9786	T07 R09 WELS	F	12								3	INAC	UNDEV	
UNNAMED P	9802	T08 R10 WELS	G	15								3	INAC	UNDEV	
UNNAMED P	9808	T09 R14 WELS	G	10								3	AC	UNDEV	
UNNAMED P	9813	SOPER MOUNTAIN TWP	G	10								3	INAC	UNDEV	
UNNAMED P	9890	T07 R08 WELS	F	30								3	AC	UNDEV	
UNNAMED P	9898	T07 R08 WELS	F	25								3	AC	UNDEV	
UNNAMED P	9908	T07 R07 WELS	F	10								3	INAC	UNDEV	
UNNAMED P	9920	T06 R08 WELS	F	11								3	INAC	UNDEV	
UNNAMED P	9950	T06 R07 WELS	F	12								3	AC	UNDEV	
UNNAMED P	9972	T05 R08 WELS	F	10								3	INAC	UNDEV	
UPPER P	1521	T15 R09 WELS	G	17	O							2	AC	UNDEV	
VILES P	5048	JIM POND TWP	D	11								3	INAC	UNDEV	
VINING L	1346	CATHANCE TWP	C	19	S							2	INAC	UNDEV	
WABASSUS L	1116	T43 MD BPP	C	953	S					S		2	AC	UNDEV	
WADLEIGH DEADWATER	9091	T01 R06 WELS	F	58							S	2	AC	UNDEV	
WADLEIGH P	0572	T01 R11 WELS	E	225	S		S	S		S		1B	AC	DEV	

ALPHABETICAL LIST OF LAKES SHOWING

WILDLANDS LAKE ASSESSMENT FINDINGS

PRINCIPAL LAKE NAME	LAKE #	TOWN NAME	IF&W REG	SIZE (AC)	RESOURCE RATINGS FSH	WLD	SC	SH	BOT	CLT	PHY	RESOURCE CLASS	LAND USE ACCESS	DEV	MGNT CLASS
WADLEIGH P	2011	T04 INDIAN PURCHASE TWP	F	97								3	AC	UNDEV	
WADLEIGH P	2972	T08 R15 WELS	E	157	O						O	1A	AC	UNDEV	
WADLEIGH P (LITTLE)	2974	T08 R15 WELS	E	15	m+		+				O	1B	INAC	UNDEV	1/6
WALLAGRASS (1ST&2ND)	1628	ST JOHN PLT	G	281	S		S					2	AC	DEV	
WALLAGRASS L (THIRD)	1552	ST JOHN PLT	G	45	S							2	AC	DEV	
WEBSTER L	2718	T06 R11 WELS	E	531	S	O						1B	AC	UNDEV	
WEBSTER P	4678	WEBSTER PLT	F	40	S				O			1B	AC	UNDEV	
WEEKS P	1968	T11 R08 WELS	G	13	S							2	AC	UNDEV	
WEIR P	4684	T03 R01 NBPP	F	45	S							2	AC	UNDEV	
WELMAN P (LOWER)	9760	PRENTISS TWP T04 R04 NBKP	E	20	S							2	INAC	UNDEV	
WELMAN P (UPPER)	2482	PRENTISS TWP T04 R04 NBKP	E	45	S							2	INAC	UNDEV	6
WEST L	0503	T03 ND	F	1344	O					S		1B	AC	DEV	
WEST L	1760	T09 R03 WELS	G	22	S							2	AC	UNDEV	
WHEELOCK L	1614	ST JOHN PLT	G	160	S				O			1B	AC	UNDEV	
WHETSTONE P	0296	KINGSBURY PLT	E	256	S						S	2	AC	DEV	5
WHIPPLE P	5094	T05 R07 BKP WKR	E	112			S					2	AC	UNDEV	
WHITE CAP P	3960	SEVEN PONDS TWP	D	15								3	INAC	UNDEV	
WHITE P	1462	T13 R15 WELS	G	17								3	INAC	UNDEV	
WHITE HORSE L	2162	T07 R07 WELS	F	218	S						O	1B	AC	UNDEV	
WILLIAMS P	0734	T04 R11 WELS	E	10	S							2	AC	UNDEV	
WILLIAMS P	4486	T28 MD	C	19								3	AC	DEV	
WILSON HILL P	4064	WEST FORKS PLT	D	18								3	INAC	UNDEV	
WILSON HILL P (LT)	0162	JOHNSON MOUNTAIN TWP	E	20								3	INAC	UNDEV	
WILSON P (LITTLE)	0900	ELLIOTTSVILLE TWP	E	30	m							3	AC	UNDEV	
WILSON P (UPPER)	0410	BOWDOIN COL GR WEST	E	940	O	S	O	S			S	1A	AC	DEV	4
WING P	2319	SKINNER TWP	E	10								3	INAC	UNDEV	6
WITHEE P	0188	MAYFIELD TWP	D	37								3	INAC	UNDEV	
WITHEY BOG	4028	T05 R15 WELS	E	15								3	INAC	UNDEV	
WOOD P (BIG)	2698	ATTEAN TWP	E	2150	S	S	S			S-	O	1A	AC	DEV	
WOOD P (LITTLE BIG)	2630	DENNISTOWN PLT	E	713	S	S	S	S			O	1A	AC	UNDEV	
WOODMAN P	0622	RAINBOW TWP	E	6								3	INAC	UNDEV	6
WOODMAN P	2812	T07 R12 WELS	E	51								3	AC	UNDEV	
WOUNDED DEER P	2484	PRENTISS TWP T04 R04 NBKP	E	12								3	INAC	UNDEV	6
WYMAN L	7122	PLEASANT RIDGE PLT	D	3146	S							2	AC	UNDEV	
WYMAN P	0248	BRIGHTON PLT	D	218	S							2	INAC	UNDEV	
WYTOPITLOCK L	1702	GLENWOOD PLT	F	1152	S	O						1B	AC	DEV	
YANKEETULADI P	9203	T19 R11 WELS	G	10					O			1B	AC	UNDEV	
YOKE PONDS	0504	TA R11 WELS	E	134	S							2	AC	DEV	
YORK P	3286	GRAFTON TWP	D	15								3	AC	UNDEV	

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

LAKE NAME	LAKE #	COUNTY	PRINCIPAL TOWN NAME	SIZE (ACRES)
ALLAGASH L	9787	PISCATQUIS	T08 R14 WELS	4,260
ALLIGATOR L	4498	HANCOCK	T34 MD	1,159
ALLIGATOR P	0502	PISCATAQUIS	TA R11 WELS	47
ATTEAN P	2682	SOMERSET	ATTEAN TWP	2,745
AZISCOHOS P	3106	OXFORD	MAGALLOWAY PLT	12
BAKER P	0422	PISCATAQUIS	BOWDOIN COL GR WEST	10
BALD MOUNTAIN P	0314	SOMERSET	BALD MTN TWP T2R3	1,152
BAY P (WEST)	4396	HANCOCK	T07 SD	249
BEAN P	0656	PISCATAQUIS	T02 R12 WELS	16
BEAN P (LOWER)	0646	PISCATAQUIS	RAINBOW TWP	37
BEAN P (MIDDLE)	0648	PISCATAQUIS	RAINBOW TWP	10
BEAN P (UPPER)	0650	PISCATAQUIS	RAINBOW TWP	25
BEAR P	0636	PISCATAQUIS	RAINBOW TWP	30
BEAR P	4018	PISCATAQUIS	T06 R15 WELS	138
BEATTIE P	5066	FRANKLIN	BEATTIE TWP	27
BEAVER P	3310	OXFORD	MAGALLOWAY PLT	179
BEAVER P	0670	PISCATAQUIS	T03 R11 WELS	15
BEAVER P	0484	PISCATAQUIS	SHAWTOWN TWP	27
BEAVER P (BIG)	0610	PISCATAQUIS	RAINBOW TWP	45
BEAVER P (LITTLE)	9700	PISCATAQUIS	RAINBOW TWP	8
BEAVER P (LITTLE)	0612	PISCATAQUIS	T03 R11 WELS	10
BENJAMIN P	2684	SOMERSET	ATTEAN TWP	121
BENSON P (BIG)	0864	PISCATAQUIS	T07 R09 NWP	320
BIRCH RIDGE P #1	0514	PISCATAQUIS	TA R11 WELS	11
BLACK L	1506	AROOSTOOK	T15 R09 WELS	147
BLACK P (LITTLE NO)	1508	AROOSTOOK	T15 R09 WELS	6
BLACK P (LITTLE SO)	1510	AROOSTOOK	T15 R09 WELS	7
BLUFF P	0434	PISCATAQUIS	FRENCHTOWN TWP	10
BLUFFER P (UPPER)	2798	PISCATAQUIS	T08 R11 WELS	15
BOARDWAY P (BIG)	0494	PISCATAQUIS	TA R11 WELS	15
BOGUS MEADOW P	4380	HANCOCK	T07 SD	26
BOULDER P	2672	SOMERSET	T05 R07 BKP WKR	30
BOWLIN P (LITTLE)	2194	PENOBSCOT	T05 R07 WELS	34
BRACKETT P	0290	PISCATAQUIS	BLANCHARD PLT	10
BRANCH P (MIDDLE)	0912	PISCATAQUIS	EBEEMEE TWP	34
BRANCH L (SOUTH)	2144	PENOBSCOT	SEBOEIS PLT	2,035
BRAYLEY P	2706	PISCATAQUIS	T07 R10 WELS	6
BUCK P	0644	PISCATAQUIS	RAINBOW TWP	6
CAPE HORN P	2568	SOMERSET	PRENTISS TWP	22
CARIBOU P (BIG)	4142	PISCATAQUIS	T07 R10 WELS	64
CAUCOMGOMOC L	4012	PISCATAQUIS	T06 R14 WELS	5,081
CEDAR P	2654	SOMERSET	HOLEB TWP	5
CEDAR P	0474	PISCATAQUIS	TB R10 WELS	65
CHAIN OF PONDS	5064	FRANKLIN	CHAIN OF PONDS TWP	700
CHAIRBACK P (EAST)	0802	PISCATAQUIS	T07 R09 NWP	46
CHAIRBACK P (WEST)	0796	PISCATAQUIS	T07 R09 NWP	47
CHASE STREAM P	4093	SOMERSET	MISERY TWP	31
CHESUNCOOK L	CHCH	PISCATAQUIS	T03 R12 WELS	18,470
CHESUNCOOK P	0672	PISCATAQUIS	T03 R11 WELS	272
CHURCHILL L	2856	PISCATAQUIS	T09 R12 WELS	3,720

LAKE NAME	LAKE #	COUNTY	PRINCIPAL TOWN NAME	SIZE (ACRES)
CLAYTON P	2406	SOMERSET	T06 R17 WELS	75
CLEAR L	1938	PISCATAQUIS	T10 R11 WELS	614
CLEAR P	5074	FRANKLIN	LOWELLTOWN TWP	21
CLEARWATER P	2692	SOMERSET	ATTEAN TWP	34
CLEARWATER P	2476	SOMERSET	PRENTISS TWP	11
CLIFF L	2780	PISCATAQUIS	T09 R12 WELS	563
CLIFFORD L	1304	WASHINGTON	T27 ED BPP	954
CLIFFORD P	0624	PISCATAQUIS	RAINBOW TWP	17
CLISH P	5158	SOMERSET	T05 R20 WELS	21
CRANBERRY P (L, NOTCH)	0784	PISCATAQUIS	BOWDOIN COL GR WEST	7
CROSBY P	3330	FRANKLIN	COBURN GORE	150
CURRIER P (FIRST)	2768	PISCATAQUIS	T09 R11 WELS	20
CURRIER P (SECOND)	2774	PISCATAQUIS	T09 R11 WELS	28
DAISEY P	0594	PISCATAQUIS	T02 R10 WELS	11
DEBOULLIE L	1512	AROOSTOOK	T15 R09 WELS	262
DEBSCONEAG	2076	PISCATAQUIS	T02 R10 WELS	500
DEBSCONEAG L (1ST)	2060	PISCATAQUIS	T02 R10 WELS	320
DEBSCONEAG L (3RD)	0584	PISCATAQUIS	T01 R10 WELS	1,011
DEBSCONEAG P (6TH)	0580	PISCATAQUIS	T01 R11 WELS	31
DINGLEY P (LITTLE)	2462	SOMERSET	T04 R05 NBKP	17
DINGLEY P (UPPER)	2464	SOMERSET	T04 R05 NBKP	20
DIPPER P	4042	SOMERSET	PITTSTON ACAD GRANT	13
DIXON P	9911	SOMERSET	PIERCE POND TWP	17
DONNELL P	4412	HANCOCK	T09 SD	1,120
DOUGHNUT P	0616	PISCATAQUIS	RAINBOW TWP	12
DUBOIS P	2478	SOMERSET	PRENTISS TWP	18
EAGLE L (BIG)	2858	PISCATAQUIS	EAGLE LAKE TWP	8,288
EDDY P	3546	FRANKLIN	SANDY RIVER PLT	9
ENCHANTED P	0150	SOMERSET	UPPER ENCHANTED TWP	330
ENCHANTED P (LITTLE)	0148	SOMERSET	UPPER ENCHANTED TWP	35
FLAGSTAFF L	0038	SOMERSET	DEAD RIVER TWP	20,300
FOGG P	0426	PISCATAQUIS	BOWDOIN COL GR WEST	23
FOLEY P (LITTLE)	2492	SOMERSET	COMSTOCK TWP	35
FOWLER P	0686	PISCATAQUIS	T03 R11 WELS	19
FROST P (LITTLE)	0668	PISCATAQUIS	T03 R12 WELS	35
GARNDER L	1528	AROOSTOOK	T15 R09 WELS	288
GAUNTLET P	0472	PISCATAQUIS	TB R10 WELS	11
GORDON P	0146	SOMERSET	UPPER ENCHANTED TWP	28
GOULD P	0620	PISCATAQUIS	RAINBOW TWP	12
GREAT WORKS P	1386	WASHINGTON	EDMUNDS TWP	50
GREEN MTN P	3666	PENOBSCOT	T06 R06 WELS	10
HAFEY P	1498	AROOSTOOK	T18 R11 WELS	23
HALE P	2508	SOMERSET	ALDER BROOK TWP	40
HALL P	5092	SOMERSET	T05 R07 BKP WKR	42
HALL P	2566	SOMERSET	PRENTISS TWP	19
HARRINGTON P	0702	PISCATAQUIS	T03 R11 WELS	40
HATHORN P	4242	PENOBSCOT	T04 R08 WELS	15
HATHORN P (LITTLE)	2298	PENOBSCOT	T04 R08 WELS	8
HEDGEHOG P	0556	PISCATAQUIS	T01 R11 WELS	5
HELEN P	0094	SOMERSET	PIERCE POND TWP	15
HIGH P	0092	SOMERSET	PIERCE POND TWP	7
HOBART BOG	7451	WASHINGTON	EDMUNDS TWP	30
HOLBROOK P	0632	PISCATAQUIS	RAINBOW TWP	224
HORSERACE PONDS	0626	PISCATAQUIS	RAINBOW TWP	50
HORSESHOE P	2686	SOMERSET	ATTEAN TWP	50
HORSESHOE P	9277	AROOSTOOK	T16 R09 WELS	15

LAKE NAME	LAKE #	COUNTY	PRINCIPAL TOWN NAME	SIZE (ACRES)
HOUSTON P (LITTLE)	0920	PISCATAQUIS	KATAHDIN IRON WORKS TWP	27
HUDSON P (UPPER)	1928	AROOSTOOK	T11 R10 WELS	32
HURD P (LITTLE)	0596	PISCATAQUIS	T02 R10 WELS	60
IRELAND P	4168	PENOBSCOT	T07 R08 WELS	30
IRONBOUND P	2510	SOMERSET	ALDER BROOK TWP	40
JACKSON P #2	0704	PISCATAQUIS	T03 R11 WELS	12
JACKSON P #1	0684	PISCATAQUIS	T03 R11 WELS	23
JERRY P	2190	PENOBSCOT	T05 R07 WELS	272
JIM P	5054	FRANKLIN	JIM POND TWP	320
JO-MARY L (LOWER)	0984	PISCATAQUIS	T01 R10 WELS	1,910
JO-MARY L (UPPER)	0243	PISCATAQUIS	TA R10 WELS	1,873
JONES P	0172	FRANKLIN	WYMAN TWP	36
JUNIPER KNEE P	0878	PISCATAQUIS	ELLIOTTSVILLE TWP	32
KATAHDIN L	2016	PENOBSCOT	T03 R08 WELS	717
KELLY P	0654	PISCATAQUIS	T02 R12 WELS	60
KENNEBAGO L (BIG)	2374	FRANKLIN	DAVIS TWP	1,700
LANE BROOK P	3664	PENOBSCOT	T06 R06 WELS	33
LANE P	2490	SOMERSET	COMSTOCK TWP	24
LANG P	2542	SOMERSET	PARLIN POND TWP	30
LANG P (LITTLE)	2543	SOMERSET	PARLIN POND TWP	13
LEDGE P	3554	FRANKLIN	SANDY RIVER PLT	6
LINE P	5162	SOMERSET	T05 R20 WELS	7
LOBSTER L	2948	PISCATAQUIS	LOBSTER TWP	3,475
LOGAN P #2	2082	PISCATAQUIS	T02 R09 WELS	20
LONG BOG	2668	SOMERSET	HOLEB TWP	19
LONG L	1892	AROOSTOOK	T12 R13 WELS	1,203
LONG P	2690	SOMERSET	ATTEAN TWP	37
LONG P (LITTLE)	4424	HANCOCK	T10 SD	55
LOON P	2688	SOMERSET	ATTEAN TWP	37
LOON P	0554	PISCATAQUIS	T01 R11 WELS	5
LOST P	2694	SOMERSET	ATTEAN TWP	5
MACHIAS L (THIRD)	1124	WASHINGTON	T42 MD BPP	2,778
MARBLE P	2186	PENOBSCOT	T05 R08 WELS	75
MARY PETUCHE P	2474	SOMERSET	PRENTISS TWP	10
MATHEWS P	2836	PISCATAQUIS	T08 R10 WELS	19
MCKENNA P	0688	PISCATAQUIS	T03 R11 WELS	53
MCKENNEY P	0154	SOMERSET	UPPER ENCHANTED TWP	9
MESSER P	4244	PENOBSCOT	T05 R08 WELS	27
MIDWAY P	3544	FRANKLIN	SANDY RIVER PLT	7
MILLIMAGASSETT L	3004	PENOBSCOT	T07 R08 WELS	1,410
MINISTER L (LITTLE)	0592	PISCATAQUIS	T02 R10 WELS	4
MINISTER P (BIG)	0590	PISCATAQUIS	T02 R10 WELS	15
MOCCASIN P	1590	AROOSTOOK	T14 R08 WELS	32
MOOSELEUK L	1990	PISCATAQUIS	T10 R09 WELS	422
MOOSELOOKMEGUNTIC L	3302	OXFORD	RICHARDSONTOWN TWP	16,300
MOOSE P (BIG)	0334	PISCATAQUIS	MOOSEHEAD JUNCTION TWP	91
MOOSE P (LITTLE)	0336	PISCATAQUIS	MOOSEHEAD JUNCTION TWP	25
MOUNTAIN CATCHER P	4258	PENOBSCOT	T06 R08 WELS	84
MOUNTAIN P	0432	PISCATAQUIS	BEAVER COVE	56
MOUNTAIN VIEW P	0488	PISCATAQUIS	TA R11 WELS	13
MOXIE P	3585	FRANKLIN	TOWNSHIP D	6
MUD P	2340	FRANKLIN	TOWNSHIP 6 N OF WELD	6
MUNSUNGAN L	4180	PISCATAQUIS	T08 R10 WELS	1,415
MURPHY P	0486	PISCATAQUIS	TA R11 WELS	12
MURPHY P (BIG)	0638	PISCATAQUIS	RAINBOW TWP	15

LAKE NAME	LAKE #	COUNTY	PRINCIPAL TOWN NAME	SIZE (ACRES)
MUSCALSEA P (BIG)	4036	SOMERSET	RUSSELL POND TWP	14
MUSCALSEA P (LITTLE)	4034	SOMERSET	RUSSELL POND TWP	11
MUSQUASH L (WEST)	1096	WASHINGTON	T06 R01 NBPP	1,613
NAHMAKANTA L	0698	PISCATAQUIS	T01 R11 WELS	1,024
NICATOUS L	4766	HANCOCK	T40 MD	5,165
NORTH P	9781	AROOSTOOK	T14 R09 WELS	15
NOTCH P	0786	PISCATAQUIS	BOWDOIN COL GR WEST	10
NOTCH P (BIG)	0328	PISCATAQUIS	MOOSEHEAD JUNCTION TWP	12
NOTCH P (LITTLE)	0326	PISCATAQUIS	MOOSEHEAD JUNCTION TWP	10
PAPOOSE P	0338	PISCATAQUIS	MOOSEHEAD JUNCTION TWP	3
PASSAMAGAMET L	0970	PISCATAQUIS	T01 R09 WELS	461
PENOBSCOT L	0339	SOMERSET	DOLE BROOK TWP	1,019
PIERCE P	0086	SOMERSET	PIERCE POND TWP	1,650
PITMAN P	0598	PISCATAQUIS	T02 R10 WELS	20
PLEASANT L	1100	WASHINGTON	T06 R01 NBPP	1,574
POLAND P (UPPER)	PPUP	PISCATAQUIS	T07 R14 WELS	245
POLLY P	0692	PISCATAQUIS	T03 R11 WELS	15
PORTER P	4760	HANCOCK	T03 ND	58
RABBIT P	0366	PISCATAQUIS	ELLIOTTSVILLE TWP	10
RABBIT P	0552	PISCATAQUIS	T01 R11 WELS	10
RAINBOW DEADWATERS	9698	PISCATAQUIS	RAINBOW TWP	58
RAINBOW L	0614	PISCATAQUIS	RAINBOW TWP	1,664
RAINBOW P	4436	HANCOCK	T10 SD	17
REED P (BIG)	2842	PISCATAQUIS	T08 R10 WELS	90
REED P (LITTLE)	2838	PISCATAQUIS	T08 R10 WELS	25
RIPOGENUS P	2910	PISCATAQUIS	T04 R12 WELS	76
ROACH P (FOURTH)	0446	PISCATAQUIS	SHAWTOWN TWP	266
ROACH P (SEVENTH)	0500	PISCATAQUIS	TA R11 WELS	33
ROACH P (SIXTH)	0480	PISCATAQUIS	SHAWTOWN TWP	48
ROBAR P (BIG)	2296	PENOBSCOT	T04 R08 WELS	7
ROBERTS P	5164	SOMERSET	T05 R20 WELS	19
ROCKY P (LITTLE)	0524	PISCATAQUIS	TA R11 WELS	12
ROUND P	2670	SOMERSET	APPLETON TWP	5
ROUND P	1470	AROOSTOOK	T13 R12 WELS	697
ROUND P (LITTLE)	2874	PISCATAQUIS	EAGLE LAKE TWP	58
SADDLEBACK P	3550	FRANKLIN	SANDY RIVER PLT	13
SAWTELLE P	3008	PENOBSCOT	T07 R08 WELS	174
SAWTELLE P (LITTLE)	5778	PENOBSCOT	T07 R08 WELS	10
SCRAGGLY L	4264	PENOBSCOT	T07 R08 WELS	842
SECRET P	0907	PISCATAQUIS	ELLIOTTSVILLE TWP	12
SLAUGHTER P	0690	PISCATAQUIS	T03 R11 WELS	66
SNAKE P	2548	SOMERSET	JOHNSON MOUNTAIN TWP	8
SOCATEAN P #1	4044	SOMERSET	PLYMOUTH TWP	42
SOCATEAN P #2	4046	SOMERSET	PLYMOUTH TWP	14
SPECK P	3288	OXFORD	GRAFTON TWP	9
SPENCER L	5104	SOMERSET	HOBBSTOWN TWP	1,819
SPENCER P	0404	PISCATAQUIS	E MIDDLESEX CANAL GR	980
SPRING L	0170	SOMERSET	T03 R04 BKP WKR	762
SPRING P	2832	PISCATAQUIS	T07 R10 WELS	15
SPRUCE MOUNTAIN P	0466	PISCATAQUIS	TB R11 WELS	20
ST. JOHN P (SECOND)	2432	SOMERSET	T04 R17 WELS	105
ST. JOHN P (THIRD)	2438	SOMERSET	T04 R17 WELS	190
ST. JOHN P (LOWER 1ST)	2428	SOMERSET	T04 R17 WELS	29
ST. JOHN P (UPPER 1ST)	2440	SOMERSET	T04 R17 WELS	30
STRATTON P	0618	PISCATAQUIS	RAINBOW TWP	15
SUNDAY P	3316	OXFORD	MAGALLOWAY PLT	30

LAKE NAME	LAKE #	COUNTY	PRINCIPAL TOWN NAME	SIZE (ACRES)
SWIFT RIVER P (LITTLE)	3572	FRANKLIN	TOWNSHIP E	15
TELOS L & ROUND P	2710	PISCATAQUIS	T06 R11 WELS	2,276
THE HORNS P	8601	FRANKLIN	WYMAN TWP	10
TILDEN P	4418	HANCOCK	T10 SD	36
TIM P	2362	FRANKLIN	TIM POND TWP	320
TOBEY P #1	2674	SOMERSET	T05 R07 BKP WKR	35
TOBEY P #2	2676	SOMERSET	T05 R07 BKP WKR	32
TOBEY P #3	2678	SOMERSET	T05 R07 BKP WKR	14
TROUT L	1098	WASHINGTON	KOSSUTH TWP	5
TROUT P	5082	FRANKLIN	LOWELLTOWN TWP	55
TROUT P	3260	OXFORD	MASON TWP	17
TROUT P	0792	PISCATAQUIS	BOWDOIN COL GR WEST	20
TUMBLEDOWN DICK P	0548	PISCATAQUIS	T01 R11 WELS	24
TUMBLWDOWN P	3512	FRANKLIN	TOWNSHIP 6 N OF WELD	9
TUNK L	4434	HANCOCK	T10 SD	2,010
TURTLE P	0952	PISCATAQUIS	LAKE VIEW PLT	81
TWIN (TROUT) PONDS	2102	PISCATAQUIS	T02 R09 WELS	60
TWO MILE P	9765	AROOSTOOK	T16 R13 WELS	12
UMSASKIS L	1896	AROOSTOOK	T11 R13 WELS	1,222
UNNAMED P	9746	SOMERSET	ATTEAN TWP	12
UNNAMED P	8980	SOMERSET	T05 R07 BKP WKR	10
UNNAMED P	8942	SOMERSET	HOLEB TWP	2
UNNAMED P	8934	SOMERSET	ATTEAN TWP	5
UNNAMED P	8416	SOMERSET	COMSTOCK TWP	20
UNNAMED P	7073	PISCATAQUIS	T06 R15 WELS	8
UNNAMED P	7115	SOMERSET	COMSTOCK TWP	15
UNNAMED P (FERNALD)	8868	SOMERSET	PARLIN POND TWP	7
UPPER WILSON P	0410	PISCATAQUIS	BOWDOIN COL GR WEST	940
WADLEIGH P (LITTLE)	2974	PISCATAQUIS	T08 R15 WELS	15
WELMAN P (UPPER)	2482	SOMERSET	PRENTISS TWP	45
WING P	2319	FRANKLIN	SKINNER TWP	10
WOODMAN P	0622	PISCATAQUIS	RAINBOW TWP	6
WOUNDED DEER P	2484	SOMERSET	PRENTISS TWP	12

RIVER NAME	COUNTY	TOWN NAMES
KENNEBAGO	FRANKLIN	DAVIS AND STETSONTOWN

APPENDIX E FEMA MAPS FOR THE LUPC JURISDICTION

(FOR PUBLIC INFORMATION ONLY)

Title	Community or Map #	Effective Date
AROOSTOOK COUNTY		
FIRM, Benedicta, Town of, ME, Aroostook County	230420A	09/18/1985
FIRM, Cary Plantation, ME, Aroostook County	230441A	02/01/1985
FIRM, Connor, Township of, ME, Aroostook County	230451A	01/17/1985
FIRM, Cyr Plantation, ME, Aroostook County	230443A	08/19/1985
FIRM, Garfield Plantation, ME, Aroostook County	230444A	08/19/1985
FIRM, Hamlin, Town of, ME, Aroostook County	230445A	08/05/1985
FIRM, Macwahoc Plantation, ME, Aroostook County	230446A	09/18/1985
FIRM, St. John Plantation, ME, Aroostook County	230448A	09/27/1985
FIRM, Silver Ridge, Township of, ME, Aroostook County	230452A	09/04/1985
FIRM, T17 R4 WELS, Township of, ME, Aroostook County (Sinclair Twp)	230453A	10/01/1986
FIRM, T17 R5 WELS, Township of, ME, Aroostook County (Cross Lake Twp)	230454A	05/19/1987
FIRM, Winterville Plantation, ME, Aroostook County	230450A	11/01/1985
FRANKLIN COUNTY		
FIRM, Dallas Plantation, ME, Franklin County	230455	02/23/2000
FIRM, Freeman, Township of, ME, Franklin County	230457A	09/18/1985
FIRM, Madrid, Town of, ME, Franklin County	230350A	08/19/1985
HANCOCK COUNTY		
FIRM, FIS Hancock County, ME (All Jurisdictions)	23009C,	07/20/2016*
Bald Island	Panels 1333D, 1334D, 1341D	
Bar Island	Panel 1139D	
Beach Island	Panel 1114D	
Bear Island	Panels 1327D, 1329D	
Barred Island (FEMA Listed as Big Barred Island)	Panel 1114D	
Big Barred Island	Panel 1331D	
Birch Island	Panels 1117D, 1136D	
Bradbury Island	Panels 1332D, 1351D	
Butter Island	Panels 1331D, 1332D	
Chain Links Islands –North	Panels 1327D, 1331D	
Chain Links Islands – South	Panels 1327D, 1331D	
Channel Rock Island	Panels 1329D, 1333D	
Colt Head Island	Panel 1114D	
Compass Island	Panel 1328D	
Crow Island	Panel 1351D	
Eagle Island	Panels 1332D, 1333D, 1334D	
Eaton Island	Panel 1138D	

Fletchers Landing Twp	Panels	0594D, 0613D, 0614D, 0618D, 0756D, 0757D, 0759D, 0780D, 0781D, 0783D

(See FIRM, FIS, Town of Ellsworth, 230066, for Graham L. BFE)

Fling Island	Panel	1333D
Grass Ledge Island	Panel	1333D
Great Spruce Head Island	Panel	1327D
Green Ledge	Panel	1112D
Hardhead Island	Panel	1332D
Hog Island	Panels	1116D, 1118D
Horsehead Island	Panels	1113D, 1326D
Inner Porcupine Island	Panel	1334D
Little Barred Island	Panels	1327D, 1331D
Little Marshall Island	Panel	1413D, 1526D
Little Spruce Head	Panel	1326D
Marshall Island	Panels	1394D, 1413D, 1507D, 1526D
Outer Porcupine Island	Panel	1334D
Peak Island	Panel	1331D
Pickering Island	Panels	1119D, 1138D
Pond Island	Panels	1112D, 1116D
Pumpkin Island	Panel	1136D
Resolution Island	Panel	1113D
Scott Island	Panel	1136D
Scrag Island	Panel	1327D
Sheep Island	Panel	1138D
Sloop Island	Panels	1329D, 1333D
Sloop Island Ledge	Panel	1329D
Spectacle Island	Panels	1116D, 1117D
Sugarloaf	Panel	1331D
T07 ND Twp	Panels	830D, 840D, 845D, 863D, 1026D, 1030D
T09 SD Twp	Panels	0806D, 0808D
T10 SD Twp	Panel	0830D
T32 MD Twp	Panel	0265D
Two Bush Island	Panel	1117D
Western Island	Panel	1112D

FIRM, Osborn, Township of, ME, Hancock County	23009C	07/20/2016
	Panels 0430D, 0435D, 0437D, 0439D, 0441D, 0442D, 0443D, 0444D, 0475D, 0606D, 0607D, 0630D, 0650D	

KENNEBEC COUNTY

FIRM, FIS, Kennebec County, ME, (All Jurisdictions)	23011C,	06/16/2011
Unity Township	Panels 0064D, 0202D, 0204D, 0210D	

KNOX COUNTY

FIRM, FIS Knox County, ME (All Jurisdictions)	23013C,	07/06/16*
Andrews Island	Panels	0364D, 0368D, 0581D
Bar Island	Panel	0577D
Birch Island	Panels	0364D, 0368D
Brig Ledge	Panel	0809D
Camp Cove Ledge	Panel	0809D
Camp Island	Panel	0368D
Clam Ledges	Panels	0364D, 0577D
Crescent Island	Panel	0368D
Criehaven Twp	Panels	0807D, 0809D, 0828D**, 0836D, 0850D**
Crow Island	Panels	0577D, 0579D
Dix Island	Panels	0364D, 0577D
East Goose Rock	Panel	0211D
Egg Rock	Panel	0210D**
Fisherman Island	Panel	0366D
Flag Island	Panel	0577D
Goose Island	Panel	0212D
Gooseberry Knob	Panel	0368D
Graffam Island	Panels	0576D, 0577D
Great Pond Island	Panel	0368D
Green Ledge	Panel	0809D
Herring Ledge	Panel	0594D
Hewett Island	Panels	0577D, 0581D
High Island	Panels	0364D, 0368D
High Ledge	Panel	0809D
Hog Island	Panels	0776D
Large Green Island	Panels	0592D, 0594D
Lasell Island	Panel	0204D
Little Green Island	Panel	0364D
Little Green Island (2)	Panels	0591D, 0592D
Little Hurricane Island	Panel	0392D
Little Pond Island	Panel	0368D
Little Two Bush Island	Panel	0579D
Malcolm Ledge	Panel	850D**
Marblehead Island	Panel	0366D
Mark Island	Panel	0211D
Matinicus Isle Plt	Panels	0569D, 0579D, 0588D, 0591D, 0592D, 0594D, 0619D, 0638D, 0644D, 0757D, 0776D, 0806D, 807D, 0809D, 0826D**, 0827D, 0828D**, 0831D, 0850D**
Metinic Green Island	Panel	0757D
Metinic Island	Panels	0569D, 588D, 0757D
Mink Island	Panel	0577D
Mouse Island	Panel	0204D

Muscle Ridge Twp.	Panels	0358D, 0362D, 0364D, 0366D, 0368D, 0380D**, 0383D, 0576D, 0577D, 0579D, 0581D
Nettle Island	Panel	0577D
Oak Island	Panel	0364D
Otter Island	Panel	0364D
Pleasant Island	Panel	0577D
Pudding Island	Panel	0809D
Ragged Island	Panel	0809D
Robinson Rock	Panel	0211D
Saddle Island	Panel	0212D
Seal Island	Panels	0644D, 0663D
Shag Ledge	Panel	0809D
Spectacle Island	Panel	0368D
Tenpound Island	Panel	0807D
The Hogshead	Panel	0809D
The Nubble	Panel	0776D
Two Bush Island	Panels	0577D, 0579D
Two Bush Reef	Panel	0577D
Wheaton Island	Panel	0807D
Wheeler Big Rock	Panel	0588D
Wooden Ball Island	Panels	0827D, 0831D
Yellow Ledge	Panel	0577D

LINCOLN COUNTY

FIRM, FIS, Lincoln County, ME (All Jurisdictions)	23015C,		07/16/2015
Bar Island	Panels	0387D, 0389D	
Haddock Island	Panel	0389D	
Hibberts Gore Township	Panels	055D, 060D	
Hungry Island	Panels	0313D, 0382D, 0401D	
Indian Island	Panel	0383D	
Jones Garden Island	Panel	0392D	
Killick Stone Island	Panel	0391D	
Louds Island	Panels	0379D, 0383D, 0387D, 0391D	
Marsh Island	Panel	0391D	
Monhegan Island Plantation	Panels	0514D, 0518D	
Polins Ledges Island	Panel	0391D	
Ross Island	Panel	0393D	
Thief Island	Panel	0391D	
Thrumcap Island	Panel	0391D	
Webber Dry Ledge Island	Panel	0389D	
Western Egg Rock Island	Panel	0393D	
Wreck Island	Panel	0392D	
Wreck Island Ledge	Panel	0392D	

OXFORD COUNTY

FIRM, FIS, Oxford County, ME, (All Jurisdictions)	23017C,		07/07/2009
Milton Township	Panels	0832D, 0833D, 0834D, 0845D, 0851D, 0852D, 0855D, 0856D, 0860D, 0865D	

PENOBSCOT COUNTY

FIRM, Argyle, Township of, ME, Penobscot County *(See FIRM, FIS, Town of Greenbush, 230107, for Penobscot R. BFE)*	230464A	09/18/1985 *09/04/1987*
FIRM, Carroll, Plantation of, ME, Penobscot County	230461A	08/19/1985
FIA, Flood Hazard Boundary Map, Greenfield, Town of, ME, Penobscot County	230388	02/21/1975
FIRM, Kingman, Township of, ME, Penobscot County	230474A	01/17/1985
FIRM, Mount Chase, Plantation of, ME, Penobscot County	230462A	09/18/1985
FIRM, Prentiss, Plantation of, ME, Penobscot County	230463A	08/19/1985

PISCATAQUIS COUNTY

FIRM, Atkinson, Town of, ME, Piscataquis County	230407 Panel 0005B	12/04/1985
FIRM, Orneville, Township of, ME, Piscataquis County	230465A	04/17/1987

SAGADAHOC COUNTY

FIRM, FIS, Sagadahoc County, ME (All Jurisdictions) *Perkins Township*	23023C, Panels 0108F, 0112F, 0114F, 0116F, 0118F	07/16/2015

SOMERSET COUNTY

FIRM, Concord, Township of, ME, Somerset County	230466A	02/01/1985
FIRM, Pleasant Ridge Plantation, ME, Somerset County	230367A	11/01/1985
FIRM, Rockwood Strip, Township of, ME, Somerset County *(T2 R1 NBKP)*	230467A	12/01/1987

WALDO COUNTY

FIRM, FIS, Waldo County, ME (All Jurisdictions) *Lime Island* *Little Bermuda Island*	23027C, Panel 0704E Panel 0704E	07/06/2015

WASHINGTON COUNTY

FIRM, FIS Washington County, ME (All Jurisdictions)	23029C,	07/18/2017*
Baring Plantation	Panels 0714E, 0718E, 0910E, 0920E, 0930E, 0935E, 0940E, 0945E, 0955E	
Brookton Township	Panels 0135E, 0145E, 0155E, 0160E, 0165E, 0170E, 0305E	
Edmunds Township	Panels 1170E, 1186E, 1187E, 1188E, 1189E, 1191E, 1193E, 1194E, 1430E, 1431E, 1432E, 1433E, 1434E, 1441E	
Grand Lake Stream Plantation	Panels 0470E, 0490E, 0495E, 0610E, 0620E, 0630E, 0635E, 0640E, 0645E	
Lambert Lake Township	Panels 0220E, 0240E, 0245E, 0355E, 0360E, 0380E	
Trescott Township	Panels 1194E, 1213E, 1432E, 1433E, 1434E, 1441E, 1442E, 1451E,	

1453E, 1454E, 1464E, 1465E,
1468E, 1684E, 1685E, 1701E,
1702E, 1703E

Notes:	BFE	– Base Flood Elevation	FIRM	–	Flood Insurance Rate Map
	FIA	– Flood Insurance Administration	FIS	–	Flood Insurance Study

* When the current effective date of Chapter 10 is before the effective date of this map, the prior version of the FEMA map, as applicable to these communities, remains in effect until this map becomes effective.

** Indicates that FEMA did not print the map panel, but the community is all in a Special Flood Hazard Area. See the applicable index map, as the base flood elevaton varies. These panels must be included in the list even though they have not been printed.

APPENDIX F EXPEDITED PERMITTING AREA FOR WIND ENERGY DEVELOPMENT

The following areas, not including areas below the high water mark of coastal wetlands, comprise the expedited permitting area for wind energy development to accomplish the purposes of "An Act to Implement Recommendations of the Governor's Task Force on Wind Power Development", P.L. 2007, ch. 661, and "An Act To Improve Regulatory Consistency within the Jurisdiction of the Maine Land Use Planning Commission," P.L. 2015, ch. 265. The Commission may add and remove areas within its jurisdiction to and from the expedited permitting area for wind energy development in accordance with Title 35-A, Section 3453 and Section 3453-A.

1. Entire townships and plantations. The following entire townships and plantations:

Alder Stream Twp., 07801;
Argyle Twp., 19801;
Bald Mountain Twp., T2 R3, 25805;
Baring Plt., 29040;
Barnard Twp., 21030;
Batchelders Grant Twp., 17805;
Benedicta Twp., 03050;
Berry Twp, 29818;
Blake Gore, 25811;
Blanchard Twp., 21040;
Brookton Twp., 29801;
Centerville Twp., 29080;
Chase Stream Twp., 25816;
Chester, 19100;
Connor Twp., 03802;
Cox Patent, 03803;
Cross Lake Twp., 03899;
Cyr Plt., 03140;
Dudley Twp., 03804;
Dyer Twp., 29803;
E Twp., 03160;
East Moxie Twp., 25821;
Fletchers Landing Twp., 09804;
Forkstown Twp., 03805;
Fowler Twp., 29807;
Garfield Plt., 03220;
Glenwood Plt., 03230;
Grand Falls Twp., 19250;
Grindstone Twp., 19802;
Hamlin, 03250;
Hammond, 03260;
Herseytown Twp., 19803;
Hibberts Gore, 15801;
Hopkins Academy Grant Twp., 19804;
Indian Stream Twp., 25828;
Jim Pond Twp., 07811;
Johnson Mountain Twp., 25829;
Kibby Twp., 07812;
Kingman Twp., 19808;
Lake View Plt., 21120;
Macwahoc Plt., 03360;
Madawaska Lake Twp, 03889;
Mattamiscontis Twp., 19810;
Mayfield Twp., 25835;
Milton Twp., 17812;
Misery Twp., 25836;
Moro Plt., 03430;
Mount Chase, 19450;
Nashville Plt., 03440;
North Yarmouth Academy Grant Twp., 03807;
Osborn, 09230;
Oxbow North Twp., 03500;
Parkertown Twp., 17814;
Perkins Twp., 07818;
Perkins Twp. Swan Island, 23801;
Prentiss Twp., T4 R4 NBKP, 25843;
Prentiss Twp., T7 R3 NBPP, 19540;
Reed Plt., 03540;
Saint Croix Twp., 03808;
Saint John Plt., 03570;
Sandy Bay Twp., 25850;
Sandy River Plt., 07170;
Scopan Twp., 03810;
Seboeis Plt., 19550;
Silver Ridge Twp., 03809;
Sinclair Twp., 03898;
Squaretown Twp., 25854;
Summit Twp., 19812;
T1 R5 WELS, 03816;

T1 R6 WELS, 19815;
T10 R3 WELS, 03829;
T10 R6 WELS, 03830;
T10 SD, 09806;
T11 R3 NBPP, 29817;
T11 R4 WELS, 03833;
T13 R5 WELS, 03856;
T14 R5 WELS, 03867;
T14 R6 WELS, 03868;
T15 R5 WELS, 03879;
T15 R6 WELS, 03880;
T16 MD, 09807;
T16 R5 WELS, 03890;
T16 R6 WELS, 03891;
T17 R3 WELS, 03897;
T18 MD BPP, 29819;
T19 ED BPP, 29820;
T19 MD BPP, 29821;
T2 R4 WELS, 03817;
T2 R8 NWP, 19817;
T2 R9 NWP, 19819;
T22 MD, 09808;
T3 Indian Purchase Twp., 19806;
T3 R3 WELS, 03818;
T3 R4 WELS, 03819;
T3 R9 NWP, 19823;
T4 R3 WELS, 03820;
T6 R6 WELS, 19829;
T7 R5 WELS, 03821;
T7 R6 WELS, 19832;
T8 R3 NBPP, 29815;
T8 R3 WELS, 03822;
T8 R4 NBPP, 29816;
T8 R5 WELS, 03823;
T8 R6 WELS, 19835;
T9 R3 WELS, 03824;
T9 R4 WELS, 03825;
T9 R5 WELS, 03826;
T9 SD, 09805;
TA R2 WELS, 03813;
TA R7 WELS, 19814;
TC R2 WELS, 03814;
TD R2 WELS, 03815;
Unity Twp., 11801;
Upper Molunkus Twp., 03811;
Washington Twp., 07827;
Webbertown Twp., 03812;
Webster Plt., 19600;
Williamsburg Twp., 21827;
and Winterville Plt., 03680;

2. Portions of townships and plantations. The following portions of townships and plantations:

that portion of Adamstown Twp., 17801, north of Route 16;
Bald Mountain Twp., T4 R3, 25806, excluding areas of Boundary Bald Mountain above 2,700 feet in elevation;
Chain of Ponds, 07803, an approximately 1,578.4-acre parcel, bounded by the eastern town line at latitude 45.373, longitude -70.625484, proceeding westerly to latitude 45.370087, longitude -70.63231 then to latitude 45.368156, longitude -70.645478 where it intersects the 2,400-foot contour, proceeding along the 2,400-foot contour westerly and then northerly to the intersection of the 2,400-foot contour to the northern town line, following the town line eastward and then southward until reaching the beginning point, latitude 45.373, longitude -70.625484;
the portion of Coplin Plt., 07040, north of Route 16;
the portion of Dallas Plt., 07050, north of Route 16;
the portion of Ebeemee Twp., 21853, east of Route 11;
that portion of Kingsbury Plt., 21110 within the project boundary of the Bingham Wind Project (Maine Department of Environmental Protection Order L-25973-24-A-N and L-25973-TGB-N), specifically: (a) the area identified as Ridgetop Area V and Ridgetop Area VI, as described in documents recorded in the Piscataquis County Registry of Deeds in Book 2373 Page 103 and Page 81, respectively; (b) the area containing the generator lead corridor, consisting of the generator lead easement area, as described in documents recorded in the Piscataquis County Registry of Deeds in Book 2229 Page 162 as affected by Book 2364 Page 284, in Book 2229 Page 182 as affected by Book 2364 Page 292, and in Book 2372 Page 264; and (c) the area in which access roads have or may be constructed as described in documents recorded in the Piscataquis County Registry of Deeds in Book 2229 Page 182 as affected by Book 2364 Page 292, in Book 2229 Page 162 as affected by Book 2373 Page 98, and in Book 2373 Page 213,

but excluding existing land management roads over which access to the project is provided, and maintenance and improvement rights are granted, in the referenced recorded documents;

the portion of Kossuth Twp., 29808, north of Route 6 and a portion south of Route 6, beginning at a point 45.406587° latitude, -67.97342° longitude on the boundary between Carroll Plantation and Kossuth Township approximately 1,500 feet southeast of Route 6 along the township line, and following the town boundary southeast approximately 4,000 feet to 45.39584° latitude, -67.970263° longitude, then proceeding east approximately 7,500' to 45.395571° latitude, -67.940835° longitude, then proceeding north approximately 3,200 feet to 45.404206° latitude, -67.940674° longitude, then proceeding southwest approximately 935 feet to 45.403537° latitude, -67.944191° longitude, then proceeding north approximately 1,000 feet to 45.406328° latitude, -67.944987° longitude, then proceeding east approximately 7,300 feet to the point of beginning, 45.406587° latitude, -67.97342° longitude;

the portion of Lang Twp., 07813, north of Route 16;

the portion of Lincoln Plt., 17160, north of Route 16;

the portion of Long A Twp., 19809, east of Route 11;

the 487.5-acre area above the 2,040-foot elevation around Green Top in Lynchtown Twp., 17810;

the portions of Misery Gore Twp., 25837, north of and administered as part of Misery Twp. and Parlin Pond Twp. pursuant to P & S.L. 1991, ch. 51, §2;

the portion of Molunkus Twp., 03806, beginning at a point on the line between Molunkus (a.k.a. Township A Range 5 WELS) and Macwahoc Plantation being located S 1º 40' 53" E, a tie distance of 208.77 feet from an iron rod located at coordinates N: 16,578,625.02 usft E: 1,819,527.31 usft; Thence S 71º 39' 16" W, a distance of 3,783.03 feet to a point on the easterly sideline of the Benedicta Road, so called; Thence continuing S 71º 39' 16" W, crossing said Benedicta Road a distance of 283.96 feet to a point; Thence S 14º 04' 18" W, a distance of 4,456.43 feet; Thence S 44º 41' 42" W, a distance of 15,391.59 feet; Thence S 47º 01' 09" W, a distance of 1,202.86 feet to an angle point having coordinates N: 16,561,052.23 usft E: 1,802,884.24 usft; Thence S 63º 11' 34" W, a distance of 2,580 feet, more or less, to a point on the southerly line of Molunkus and the southerly line of Aroostook County; Thence S 77º 00' W, more or less, by and along said southerly line of Molunkus, a distance of 840 feet, more or less, to a point located 200.00 feet from, as measured perpendicular to, the last described course; Thence N 63º 11' 34" E, at all times 200.00 feet northwesterly of and parallel to, the southeasterly line of the parcel described herein, a distance of 3365 feet, more or less, to a point having coordinates N: 16,561,217.92 usft E: 1,802,768.68 usft; Thence N 47º 01' 09" E, at all times 200.00 feet northwesterly of and parallel, a distance of 1,170.39 feet to a point; Thence N 44º 41' 42" E, at all times 200.00 feet northwesterly of and parallel to, the southeasterly line of the parcel described herein, a distance of 15332.78 feet to a point; Thence N 14º 04' 18" E, at all times 200.00 feet northwesterly of and parallel to, the southeasterly line of the parcel described herein, a distance of 4,511.59 feet to a point; Thence N 71º 39' 16" E crossing said Benedicta Road, at all times 200.00 feet northwesterly of and parallel to, the southeasterly line of the parcel described herein, a distance of 338.62 feet to an iron rod found on the easterly sideline of said Benedicta Road; Thence continuing N 71º 39' 16" E, a distance of 3,898.14 feet to said iron rod on the line between Molunkus and Macwahoc Plantation; Thence S 1º 40' E, more or less, by and along said line between Molunkus and Macwahoc Plantation, a distance of 209 feet, more or less, to the point of beginning;

the portion of Rockwood Strip T2 R1 NBKP, 25845, south of Little Brassua Lake and Brassua Lake;

the portion of Sandwich Academy Grant Twp., 25849, south of Moose River, Little Brassua Lake and Brassua Lake;

Skinner Twp., 07822, an approximately 193.4-acre parcel that follows the ridge to Kibby Mountain, bounded on the east and west by the 2,820-foot contour, on the south by the town line where it intersects the 2,820-foot contour and on the north by a line drawn from latitude

45.4121, longitude -70.54402 to latitude 45.41587, longitude -70.5349 intersecting the 2,820-foot contour;

the portion of Soldiertown Twp., T2 R7 WELS, 19811, east of the East Branch Penobscot River;

the portion of T1 R8 WELS, 19816, south of Millinocket Lake;

the portion of T1 R9 WELS, 21833, southeast of Ambajejus Lake;

T24 MD BPP, 29822, excluding a one mile buffer around Mopang Stream;

T25 MD BPP, 29823, an approximately 558.5-acre parcel in the Bear Brook and Black Pond area, bounded by a point along the southern town line, latitude 44.805142, longitude -67.741067, and proceeding in a counterclockwise direction through the following points, latitude 44.808871, longitude -67.744217, latitude 44.812645, longitude -67.750877, latitude 44.816887, longitude -67.76346, latitude 44.817639, longitude -67.768806, latitude 44.817596, longitude -67.770188, latitude 44.817259, longitude -67.771089, latitude 44.816282, longitude -67.771687, latitude 44.815068, longitude -67.771704, latitude 44.810286, longitude -67.767988, latitude 44.802482, longitude -67.759738 intersecting the town line, proceeding easterly along the southern town line to beginning point latitude 44.805142, longitude -67.741067;

the portion of T3 R7 WELS, 19821, east of the Seboeis River and East Branch Penobscot River;

the portions of T4 Indian Purchase Twp., 19807, area northeast of North Twin Lake and south of Route 11;

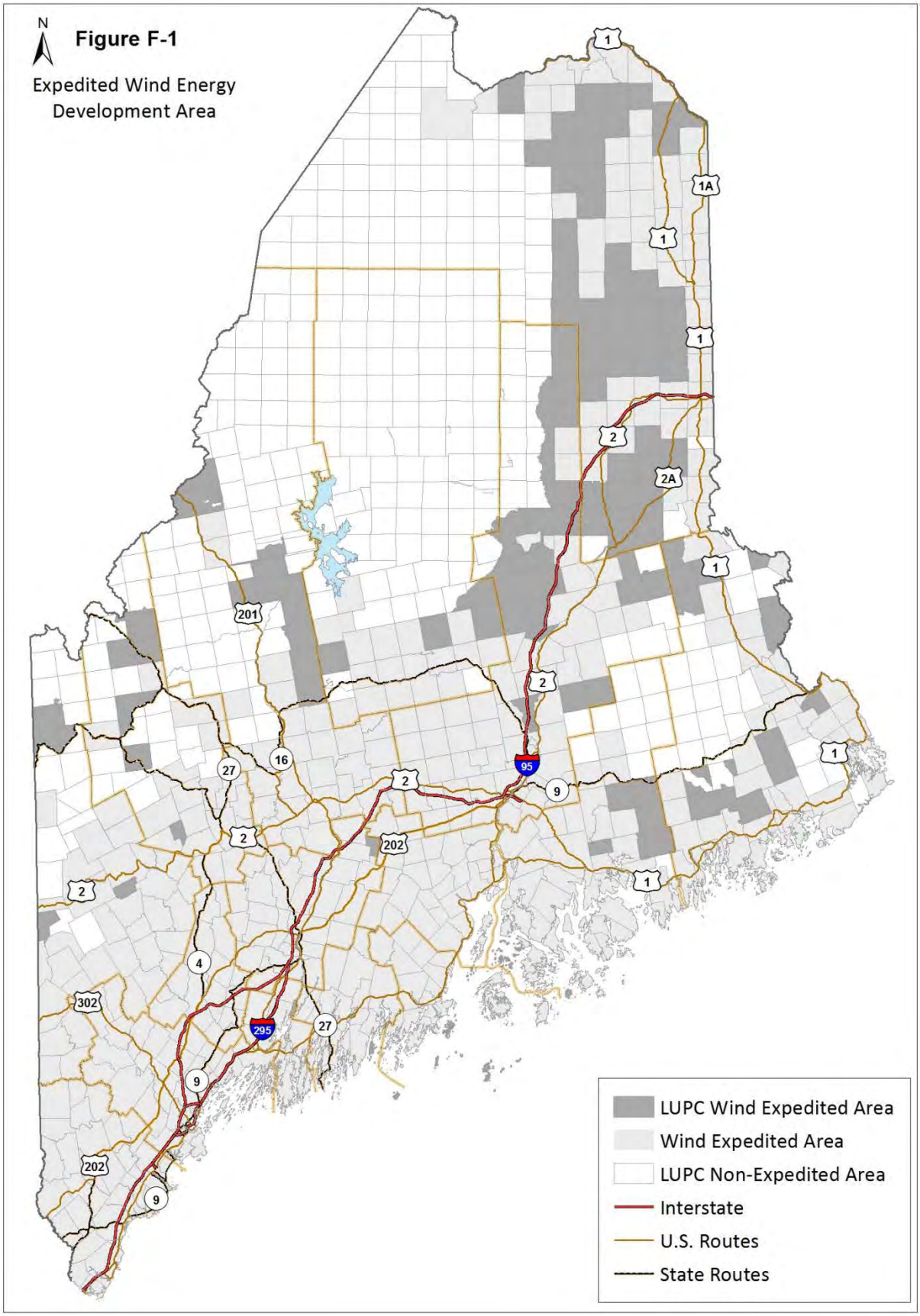
the portion of T4 R7 WELS, 19824, east of the Seboeis River;

the portion of T4 R9 NWP, 21845, east of Route 11;

the portion of T5 R7 WELS, 19827, east of the Seboeis River; and

the portion of T6 R7 WELS, 19830, east of the Seboeis River; and

3. Coastal islands in unorganized and deorganized area. All islands located in waters subject to tidal influence that are within the unorganized and deorganized areas of the State.


N
Figure F-1
Expedited Wind Energy
Development Area
1
1A
1
1
2
2A
1
201
2
1
27
16
2
95
9
2
202
1
2
4
302
295
27
9
202
9
LUPC Wind Expedited Area
Wind Expedited Area
LUPC Non-Expedited Area
Interstate
U.S. Routes
State Routes

APPENDIX G DESIGNATED AREAS OF CULTURAL OR SPECIAL SIGNIFICANCE (DACSS)

1. Designated Area of Cultural or Special Significance (DACSS). Areas of cultural or special significance may be designated by the Commission to facilitate expansion, reconstruction or replacement, or relocation of structures that provide significant public benefits to the surrounding community. A DACSS is intended to include discrete geographic areas with significant cultural or other special features. Once included in a DACSS, a structure may be expanded in accordance with Section 10.11,C,1,c, reconstructed or replaced in accordance with Section 10.11,C,2,f, and relocated in accordance with Section 10.11,C,3, of the Commission's rules. Designation of an area as a DACSS does not preclude expansion, reconstruction or replacement, or relocation of legally existing non-conforming structures in accordance with other applicable provisions of Section 10.11.

a. Designation Criteria. The Commission shall designate an area of cultural or special significance upon finding that a proposed area meets the following criteria:

(1) The proposed area is an iconic location containing features that convey a sense of time or place to residents or visitors;

(2) The proposed area is a geographically definable area or neighborhood composed of a finite group of related features that have a special character, historical interest, or aesthetic value; and

(3) The proposed area provides a significant public benefit, per Section 1,b.

b. Contributing Factors. When evaluating whether an area proposed for designation provides a significant public benefit, as required by Appendix G, Section 1,c the Commission shall consider the factors listed below. The Commission may find an area provides a significant public benefit even if the area does not include features satisfying all of the factors set forth in (1) through (4) below, provided the evidence offered for a particular factor or subset of factors is compelling. In applying these factors, the Commission may consider, among other evidence, documentation such as published books, magazines, academic writings, or newspaper articles; other historic records identifying the value of the feature or area; and visual depictions such as postcards, images or paintings. The Commission also may receive testimony by persons with special knowledge about applicable factors.

(1) Cultural: Buildings, improvements or other features that exemplify or reflect a group of people linked together by shared values, traditional uses, beliefs, and historical associations;

(2) Historic: Represents a distinct historical period, type, style, region, or way of life; is the site of an important historical event, or is associated with historic events that have made a meaningful contribution to the nation, state, or community; or represents a specific business or use, which either once was common but now is rare, or continues to have historical value as it currently operates.

(3) Architectural or Engineering: Exemplifies a particular architectural style or way of life, construction materials or engineering methods used to build features, or

embodies elements of outstanding attention to architectural or engineering design, detail, material, or craftsmanship.

(4) Neighborhood or Geographic Setting: The proposed area is in a unique location, or represents an established and familiar visual feature of the community that draws residents and visitors, or structures or features within the designated area include singular physical characteristics.

c. Procedural Requirements. In accordance with Chapter 4 of the Commission's Rules, Rules of Practice, Section 4.06, any person may petition the Commission for designation of an area as a DACSS. Petitions must be in writing and identify the area proposed for designation, specify the purpose of the proposed designation, and explain how the designation conforms with the criteria set forth in Appendix G, Section1,a. In addition to notification requirements described in Section 4.06(5) upon receiving a petition to designate a proposed area the Commission shall notify: (i) property owners within the area proposed as a DACSS; (ii) the municipality or plantation where the designated area is proposed; (iii) the county if located in an unorganized township; (iv) appropriate state and federal agencies, to be determined by the Commission; and (v) tribal governments. Upon designation of an area as a DACSS, a description of the designated area, its purpose, and the facts substantiating the Commission's finding that the applicant satisfied the criteria in Appendix G, Section 1,a shall be listed in Appendix G, Section 2 of this chapter.

d. Removal of Designation. Upon petition in accordance with Chapter 4 of the Commission's Rules, Rules of Practice, Section 4.06, the Commission may remove a designation of a DACSS when the Commission finds that the DACSS no longer meets the purpose of the DACSS listed in Appendix G, Section 2, of this chapter or no longer provides a significant public benefit based on the factors in Appendix G, Section 1,b,(1) through (4).

2. Designated Areas. The following areas have been designated as a DACSS in accordance with the procedure described in Appendix G, Section 1.

a. Grand Lake Stream Plantation Boathouses and Waterfront. Grand Lake Stream Plantation is a place where fishing, boating, access to water, and a strong connection to the past are key components of its identity and culture and very important to its residents, as well as the large number of visitors that come to the community each year. It is a place to which people from all over the world travel for its culture, its beauty, and importantly, the "old-time feeling" that makes it special.

(1) Designation Purpose. The purpose of listing the Grand Lake Stream shorefront as a designated area is to provide the community an opportunity to sustain the boathouses located on the iconic southern shoreline of West Grand Lake that symbolize key components of its culture, and history, and that convey a tranquil "old-time feeling" for the people that live in and visit the community, and contribute to Grand Lake Stream Plantation's quality of life and sense of place.

(2) Geographic Boundaries. The designated area includes all structures within its boundaries that are legally existing as of the effective date of this rule amendment. The designated area specifically includes the two public boat launches and excludes the man-made dam and any portion thereof, and is composed of the following two sub-areas:

(a) Western sub-area. Extends northerly and westerly from the intersection of the driveway for the public boat launch and centerline of Shaw Road, along the

centerline of Shaw Road, to the point where Shaw Road crosses the inlet into Hatchery Cove; and extends on the lake side of the road, to the extent necessary to include all legally existing structures.

(b) Eastern sub-area. Extends southerly from the end of Canal Street, along the centerline of Canal Street, to the center of the intersection of Canal Street and the driveway leading to the dam; and extends on the lake side of the road, to the extent necessary to include all legally existing structures.

(3) Facts Substantiating Designation of Grand Lake Stream Plantation Boathouses and Waterfront as a Designated Area of Cultural or Special Significance.

(a) The historic boat houses that have existed along the shoreline at the southern end of West Grand Lake since the early 1900's are part of what makes the area described in Appendix G, Section 2,a iconic. For residents and visitors, the boathouses reflect the community, its culture, and their shared value of traditional uses and an "old-time feeling."

(b) The boathouses in Hatchery Cove are representative of the Maine Guiding Tradition and a specific way of life. They originally sheltered steamboats used to transport sportsmen and other visitors to remote lodges located around the lake. They have since been used to store boats for visiting sportsmen, including the famous Grand Laker Canoe, which was designed and built locally for conditions commonly found on the lake. Additionally, the boathouses have been used by property and business owners to supply camps and lodges located around the lake, and by the Maine Forest Service as a base for firefighting operations. Although privately owned and used, the community associates the boathouses with their past. One resident commented that all good stories start with “we were down at the boathouses ….”

(c) The area described in Appendix G, Section 2,a,(1) is a unique geographic location and represents an established and familiar visual feature of the community that draws residents and visitors, and contributes to a high quality of life for residents and economic activity from tourism. Residents talk of children in the area, against the wishes of their parents, jumping from the boathouses into the lake. Fishermen visit the area to check the flow in the river and to launch their boats on the lake. Hikers, ATV riders, paddlers and snowmobilers use the area to access the many nearby recreational trails. Families and school groups come to swim and picnic. The community holds events at the waterfront such as fireworks displays and activities during the annual Grand Lake Stream Folk Arts Festival. Photographers have a single place where they can capture many of the important elements that contribute to the culture and sense of place that locals and visitors experience in the community. Residents describe this area as Grand Lake Stream’s “working waterfront,” and as the “core of the town.”