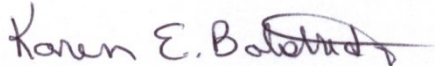


AMENDMENT A TO BUILDING PERMIT BP-8706

Based on the information you have submitted in the attached application and supporting documents, the staff of the Maine Land Use Planning Commission concludes that, if carried out in compliance with the CONDITIONS OF APPROVAL below, your proposal will meet the criteria for approval, 12 M.R.S. § 685-B(4) of the Commission's statutes and the provisions of the Commission's *Land Use Districts and Standards* (Chapter 10; ver. October 01, 2020). Any variation from the application or the CONDITIONS OF APPROVAL is subject to prior Commission review and approval. Any variation undertaken without Commission approval constitutes a violation of Land Use Planning Commission law. In addition, any person aggrieved by this decision of the staff may, within 30 days, request that the Commission review the decision.



LUPC Authorized Signature

February 23, 2021

Effective Date

CONDITIONS OF APPROVAL

1. **At least one week prior to commencing the permitted activities**, the permittee(s) or the designated agent acting on behalf of the permittee(s) must contact the Commission staff and notify them of the estimated date construction work will start. Notice may be provided in writing, in person, by email, or by calling. If you leave or send a message, please include your full name, telephone number, permit number, and the date the work will start.
2. **Prior to commencing the permitted activities**, the permittee(s), or the designated agent acting on behalf of the permittee(s), must provide a copy of the permit, including its attached CONDITIONS OF APPROVAL, to the contractors that will be performing work or will be responsible for work at the site.
3. Construction activities authorized in this permit must be substantially started within 2 years of the effective date of this permit and substantially completed within 5 years of the effective date of this permit. If such construction activities are not started and completed within this time limitation, this permit will lapse and no activities must then occur unless and until a new permit has been granted by the Commission.
4. This permit is dependent upon and limited to the proposal as set forth in the application and supporting documents, except as modified by the Commission in granting this permit. Any variation is subject to prior review and approval of the Maine Land Use Planning Commission. Any variation from the application or the CONDITIONS OF APPROVAL undertaken without approval of the Commission constitutes a violation of Land Use Planning Commission law.
5. Notwithstanding CONDITIONS OF APPROVAL 6, the authorized addition must be set back at least 50 feet from the traveled portion (edge) of the local access road and 15 feet from other property boundary lines.
6. Structures authorized under this permit, as well as filling/grading/soil disturbance and cleared openings created as part of construction activities authorized under this permit, must be located to meet the road, property line, water and wetland setback distances, exterior dimensions and building heights listed in Sections 4, 7 and 8 and approved by this permit.
7. Temporary and permanent sedimentation control measures must be implemented to effectively stabilize all areas of disturbed soil and to catch sediment from runoff water before it leaves the construction site so that sediment does not enter water bodies, drainage systems, water crossings, wetlands or adjacent properties. Clearing and construction activities, except those necessary to establish sedimentation control devices, must not begin until all erosion and sedimentation control devices (including ditches, culverts, sediment traps, settling basins, hay bales, silt fences, etc.) have been installed and stabilized. Once in place, such devices must be maintained to ensure proper functioning.
8. Effective, temporary stabilization of all disturbed and stockpiled soil must be completed at the end of each work day. All temporary sedimentation and erosion control devices must be removed after construction activity has ceased and a cover of healthy vegetation has established itself or other appropriate permanent control measures have been effectively implemented. Permanent soil stabilization must be completed within one week of inactivity or completion of construction.
9. Cleared openings created as part of construction activities authorized under this permit must be effectively stabilized and revegetated.
10. All imported fill material must be free of hazardous or toxic materials and must not contain debris, trash, or rubbish.
11. Unless otherwise proposed in Question 8.4 and by the submittal of **Exhibit G, Erosion and Sediment Control Plan**, and approved by this permit, soil disturbance must not occur when the ground is frozen or saturated.

12. Topsoil must not be removed from the site except for that necessary for construction activities authorized in this permit. Topsoil must be stockpiled at least 100 feet from any water body.
13. The permittee(s) must not advertise Land Use Planning Commission approval without first obtaining approval for such advertising. Any such advertising must refer to this permit only if it also notes that the permit is subject to CONDITIONS OF APPROVAL.
14. In the event the permittee(s) should sell or lease this property, the buyer or lessee must be provided a copy of the approved permit and CONDITIONS OF APPROVAL. The new owner or lessee should then contact the Land Use Planning Commission to have the permit transferred into his/her name. If there are no additional changes the transfer can be accomplished on a Minor Change Form.
15. All exterior lighting must be located and installed so as to illuminate only the target area to the extent possible. Exterior lighting must not produce a strong, dazzling light or reflection beyond lot lines onto neighboring properties, water bodies, or roadway so as to impair driver vision or to create nuisance conditions.
16. The scenic character and healthful condition of the area covered under this permit must be maintained. The area must be kept free of litter, trash, junk cars and other vehicles, and any other materials that may constitute a hazardous or nuisance condition.
17. The permittee(s) shall secure and comply with all applicable licenses, permits, authorizations, and requirements of all federal, state, and local agencies including but not limited to: Air and Water Pollution Control Regulations; Subsurface Wastewater Disposal System approval from the Local Plumbing Inspector and/or Maine Department of Health and Human Services, Subsurface Wastewater Program; and the Maine Department of Transportation, Driveway Entrance Permit, a physical E-911 address from your County Commissioner's Office.
18. Once construction is complete, the permittee(s) must submit a self-certification form, notifying the Commission that all CONDITIONS OF APPROVAL of this permit have been met. The permittee(s) must submit all information requested by the Commission demonstrating compliance with the terms of this permit.

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For office use:

MAINE LAND USE PLANNING COMMISSION

Department of Agriculture, Conservation and Forestry

Tracking No. **52,330** BP **8706-A** \$ **53.84**
 Permit No. Fee Received

LUPC - DOWNEAST

Building Permit

1. APPLICANT INFORMATION

For All Residential Development

Applicant Name(s) D. Robin & Judith Avery	Daytime Phone 207-570-0311	FAX
Mailing Address 204 Park St	Email rda270@gmail.com	
Town Orono	State ME	Zip Code 04473

2. PROJECT LOCATION AND PROPERTY DETAILS

Township, Town or Plantation Greenfield Twp.	County Penobscot
Tax Information (check tax bill) 02 Map: PE039 Plan: 02 Lot: 9.1/13	Deed or Lease Information (check deed or lease) 14510/111 Book: 4610 Page: 13 Lease #:
Lot size (in acres, or in square feet if less than 1 acre) Approx. 2.6 acres	Lot Coverage (in square feet) Approx. 1,020,000'
All Zoning on Property (check the LUPC map) MAN General	Zoning at Development Site MAN
Road Frontage. List the name(s) and frontage(s) (in feet) for any public or private roads, or other rights-of-way adjacent to your lot: Road #1: Myra Rd. Frontage 482 ft. Road #2: Frontage ft.	Water Frontage. List the name(s) and frontage(s) (in feet) for any lakes, ponds, rivers, streams, or other waters on or adjacent to your lot: Waterbody #1: N/A Frontage N/A ft. Waterbody #2: Frontage ft.
LUPC Approved Subdivision. List the LUPC approved subdivision number: SP N/A and SP Lot #: N/A	
If your property is not part of subdivision previously approved the Commission, please continue to Land Division History below. (check your deed or contact the LUPC office that serves your area)	
Land Division History. Using your deed as a starting point, trace the ownership history and configuration changes of your property back 20 years from today. List any division of those lots from which your property originated (use additional sheet of paper if needed).	(example: Amy Adams to Rob Roberts 1/12/1997 10 acres) N/A

3. EXISTING STRUCTURES OR USES (Fill in a line for each existing structure)

Previously issued Building Permit number (if applicable) **8706**

Type of structure (dwelling, garage, deck, porch, shed, driveway, parking area, etc.)	Year built	Exterior dimensions (in feet) (LxWxH)	Type of foundation (full basement, slab, post, etc.)	Horizontal Distance (in feet) of structure from nearest:					
				Road	Property line	Lake or pond	River or stream	Wetland	Ocean/Coastal Wetlands
* bp 8706 Camp #1	1890??	30x16x16	Rock	118'	280'	—	—	—	—
Camp #2	1988	20x49x8	Full basement	120'	126'	—	—	—	—
Pole Barn	1970	24x20x8	Dirt	231'	126'	—	—	—	—
Generator Shed	1920	5x10x8	Post	150'	265'	—	—	—	—
Pole Barn	1980	48x50x12	Dirt Floor-post	310'	120'	—	—	—	—
Woods shed	1970	12x12x8	Concrete blocks	150'	360'	—	—	—	—

BP 8706-A

4. PROPOSED STRUCTURES OR USES (INCLUDING DRIVEWAYS AND PARKING AREAS) (Use additional sheet if needed)

4.1 What is the proposed use of your property? <input checked="" type="checkbox"/> Residential only <input type="checkbox"/> Residential with Home Occupation* <input type="checkbox"/> Campsite**															
Type of structure (dwelling, garage, deck, porch, shed, driveway****, camper, RVs, parking lots, etc.)	Proposal (check all that apply)							Exterior dimensions (in feet) (LxWxH)	Horizontal Distance (in feet) of structure from nearest:						
	New structure****	Reconstruct****	Expand	Relocate	Remove	Enclose deck/porch	Permanent foundation****		Change dimensions or setbacks	Road	Property line	Lake or pond	River or stream	Wetland	Ocean/Coastal Wetlands
Add new Storage Room to Camp 2 nd	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	12x16x8	158	126	-	-	-	-
addition for closet space - will be finished.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>							
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>							
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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>							

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* 4.2 HOME OCCUPATIONS: If use of your property includes expanding or starting a home occupation, you must complete Supplement S-1: Questions for Home Occupations. Contact the LUPC office serving your area or download at www.maine.gov/dacf/lupc/. Please note additional fees apply to home occupations, see instructions for the appropriate fees.

** 4.3 CAMPSITES: If use of your property includes a campsite for your personal use (e.g., will not be rented):

- a. Will the tents, tent trailer(s), pickup camper(s), recreational vehicle(s), trailer(s) or similar devices be located on the lot for less than 120 days in a calendar year? ☐ YES ☐ NO
- b. Will the camper(s), trailer(s), and/or recreational vehicle(s) be registered and road ready? ☐ YES ☐ NO
- c. Will the campsite have access to an on-site pressurized water supply (and not a self-contained water tank with pump)? ☐ YES ☐ NO
- d. Will the campsite have access to permanent structures other than an outhouse, fireplace, picnic table, or lean-tos? ☐ YES ☐ NO

*** 4.4 RECONSTRUCTIONS OR NEW ACCESSORY STRUCTURES: If you are constructing a new accessory structure, reconstructing an existing structure, or adding a permanent foundation:

- a. If the structure or foundation will not meet the LUPC's minimum setback distances from property lines, roads, water bodies or wetlands, explain what physical limitations (lot size, slope, location of septic system, etc.) prevent the structure or foundation from meeting setbacks: N/A
- b. For reconstructions, has the existing structure been damaged, destroyed or removed from your property? ☐ YES ☒ NO
If YES, was the structure in regular active use within a 2-year period preceding the damage, destruction or removal? ☐ YES ☐ NO
If YES, provide the date the structure was damaged, destroyed or removed: _____

**** 4.5 DRIVEWAYS: If you are located on a public road:

- a. Are you constructing a new driveway or entrance or changing a current driveway in a way that will increase traffic volume, or create a safety or drainage concern regarding a State or State-Aid Highway? ☐ YES ☒ NO
If YES, you must submit Exhibit H: Driveway/Entrance Permit. Note: If your property is located along a County or Town/Plantation Road, you should check with that office before submitting this application to see what is required.

5. SUBSURFACE WASTEWATER DISPOSAL (SEPTIC SYSTEM) (Note: Exhibit may be required. See instructions)

- 5.1 Mark the existing type of system serving the property: ☐ None ☒ Combined Subsurface System (Tank, leach field)
☐ Primitive Subsurface Disposal (Privy, graywater - non-pressurized); ☐ Common Sewer (Connected to a sewer district)
☐ Holding Tank ☐ Self-Contained Camper or RV ☐ Other _____
- 5.2 Will any expanded, reconstructed, or new structures include new bedrooms or bathrooms; add plumbing, water fixtures, pressurized water, or the ability for human habitation; or otherwise generate additional wastewater? ☐ YES ☒ NO
If YES, you may need to submit Exhibit E: Subsurface Wastewater Disposal. (see instructions)

6. DEVELOPMENT IN FLOOD PRONE AREAS (Note: Supplement may be required. See instructions.)

- 6.1 Is your proposed activity located within a mapped P-FP (Flood Prone Area Protection) Subdistrict, a mapped FEMA (Federal Emergency Management Agency) flood zone, or an unmapped area prone to flooding?

P-FP Subdistrict ☐ YES ☒ NO
 FEMA Flood Zone ☐ YES ☒ NO
 Unmapped Area Prone to Flooding ☐ YES ☒ NO

If you answer YES to any of these questions, you must complete Supplement S-4: *Development in Flood Prone Areas*. Contact the LUPC office serving your area or download at www.maine.gov/dacf/lupc/application_forms/index.shtml.

7. VEGETATIVE CLEARING (Note: Exhibit may be required. See instructions.)

- 7.1 What is the total amount of proposed vegetative clearing not including the driveway and the footprint of proposed structures? ☒ NA sq. ft.

If you answer NA (not applicable) for 7.1 go to Section 8.

- 7.2 Will the total amount of existing and proposed vegetative clearing within 250 feet of any lakes or rivers be less than 10,000 square feet? ☐ YES ☐ NO ☐ NA Total: sq. ft.

- 7.3 Will the proposed clearing be located at least 50 feet from the right-of-way or similar boundary of all public roadways? ☐ YES ☐ NO ☐ NA How Close? feet

- 7.4 Will the proposed clearing be located at least 75 feet from the normal high water mark of any body of standing water less than 10 acres in size, any coastal wetland, or flowing water draining less than 50 square miles? ☐ YES ☐ NO ☐ NA How Close? feet

- 7.5 Will the proposed clearing be located at least 100 feet from the normal high water mark of the lake or river? ☐ YES ☐ NO ☐ NA How Close? feet

- 7.6 If you answer NO to any of these questions, please explain why your vegetative clearing proposal is necessary and how it will not create an undue adverse impact on the resources and uses in the area:

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- 7.7 **Buffering in Prospectively Zoned Areas.** Is your property located in one of the following Prospectively Zoned Plantations or Townships? ☐ YES ☐ NO

Adamstown Twp. Dallas Plt. Lincoln Plt. Magalloway Plt.
 Rangeley Plt. Richardsontown Twp. Sandy River Plt. Townships C, D, and E.

If YES, please complete the following table regarding the width of the vegetative buffers at the narrowest point between the existing and proposed structures and the nearest applicable road, property line, and subdistrict setbacks as applicable:

Standard Minimum Required:	Width of Vegetated Buffers			
	Road	Side Property Line	Rear Property Line	Subdistrict Boundary (If D-ES or D-CI)
	25 feet in D-GN, D-GN2, D-GN3 50 feet in D-RS, D-RS2, D-RS3 75 feet in D-ES and D-CI	15 feet	15 feet	50 feet Buffer to other Subdistricts
This property: feet feet feet feet

Note: You may be required to submit Exhibit F: Documentation for Exceptions to Buffering Requirements. (See instructions)

8. SOIL DISTURBANCE, FILLING AND GRADING AND EROSION CONTROL (Note: Exhibit may be required. See instructions.)

- 8.1 Will your project involve disturbing soil or filling and grading? ☐ YES ☒ NO

If YES, please answer the following questions. If NO, continue to Section 9.

- 8.2 What is the total area of proposed soil disturbance or filling and grading? sq. ft.

- 8.3 What is the total square feet of soil disturbance or filling and grading within 250 feet of a body of standing water, flowing water, or wetland? sq. ft.

- 8.4 Will all soil disturbance or filling and grading be done when the ground is frozen or saturated? ☐ YES ☐ NO

If YES, you will need to submit Exhibit G: Erosion and Sedimentation Control Plan

- 8.5 Will any fill used be free of hazardous or toxic materials, trash and rubbish? ☐ YES ☐ NO

- 8.6 How and when will disturbed areas be seeded or stabilized at the end of the construction season and at the completion of the project?

Question 8 continues onto the next page...


8. SOIL DISTURBANCE, FILLING AND GRADING AND EROSION CONTROL (continued from previous page)

8.7 What will you do (during site preparation, construction, cleanup, and post-construction) to stabilize disturbed soil and prevent sediment from entering water, wetlands, natural drainage systems, catch basins, culverts or adjacent properties?

8.8 What is the average slope of land between the area to be disturbed and the nearest waterbody or wetland? % slope

8.9 What will the sustained slope of land be between the area to be disturbed and the nearest waterbody or wetland? % slope

8.10 Please explain how your project will not create an undue adverse impact on the resources and uses in the area. Include information about erosion control devices and other plans to stabilize the site:

 Be sure to include the following information on your site plans (Exhibits D1 and D2): size and location of the area to be disturbed, and the proximity of the area to be disturbed to water bodies, flowing waters, and wetlands.

9. LAND AND WETLAND ALTERATION (Note: Exhibit or Supplement may be required. See instructions.)

9.1 Will your proposal alter a total of one acre or more of land area, whether upland or wetland? ☐ YES ☒ NO

If YES, you must also complete Exhibit G: Erosion and Sedimentation Control Plan and Supplement S-3: Requirements for Wetland Alterations.

9.2 Will your proposal alter any amount of land that is mapped P-WL Subdistrict, or any ground below the normal high water mark of any lake, pond, river, stream, or intertidal area? ☐ YES ☒ NO

If YES, you must also complete Supplement S-3: Requirements for Wetland Alterations.

10. APPLICANT SIGNATURE (REQUIRED) AND AGENT AUTHORIZATION (OPTIONAL)

Agent Name	Daytime Phone	FAX
Mailing Address		Email
Town	State	Zip Code

I have personally examined and am familiar with the information submitted in this application, including the accompanying exhibits and supplements, and to the best of my knowledge and belief, this application is complete with all necessary exhibits. I understand that if the application is incomplete or without any required exhibits that it will result in delays in processing my permit decision. The information in this application is a true and adequate narrative and depiction of what currently exists on and what is proposed at the property. I certify that I will give a copy of this permit and associated conditions to any contractors working on my project. I understand that I am ultimately responsible for complying with all applicable regulations and with all conditions and limitations of any permits issued to me by the LUPC. If there is an Agent listed above, I hereby authorize that individual or business to act as my legal agent in all matters relating to this permit application. I understand that while there is a required Statewide Maine Uniform Building and Energy Code (MUBEC) administered by the Maine Department of Public Safety, Bureau of Building Codes & Standards, the Commission's review is limited only to land use issues and the Commission does not make any findings related to the MUBEC, nor do the LUPC staff inspect buildings or enforce any provisions of that Code.

Please check **one** of the boxes below: (see "Accessing the Project Site for Site Evaluation and Inspection" just prior to the application form)

☐ I authorize staff of the Land Use Planning Commission to access the project site as necessary at any reasonable hour for the purpose of evaluating the site to verify the application materials I have submitted, and for the purpose of inspecting for compliance with statutory and regulatory requirements, and the terms and conditions of my permit.

☒ I request that staff of the Land Use Planning Commission make reasonable efforts to contact me in advance to obtain my permission to fully access the project site for purposes of any necessary site evaluation and compliance inspection.

All appropriate persons listed on the deed, lease or sales contract must sign below.

Signature(s) Robin D. Avery Date 1/12/2021
Judith Avery Date 1-12-2021

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For official use:

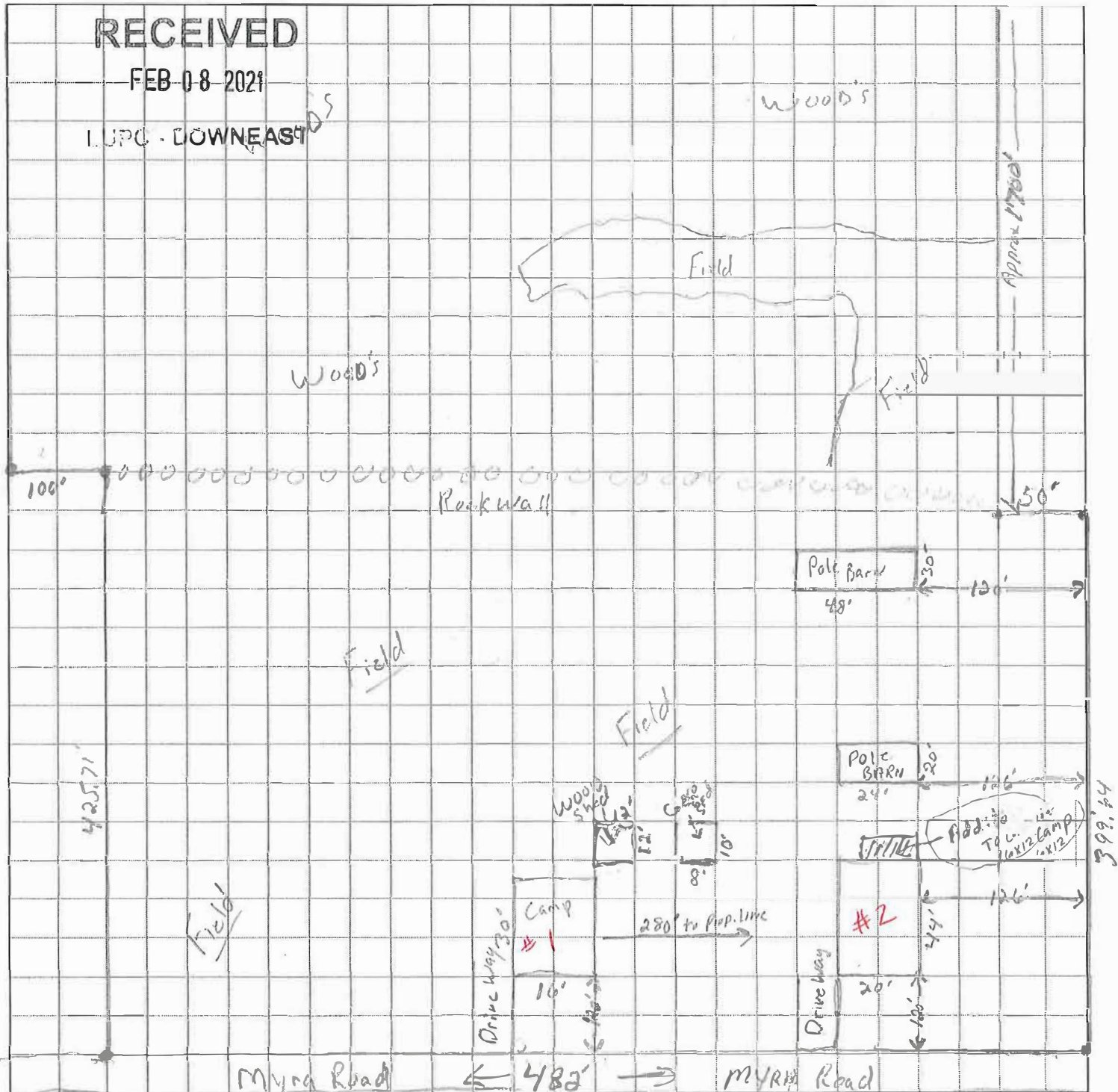
52330
Tracking No.

BP

8706-A
Permit No.

EXHIBIT D-1: SITE PLAN

Prepare a bird's-eye view site plan that shows your entire property and includes all the elements described for **Exhibit D** in the instructions. Do not use colors. Refer to the instructions for a sample site plan.



Notes/Legend:

Sorry didn't draw to scale but all dimensions are on the map, hope that's ok.
The photo shows a deck on the back of camp that will be removed before construction.



Greenfield Township, Penobscot County, Maine
Maine Revenue Service Map PE039, Plan 02, Lots 9, 9.1, and 13
Penobscot County Registry of Deeds 14510, Page 111

0 355 710 1,420 2,130
 Feet

	P-SL2: Shoreland - 75'
	P-WL1: Wetlands of Special Significance
	P-WL2: Scrub-shrub Wetlands
	P-WL3: Forested Wetlands