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STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
LAND USE PLANNING COMMISSION
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WALTER E. WHITCOMB
COMMISSIONER

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EXECUTIVE DIRECTOR

PERMIT

DEVELOPMENT PERMIT DP 5034

The Maine Land Use Planning Commission (LUPC or Commission), through its staff, after reviewing the application and supporting documents submitted by Maine RSA #1, Inc. (Applicant or Permittee) for Development Permit DP 5034, finds the following facts:

1. *Applicant:* Maine RSA #1, Inc.
Attn: Real Estate Lease Administration
8410 West Bryn Mawr Avenue
Chicago, Illinois 60631
2. *Landowner:* Linda J. Coro
237 Boom Road
Saco, Maine 04072
3. *Agent:* KJK Wireless
Attn: Robert Gashlin
8 Providence Avenue
Falmouth, Maine 04105
4. *Date of Completed Application:* August 28, 2018
5. *Location of Proposal:* Dennistown Plantation, Somerset County, Maine
Maine Revenue Service Map SOP01, Plan 03, Part of Lot 3
Somerset County Registry of Deeds Book 3472, Page 309
(Lat. 45°39'04.31"N, Long. -70°16'55.35"W - NAD 83)
Ground Elevation: 1372.6 feet $\pm$
6. *Zoning:* General Management Subdistrict (M-GN)
7. *Lot Size:* 200 feet by 200 feet – 40,000 square feet
8. *Development:* One, 195-foot self-supporting telecommunications tower with associated appurtenances

Project Information

9. *Proposal:* The Applicant submitted an application seeking permit approval to construct a 195-foot self-supported, lattice-style telecommunications tower and associated appurtenances (Facility) in Dennistown Plantation, Somerset County, Maine.
10. *Administrative Process and Public Comments:*
 - A. *Notice of Filing:* Notice of filing of the pending development permit application was properly made to appropriate parties and the public as required under Rules of Practice, 01-672 C.M.R. Ch. 4 (last revised October 18, 2013).
 - B. *Public hearing:* No requests for a public hearing were received.
 - C. *Public comments:* The Commission received one public comment on the proposed tower that questioned the effect of a high tower on airplane approaches to the airport, especially in inclement weather and whether co-location was available.
11. *Current Site Conditions:* The proposed Facility area is located at the end of Sandy Stream Road and is encompassed by an 81-acre parcel. The Tower Lease Area and the upper portion of the Access/Utility Easement are currently undeveloped and wooded. The lower portion of the Access/Utility Easement is located within an existing gravel access road, which is overgrown with vegetation in most places.
12. *Facility description, design, access, and setbacks:* The Facility would be constructed within a 40,000-square foot Tower Lease Area accessed by an approximately 30-foot by 1,850-foot Access/Utility Easement. The Facility would include, among other appurtenances, a 195-foot self-supported, lattice-style telecommunications tower with a 4-foot lighting rod, an 8-foot by 8-foot modular equipment platform with pre-cast concrete pads and steps, an ice bridge, a 50-foot long by 50-foot wide crushed stone compound area surrounded by an 8-foot high chain-linked fence topped with a 1-foot high barbed wire support arm with three strands of barbed wire, a 12-foot by 1850-foot driveway (1,057 feet of an old gravel based land management road and 793 feet of new road), a service drop, and signage. The 29-foot wide base of the tower would be set back approximately 703 feet from the nearest road, 175 feet from the nearest property boundary line and 1,712 feet from the nearest protection subdistrict. See site plans in file date stamped August 28, 2018, and incorporated herein by reference.
13. *Title, Right and Interest, and Subdivision and Lot Creation:* On August 18, 2017, the Applicant and the landowner entered into a *Ground Lease* for a 40,000-square foot parcel of land with a non-exclusive 30-foot wide access and utility easement. The Applicant further submitted a 20-year land division history that indicated that no non-exempt divisions have occurred on the parcel in the past 20 years.
14. *Technical Capacity:* The Applicant has shown that the separate phases of the project have been, and will be, completed by qualified consultants such as the appropriate licensed professional engineers, licensed land surveyors, or certified soil scientists. Installation of the tower would be completed by a qualified contractor that has experience in the construction and operation of national network sites.

15. *Financial Capacity*: Maine RSA #1, Inc. (U.S. Cellular) is a business corporation in good standing. The estimated total cost of the proposed development is approximately \$295,000.00, which will be paid by U.S. Cellular. U.S. Cellular provided evidence that it has the financial capability to permit, install, operate, maintain, and decommission the tower site.

16. *Lighting*:

A. *Tower*: The Federal Aviation Administration (FAA) conducted Aeronautical Study number 2018-ANE-5490-OE on the 195-foot tower and issued a *Determination of No Hazard to Air Navigation* on October 10, 2018. The study revealed that, provided notification conditions were followed, the tower would not exceed obstruction standards, would not be a hazard to air navigation, and marking and lighting of the tower would not be necessary.

B. *Site Exterior*: The Applicant proposes two, 150-watt light fixture near the modular equipment platform and utility rack cabinets.

17. *Soil Suitability*: On August 16, 2018, a State of Maine Certified Soils Scientist (Soil Scientist) conducted a Class A high intensity soil survey to identify the soils within any portion of the project area proposed to be disturbed. The survey was conducted in accordance with the *Guidelines for Maine Certified Soil Scientists for Soil Identification and Mapping*, Maine Association of Professional Soil Scientists, 2009.

The site-specific soil map units identified in the soil survey included:

- Monson loam - rock outcrop complex (MrD): a very stony, somewhat excessively drained soil with 15 to 25 percent slopes and a very low soil potential rating class for roads and development;
- Elliottsville loam - Monson loam complex (EmC): a very stony, well drained and somewhat excessively drained soil with 8 to 15 percent slopes and a medium soil potential rating class for roads and development;
- Elliottsville loam - Monson loam complex (EmD): a very stony, well drained and somewhat excessively drained soil with 15 to 25 percent slopes and a low soil potential rating class for roads and a very low soil potential rating class for development;
- Elliottsville loam (ElC): a very stony, well drained soil with 8 to 15 percent slopes and a medium soil potential rating class for roads and development;
- Ragmuff fine sandy loam (RaB): a very stony, moderately well drained soil with 3 to 8 percent slopes and a medium soil potential rating class for roads and development; and
- Cornish very fine sandy loam (CoA): a somewhat poorly drained soil with 0 to 3 percent slopes and a very low soil potential rating class for roads and development.

The Soil Scientist identified the soils underlying the proposed Tower Lease Area as EmC, EmD, RaB, and MrD, and the soils underlying the Access/Utility Easement as CoA, ElC, EmD, EmC, and RaB. The Soil Scientist indicated that the limitations of the EmD and MrD soil units that produced low and very low soil potential ratings (slope, depth to bedrock, and frost action) could be mitigated by designing the overall road profile to minimize slope and by designing and constructing a roadbed and compound pad with suitable base materials and drainage. The Soil Scientist noted that blasting may be required in some locations if the proposed road grades and

compound pad are unable to accommodate the bedrock. The Soil Scientist indicated that the limitations of the CoA soil unit that produced very low soil potential rating (shallow depth to seasonal high water table, frost action and potential for flooding) could be mitigated by designing and constructing a raised roadbed with suitable base materials and drainage. Finally, the Soil Scientist indicated that appropriate stormwater management and erosion/sediment control best management practices would be needed to minimize the potential for erosion and associated issues.

18. *Erosion and Sedimentation Control*: The Applicant would use site specific construction techniques designed specifically to compensate for the underlying soils. Additionally, the Applicant would use standard construction techniques, and erosion control and sedimentation control devices, that conform with best management practices, such as mulch, hay bales, seeding, and silt fence to stabilize disturbed soils and prevent sediment from leaving the site. Any imported fill would be free of hazardous or toxic materials and would be stabilized to prevent erosion.

19. *Natural Resources*:

- A. Vegetation clearing and ground disturbance for the project would be 39,940 square feet. On September 27, 2017, the Applicant's consultant field verified that there would be no wetlands or streams disturbed by the proposal.
- B. The Maine Department of Inland Fisheries and Wildlife (MDIFW) reviewed the proposal in consideration of the proposal's probable effect on MDIFW programs and responsibilities. MDIFW indicated that there are no jurisdictional resources in the project area, therefore, no comments were provided.

20. *Natural Features*: The Maine Natural Areas Program reviewed the proposal and searched the Natural Areas Program's Biological and Conservation Data System files for rare or unique botanical features in the vicinity of the proposed site and indicated that according to their current information there are no rare botanical features that would be disturbed within the project site.

21. *Historic Resources and Features*: The Maine Historic Preservation Commission (MHPC) reviewed the proposal and indicated that there are no historic properties (archaeological or architectural) affected by this project (reference MHPC# 1429-17).

22. *Scenic Character*: The Applicant's consultant, A & D Klumb Environmental, LLC, conducted and submitted a visibility survey for the proposed 195-foot tower. See visibility reports, supporting documents and photographs in file and incorporated herein by reference.

- A. *Existing Uses*: The file report "5-Mile View Review – updated" indicated that the proposed Facility would create no undue adverse effect on existing uses. It would not interfere with the public uses in the area. It would not interfere with the use of local public resources, including the recreational use of nearby Holeb Public Reserve Land, as indicated by the Maine Bureau of Parks and Lands.

- B. *Visual Impact Assessment (VIA)*: The file report “5-Mile View Review – updated” indicated that the proposal would create no undue adverse effect on scenic character. The proposed facility would be located such that it would be at a great enough distance and obscured by topography or tree cover from most of the sites utilized for their scenic character. Of most concern was Big Wood Pond, nearest to the proposed facility, where several public facilities are located. The tower would likely be visible from the northeast portion of Big Wood Pond, and may affect people who are boating or swimming in that portion of the pond, particularly because it extends substantially above the tree line and above the ridgeline in the distance behind the tower, depending on the viewing angle. However, the tower would be at least one mile away from areas of the lake where it would be visible, and that section of the lake has some existing shorefront development. Due to the concentration of visual resources in the area, it would be difficult to find an alternate site that would provide service to intended area, and have fewer impacts. The pond has a significant scenic rating, but it is a very large pond, approximately three miles in length from north to south, and the tower would be distant from the less-developed sections of the pond.
23. *Capacity Expansion (Co-Location)*: The proposed 195-foot tower would be designed and constructed to accommodate future capacity expansion for three (3) additional carriers.
24. *Tower Abandonment and Removal*: Upon termination of the proposed Facility from operation, the Applicant would remove the above ground facility structures and improvements from the property and restore the area as outlined in the *Ground Lease*. Footings, foundations, and other below ground improvements would be abandoned in place at depths greater than 3 feet below grade.

Standards and Commission Review Criteria

25. According to 12 M.R.S. § 685-B(4), incorporated into Ch. 10, sec. 10.24, 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. 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.
26. According to section 10.22,A,3,c,(24) of *Land Use Districts and Standards*, 01-672 C.M.R. Ch. 10 (last revised September 20, 2018) (Ch. 10), utility facilities, and related accessory structures, may be allowed within an M-GN subdistrict 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.
27. *Right, Title or Interest, and Technical and Financial Capacity*:
- A. According to 12 M.R.S. § 685-B(2)(D), incorporated into Ch. 10, sec. 10.24, the applicant must demonstrate evidence of sufficient right, title or interest in all of the property that is proposed for development or use.

- B. According to 12 M.R.S. § 685-B(4)(A), incorporated into Ch. 10, sec. 10.24,A, the commission may not approve an application, unless 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.
- C. According to Ch. 10, sec. 10.25,C,1, the applicant shall retain qualified consultants, contractors and staff to design and construct proposed improvements, structures, and facilities in accordance with approved plans.
- D. According to Ch. 10, sec. 10.25,C,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.

28. *Existing Uses and Scenic Character, Natural and Historic Resources and Features:*

- A. According to 12 M.R.S. § 685-B(4)(C), incorporated into Ch. 10, sec. 10.24,C, the commission may not approve an application, unless 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.
- B. According to Ch. 10, sec. 10.25,E,1,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 or shorelines.
- C. According to Ch. 10, sec. 10.25,E,1,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 traveled ways, water bodies, or public property.
- D. According to Ch. 10, sec. 10.25,E,2,a, if any portion of a subdivision or commercial, industrial, or other nonresidential project site includes critically imperiled (S1) or imperiled (S2) natural communities or plant species, the applicant shall 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 site for such designation.
- E. According to Ch. 10, sec. 10.25,E,2,b, if any portion of a subdivision or commercial, industrial, or other nonresidential 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.

29. According to Ch. 10, sec. 10.25,F,2,a, all residential, commercial and industrial building exterior lighting fixtures will be full cutoff, except for incandescent lights of less than 160 watts, or any other light less than 60 watts.
30. *Soil Suitability*: According to Ch. 10, sec. 10.25,G, the standards set forth below must be met for all subdivisions and commercial, industrial, and other nonresidential development such as the proposed telecommunications tower:
- A. According to Ch. 10, sec. 10.25,G,1, soil types shall be 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 shall 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.
 - B. According to Ch. 10, sec. 10.25,G,1,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. According to Ch. 10, sec. 10.25,G,1,d, 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.
 - D. According to Ch. 10, sec. 10.25,G,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.
31. *Erosion and Sedimentation Control*: According to 12 M.R.S. § 685-B(4)(D), incorporated into Ch. 10, sec. 10.24,D, the proposal must not cause unreasonable erosion. According to Ch. 10, sec. 10.25,M, 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:
- A. According to Ch. 10, sec. 10.25,M,1,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.
 - B. According to Ch. 10, sec. 10.25,M,2,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*, Ch. 10, app. B, or by alternative measures that are equally effective in stabilizing disturbed areas.

- C. According to Ch. 10, sec. 10.25,M,2,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.
 - D. According to Ch. 10, sec. 10.25,M,2,f, effective, temporary stabilization of all disturbed and stockpiled soil shall be completed at the end of each workday.
 - E. According to Ch. 10, sec. 10.25,M,2,g, permanent soil stabilization shall be completed within one week of inactivity or completion of construction.
 - F. According to Ch. 10, sec. 10.25,M,2,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.
32. According to Ch. 10, sec. 10.26,D,2, the applicable minimum setbacks for commercial, industrial, and other non-residential principal and accessory structures, including parking areas, include 75 feet from the traveled portion (edge) of the all roadways and 25 feet from other property boundary lines.
33. According to Ch. 10, sec. 10.26,F,1,b, for commercial, industrial, and other non-residential principal and accessory structures set back at least 500 feet from the normal high water mark of a body of standing water 10 acres or greater or coastal wetlands, the maximum structure height shall be 100 feet. Under Ch. 10, sec. 10.26,F,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.
34. According to Ch. 10, sec. 10.26,D,2, the minimum setbacks applicable to this project include 75 feet from the traveled portion (edge) of the all roadways and 25 feet from other property boundary lines.
35. The facts are otherwise as represented in Development Permit DP 5034 application and supporting documents.

Based upon the above findings of fact, the Commission, through its staff, concludes that that as long as the Applicant implements the proposal with the conditions outlined below:

- 1. The proposal meets the requirements of Ch. 10, sec. 10.22,A,3,c,(24). The utility facility (tower and associated appurtenances) is an allowed use, with a permit and subject to applicable requirements, within the M-GN subdistrict in which it is proposed.
- 2. The proposal meets 12 M.R.S. § 685-B(2)(D), incorporated into Ch. 10, sec. 10.24; 12 M.R.S. § 685-B(4)(A), incorporated into Ch. 10, sec. 10.24,A; and Ch. 10, secs. 10.25,C,1, and 2. Specifically, the Applicant provided evidence of sufficient right, title or interest in the tower area, hired or will hire qualified consultants to design and construct the project, and provided evidence of adequate financial resources to permit, install, operate, maintain, and decommission the tower site.

3. The proposal meets Ch. 10, sec. 10.25,E,2,a in that no critically imperiled (S1) or imperiled (S2) natural communities or plant species would be disturbed within the project site.
4. The proposal meets Ch. 10, sec. 10.25,E,2,b in that no archaeologically sensitive areas or structures (archaeological or architectural) listed in the National Register of Historic Places, or considered by the Maine Historic Preservation Commission or other pertinent authority as likely to contain a significant archaeological site or structure, have been identified as impacted by the proposal.
5. The proposal meets Ch. 10, sec. 10.25,F,2. The Facility will have 150-watt exterior lighting; no FAA tower lighting will not be require.
6. The proposal meets the applicable requirements of Ch. 10, sec. 10.25,G. The Commission agrees with the soil scientist and determines that adequate corrective measures can and will be used to overcome limitations that may result from the soils with low or very low development potential rating for low density development.
7. The proposal meets 12 M.R.S. § 685-B(4)(D), incorporated into Ch. 10, sec. 10.24,D, and the applicable requirements of Ch. 10, sec. 10.25,M. Appropriate erosion and sedimentation control devices and measure have been proposed and will be implemented.
8. The proposal meets the applicable dimensional requirements of Ch. 10, sec.10.26. The tower is located at least 75 feet from the traveled portion (edge) of the all roadways and 25 feet from other property boundary lines and the tower may exceed the maximum 100-foot commercial, industrial, and other non-residential uses structure height restriction because the proposed tower does not contain floor area.
9. The proposal meets 12 M.R.S. § 685-B(4)(A), incorporated into Ch. 10, sec. 10.24,A, in relation to the intent of the natural resource protection laws 38 M.R.S.A. § 480-A to §480-Z, and 12 M.R.S. § 685-B(4)(C) with respect to existing uses and natural resource. Specifically, MDIFW indicated no impacts attributable to the proposed project to uses and resources under their jurisdiction and no wetlands or streams will be impacted by the proposal.
10. The proposal meets 12 M.R.S. § 685-B(4)(C), incorporated into Ch. 10, sec. 10.24,C, and Ch. 10, sec. 10.25,E,1,a and b, in relation to scenic character. Specifically, although there will be some visual impact, the tower is unlit, and will be more than a mile away from most of the resources in the area. A review of the resources in the area shows that while there will be some impacts on users of Big Wood Pond, those impacts do not rise to the level of undue and are unavoidable. A review of other resources in the area shows that the impacts, relative to the significance of the scenic resources and the importance of providing cell service, do not rise to the level of being unduly adverse.
11. *Final Conclusion:* The proposal meets the applicable requirements set forth in Ch. 10, Sub-Chapter III and the proposal meets the applicable requirements of the *Criteria for Approval*, section 685-B(4) of the Commission's Statutes, 12 M.R.S.

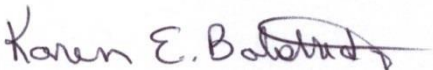
Therefore, the Commission, through its staff, approves the application for Development Permit DP 5034 submitted by Maine RSA #1, Inc. for a 195-foot telecommunications tower and its associated appurtenances as propose, with the following conditions:

1. The Standard Conditions for Development Permits, version 04/2004, a copy of which is attached.
2. At least on week prior to commencing the permitted activities, the Permittee or the designated agent 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.
3. The tower shall not be lighted. All exterior lighting on the appurtenance buildings must be in conformance with the *Lighting Standards* of Ch. 10, sec. 10.25,F,2, a copy of which is attached.
4. The tower shall be placed at the identified location. The base of the tower shall be set back at least one tower height from any public road and any private road open for public use, and 25 feet from the nearest property boundary line.
5. The telecommunication tower shall be made available for co-location of other antenna (or compatible systems) in accordance with the design and load capacity of the tower structure.
6. Upon termination of the proposed Facility from operation for an extended period of time, the tower and associated appurtenances shall be dismantled and removed from the site as proposed.
7. With the exception of signage required by the FAA or the FCC, no signage or advertisements shall be installed on the tower or appurtenances. All required signs shall be in conformance with the *Sign Standards* of Ch. 10, sec. 10.27,J, a copy of which is attached.
8. Except as provided for in this permit, all activities shall be in conformance with the Standards for: *Erosion and Sedimentation Control* (Ch. 10, sec. 10.25,M); *Vegetation Clearing*, (Ch. 10, sec. 10.27,B); *Filling and Grading*, (Ch. 10, sec. 10.27,F); and the *Guidelines for Vegetative Stabilization*, (Ch. 10, app B), copies of which are attached.
9. The Permittee shall employ and maintain permanent and temporary erosion and sedimentation control measures that 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* (Ch. 10, app. B), a copy of which is attached, or by alternative measures that are equally effective in stabilizing disturbed areas.

10. 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 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 effectively implemented. Permanent soil stabilization shall be completed within one week of inactivity or completion of construction. All imported fill material must be free of hazardous or toxic materials and must not contain debris, trash, or rubbish.
11. The Permittee shall secure and comply with all other applicable licenses, permits, and authorizations of all federal, state, and local agencies.
12. Once construction is complete, the Permittee shall submit a report from a licensed professional certifying that the Facility has been constructed as approved by the terms and condition of this permit.

This permit is approved upon the proposal as set forth in the application and supporting documents, except as modified in the above stated conditions, and remains valid only if the Permittee complies with all of these conditions. 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.

DONE AND DATED AT BANGOR, MAINE, THIS 7TH DAY OF NOVEMBER, 2018.

By: 
for Nicholas D. Livesay, Executive Director