



STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
LAND USE PLANNING COMMISSION
45 RADAR ROAD
ASHLAND, MAINE 04732-3600

JANET T. MILLS
GOVERNOR

AMANDA E. BEAL
COMMISSIONER

JUDY C. EAST
EXECUTIVE DIRECTOR

January 14, 2020

Maine Bureau of Parks and Lands
Attn: Marc Deschene
45 Radar Road
Ashland, ME 04732

RE: LUPC Development Permit DP 5067; T13 R12 WELS, Aroostook County

Dear Mr. Deschene:

Enclosed is a copy of Land Use Planning Commission Development Permit DP 5067. Please read the enclosed permit carefully, paying special attention to the conditions of approval, as your permit is valid only if you comply with those conditions. Any changes in your plans or additional construction in the future must be reviewed and approved as an amendment to your permit.

I have also enclosed a permit certificate which must be posted in a visible location at the site during the period of construction. By doing so, inspectors visiting your property will know the project is authorized.

Finally, when you have completed the work, please file a self-certification form (enclosed with our office). If you desire us to issue a Certificate of Compliance certifying that the permitted work has been completed according to the conditions of the permit, please submit a request to do so and the required fee of \$50.00.

Thank you for your patience and cooperation. Should you have any further questions or if we may be of any other assistance, please contact me at the Ashland office at (207) 435-7970.

Sincerely,

Meagan Westfall

Meagan Westfall
Regional Representative
Permitting and Compliance Division

Enclosure: LUPC Development Permit DP 5067
Notice of Authorization to Proceed (Permit Certificate)
Self-Certification Form

xc: DP 5067 File



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PERMIT

DEVELOPMENT PERMIT DP 5067

The staff of the Maine Land Use Planning Commission, after reviewing the application and supporting documents submitted by Bureau of Parks and Lands for Development Permit DP 5067, finds the following facts:

1. Applicant: Bureau of Parks and Lands
Department of Conservation
45 Radar Road
Ashland, Maine 04732
2. Date of Completed Application: December 18, 2019
3. Location of Proposal: T13 R 12 WELS, Aroostook County
Lot #1.1 on Plan 01, Map AR071
4. Zoning: (P-AL) Accessible Lake Protection Subdistrict
(P-FW) Fish and Wildlife Protection
(P-GP) Great Pond Protection Subdistrict
(P-SL2) Shoreland Protection Subdistrict
(P-WL1) Wetlands of Special Significance Protection Subdistrict
(P-WL2) Scrub-Shrub Wetlands Protection Subdistrict
(P-WL3) Forested Wetlands Protection Subdistrict
(M-GN) General Management Subdistrict
5. Lot Size: 21,967 Acres (owned)
6. Existing Development: Fire Tower (16 ft. by 16 ft. base, 48 ft. tower),
7. Proposed Development: Replacement of Fire Tower Platform with Enclosed Cab

Administrative History and Proposal:

8. The applicant's 21,967 acre lot is currently developed with a lattice fire tower and platform with a guard rail. The tower was constructed in approximately 1920. This site is located within the (M-GN) General Management Subdistrict.

9. The applicant proposes to replace the existing Round Pond Mountain fire tower platform and guard rail with a new 8 foot by 8 foot by 8 foot cab. The new cab would be placed on the existing permanent foundation and lattice tower (16 foot by 16 foot base and 48 foot tower). The cab would be pre-built off site and transported by helicopter to the top of the existing tower.

Review Criteria

10. In accordance with section 10.22,A,3,c(22) of the Commission's Land Use Districts and Standards, non-commercial structures utilized for educational, scientific, or nature observation purposes may be allowed within M-GN subdistricts upon issuance of a permit from the Commission pursuant to 12 M.R.S. Section 685-B and subject to the provisions of Sub-Chapter III.
11. The proposed fire tower and cab would be in compliance with Sub-Chapter III of the Commission's Land Use Districts and Standards.
12. The facts are otherwise as represented in Development Permit Application DP 5067 and supporting documents.

Based upon the above Findings, the staff concludes that if carried out in compliance with the Conditions below, the proposal will meet the Criteria for Approval, Section 685-B(4) of the Commission's Statutes, 12 M.R.S.A.

Review Comments

13. The Maine Department of Inland Fisheries and Wildlife has reviewed the proposal and stated that minimal impacts are anticipated.
14. The Maine Historic Preservation Commission has reviewed the proposal and has concluded that there will be no historic properties (archaeological or architectural) adversely affected by the project.
15. The Maine Natural Areas Program has reviewed the proposal and has stated that there are no rare botanical features that will be disturbed within the project site.

Therefore, the staff approves the application of Bureau of Parks and Lands with the following conditions:

1. ***At least one 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.
2. ***Prior to commencing the permitted activities***, the permittee, or the designated agent acting on behalf of the permittee, must provide a copy of the permit, including its attached conditions, to contractors that will be performing work or will be responsible for work at the site.
3. The enclosed permit certificate must be posted in a visible location on your property immediately after receipt and during development of the site and construction of the structures and activities approved by this permit.

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

For office use:

Tracking No. 51489	DP 5067	Fee Received \$ 0.00
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Permit Application

1. APPLICANT INFORMATION

for non-residential development

Applicant Name(s) Maine Bureau of Parks and Lands+	Daytime Phone 207-446-6967	FAX marc.deschene@maine.gov	E-mail marc.deschene@maine.gov
Mailing Address 45 radar road, Ashland Me. 04732			

2. AGENT AUTHORIZATION AND APPLICANT SIGNATURES

Agent Name same	Daytime Phone	FAX	E-mail
Mailing Address			
<p>All persons listed on the deed, lease or sales contract as owners or lessees of the property must read the statement and sign below. I hereby authorize the above-listed individual to act as my legal agent in all matters relating to this permit application. 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 true and accurate. 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.</p>			
Applicant Signature(s) <i>Marc Deschene</i>	Date 12/18/19		

3. PROJECT LOCATION AND DESCRIPTION

Describe in detail what you are proposing and the purpose of the work to be accomplished (use additional paper if you need more space).

Replacement of the existing platform on top of the fire tower on Round Pond Mountain. The current platform has no roof and just has a guard rail, as seen in the photo. The new cab will be enclosed. Plans for the new cab are attached.

Property Location	Township, Town or Plantation T13R12	County Aroostook	Lessor and Lease Lot Numbers (check your lease)
	Tax Plan and Lot Numbers (check your tax bill) 01-1.1		Book and Page Numbers (check your deed)
Lot Size (in acres, or in square feet if less than 1 acre) BPL owns the entire town 23,000 acres	Zoning (check a LUPC map - list all subdistricts covering your property) MGN		
Road Frontage. Is your property adjacent to any roads, streets or other rights-of-way (including any camp roads)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, write the name and frontage (in feet) for each road: If NO, describe how you access your property:	Water Frontage. Is there a lake, pond, river, stream, brook, or other water body on or adjacent to your lot? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, write the name and frontage (in feet) for each water body: 		

4. LAND DIVISION HISTORY

Using your deed as a starting point, trace the ownership history and configuration changes of your property back to 20 years from today. List all changes in ownership and all divisions of those lots from which your property originated (use additional paper if you need more space).

Description of Transaction (including seller's and buyer's names)	Date of sale or lease	Lot size

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5. EXISTING USES, STRUCTURES AND FEATURES

Existing Use: What is the current use of your property?
 Residential Residential with Home Occupation Commercial or Industrial Public or Institutional Other: _____

Existing Structures: Are there any structures on your property? Yes No
If YES, fill in a line on the table below for each structure on your lot (use additional paper if necessary):

Type of structure (dwelling, garage, office building, rental cabin, deck, porch, shed, etc.)	Year built	Exterior dimensions (LxWxH)	Number of:		Type of Foundation (full basement, slab, post, etc.)	Distance (in feet) of structure from nearest:				
			Bedrooms	Plumbing or water fixtures		Road	Property line	Lake or pond	River or stream	Wetland
fire tower	1920	16'x16' base 48' tall			concrete	500'	.9 mi	1.5 mi	1.3 mi	1300'

Other Existing Features: If any of these features exist on your property, check off the feature and answer the appropriate questions.

<input type="checkbox"/> Driveways	Dimensions (LxW): _____ Shared driveway? <input type="checkbox"/> Yes <input type="checkbox"/> No Distance of driveway (in feet) from nearest: _____	<input type="checkbox"/> Parking areas	Number of parking areas: _____ Dimensions (LxW): _____ Distance of parking areas (in feet) from nearest: _____																			
	<table border="1"> <tr> <th>Property line</th> <th>Lake or pond</th> <th>River or stream</th> <th>Wetland</th> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </table>		Property line	Lake or pond	River or stream	Wetland					<table border="1"> <tr> <th>Road</th> <th>Property line</th> <th>Lake or pond</th> <th>River or stream</th> <th>Wetland</th> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </table>	Road	Property line	Lake or pond	River or stream	Wetland						
Property line	Lake or pond	River or stream	Wetland																			
Road	Property line	Lake or pond	River or stream	Wetland																		
<input type="checkbox"/> Water supply	What type of water supply serves your property? _____	<input type="checkbox"/> Exterior lighting	List the fixtures that have been installed to illuminate your property:																			
<input type="checkbox"/> Signs	Number of signs: _____ Dimensions (LxWxH): _____ Are any signs lighted? <input type="checkbox"/> Yes <input type="checkbox"/> No Distance of signs (in feet) from advertised structure or activity: _____		<table border="1"> <tr> <th>Type of bulb</th> <th>Watts</th> <th>Date fixture installed</th> <th>Cutoff fixture?</th> <th>Motion activated?</th> </tr> <tr> <td> </td> <td> </td> <td> </td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	Type of bulb	Watts	Date fixture installed	Cutoff fixture?	Motion activated?				<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"/>																		

6. CHANGES TO EXISTING STRUCTURES OR FEATURES

Will you be expanding, reconstructing, relocating, or otherwise altering any existing structures on your property? Yes No
If YES, fill in a line on the table below for each structure proposed to be altered (use additional paper if necessary):

Structure to be altered (dwelling, garage, office building, rental cabin, porch, shed, driveway, sign, etc.)	Proposed alterations (check all that apply)						New exterior dimensions (LxWxH)	New number of:		Distance (in feet) of altered structure from nearest:				
	Expand or add on	Reconstruct or replace *	Permanent foundation	Relocate	Enclose deck or porch	Other **		Bedrooms	Plumbing or water fixtures	Road	Property line	Lake or pond	River or stream	Wetland
install new cab on the existing fire tower	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	8'x8'x8'							
	<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"/>								

* **Reconstruction or installation of a permanent foundation.** If you are reconstructing an existing structure, or if you are installing a permanent foundation beneath an existing structure:

- Has the existing structure been damaged, destroyed or removed from your property? Yes No
 If YES, provide the date the structure was damaged, destroyed or removed: _____
- If the reconstructed structure or permanent foundation will not meet the Commission's minimum setback requirements from property lines, roads, water bodies or wetlands, explain what physical limitations (such as lot size, slope, location of septic system, etc.) prevent the structure or foundation from meeting such setbacks:

**** Other.** If you selected "Other" from the table above, describe in detail the type of alteration you are proposing (use additional paper if needed):

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7. PROPOSED USES, STRUCTURES AND FEATURES

Proposed Use: What is the proposed use of your property?
 Commercial or Industrial Public or Institutional Other: _____

New Structures: Will you be constructing or installing any new structures on your property? Yes No
If YES, fill in a line on the table below for each new structure.

Type of structure (Office Building, Rental Cabin, porch, shed, etc.)	Exterior dimensions (LxWxH)	Number of:		Type of Foundation (full basement, slab, post, etc.)	Distance(in feet) of structure from nearest:					
		Bedrooms	Plumbing or water fixtures		Road	Property line	Lake or pond	River or stream	Wetland	

Other Proposed Features: If you are proposing to add any of these features, check off the feature and answer the appropriate questions:

<input type="checkbox"/> Driveways	Dimensions (LxW): _____ Shared driveway? <input type="checkbox"/> Yes <input type="checkbox"/> No Distance of driveway (in feet) from nearest:	<input type="checkbox"/> Parking areas	Number of parking areas: _____ Dimensions (LxW): _____ Distance of parking areas (in feet) from nearest:																
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Road	Property line	Lake or pond	River or stream	Wetland															
<input type="checkbox"/> Water supply	What type of water supply will serve the property?	<input type="checkbox"/> Signs exceeding LUPC standards	Number of signs: _____ Dimensions (LxWxH): _____ Will any signs be lighted? <input type="checkbox"/> Yes <input type="checkbox"/> No Distance of signs (in feet) from advertised structure or activity: _____ What features of the signs exceed LUPC standards? _____ Why do the signs need to exceed LUPC standards? _____																
<input type="checkbox"/> Exterior lighting	List the fixtures that will be installed to illuminate your property:	Will the signs be a hazard to traffic? <input type="checkbox"/> Yes <input type="checkbox"/> No How will the signs' design elements (color, bulk, materials, height, etc.) be compatible with the property and fit harmoniously into the surroundings? _____ _____																	
	<table border="1"> <tr> <th>Type of bulb</th> <th>Watts</th> <th>Cutoff fixture?</th> <th>Motion activated?</th> </tr> <tr> <td> </td> <td> </td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td> </td> <td> </td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td> </td> <td> </td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	Type of bulb	Watts	Cutoff fixture?	Motion activated?			<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"/>																

8. SEWAGE DISPOSAL FOR NEW AND ALTERED STRUCTURES

Will any proposed new or altered structures include bedrooms, bathrooms or plumbing/water fixtures, or otherwise generate waste water? Yes No

9. WETLAND ALTERATIONS

Will your proposal alter any amount of land that is a mapped P-WL subdistrict or any ground below the normal high water mark of a lake, pond, river, stream, or intertidal area? Yes No

Will your proposal alter an acre or more of any land area, either upland or wetland? Yes No

Type text

10. DEVELOPMENT IN FLOOD PRONE AREAS

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? Yes No

11. VEGETATION CLEARING

Will your project involve any clearing of vegetation? (If YES, answer the following questions) **UPC - ASHLAND** Yes No

- Total area of clearing: _____ sq. ft.
- Distance between edge of cleared area and the nearest:

Road	Property line	Lake or pond	River or stream	Wetland

12. BUFFERING IN PROSPECTIVELY ZONED AREAS

Is your property located in a development subdistrict within a prospectively zoned area? Yes No

- If YES, how wide are any existing wooded buffers (as measured at the narrowest point) between existing and proposed structures on your property and the nearest:

Road	Side property line	Rear property line	Subdistrict boundary (if in D-ES or D-CI)

- Do these buffers or any other features of your property screen the proposed development from view from the road and adjacent properties? Yes No

13. EROSION AND SEDIMENTATION CONTROL

- Total area of new or expanded soil disturbance: _____ sq. ft.
- Distance between the disturbed area and the nearest:

Road	Property line	Lake or pond	River or stream	Wetland

- If soil disturbance will occur within 250 feet of a water body or wetland, what is the average slope of the land between the disturbed soil and the normal high water mark or upland edge? Slope: _____ %
- Will soil disturbance occur when the ground is frozen or saturated? Yes No
- Will soil disturbance occur (a) in water bodies, wetlands, natural drainage systems, or water crossings; (b) on slopes exceeding 15%; or (c) in other sensitive areas? Yes No

If yes, how will you stabilize disturbed areas and minimize the amount and duration of soil exposure?

- Will existing catch basins and culverts on or near the property be protected from sediment by the use of hay bale check dams, silt fences or other effective measures? Yes No
- Will topsoil be stripped from the property? Yes No
- If YES, will the topsoil be stockpiled at least 100 feet from water and wetlands? Yes No
- Will all disturbed areas and stockpiled soils be effectively stabilized at the end of each workday? Yes No
- Will any fill used be free of hazardous or toxic materials, debris, trash and rubbish? Yes No
- 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?

- What provisions will you make for the continued maintenance of all proposed erosion and sedimentation control measures?

- Provide a general timeline of construction activities on your property, including clearing, grading, construction and landscaping:

14. ADDITIONAL INFORMATION

State any facts that further explain your proposal or may help us in our review of your application (Use additional paper if needed).

15. REQUIRED FEES, EXHIBITS AND SUPPLEMENTS

Submit all necessary fees, exhibits and supplemental information with this application, as described in the instructions.

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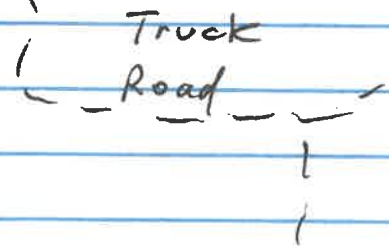
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Site Plan Round Pond Mountain



≈ 500'

hiking trail
to Round Pond



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Exhibit C



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DP 5067

Maine Bureau of Parks & Land

ASHLAND

Land Use Guidance Map

T13 R12 WELS

Aroostook County

Maine Department of Agriculture, Conservation and Forestry
LAND USE PLANNING COMMISSION
Augusta, Maine 04333-0022
(207) 287-2631
TTY (888) 577-6690
<http://www.maine.gov/doc/lupc>



Location map

Legend

Development Subdistricts

Protection Subdistricts

- P-AL Accessible Lake
- P-FW Fish and Wildlife
- P-GP Great Pond
- P-RR Recreation - Water
- P-SL1 250 ft Shoreland - Major
- P-SL2 75 ft Shoreland - Minor
- P-UA Unusual Area
- P-WL1 Wetlands - Significant
- P-WL2 Wetlands - Scrub-shrub
- P-WL3 Wetlands - Forested

Management Subdistricts

- M-CN General

Water body

- Improved road
- Unimproved road
- Trail

Areas designated as two or more protection zones are shown with each zone, e.g. P-FW/PW/WL1, P-FW/SL1, etc., where necessary

Subdistrict boundary or Zoning amendment

Topographic base, roads and trails from U.S. Geological Survey 7.5-minute map series. For the purpose of simplicity, this map does not show the Wetland Protection Subdistricts for areas identified pursuant to Section 10.16.K.2 such as beds of rivers, lakes, and other water bodies, and freshwater wetlands within 25 feet of stream channels, which are nevertheless within P-WL Subdistricts.

This map is a reduced version of the official Land Use Guidance Map. It is not certified to be a true and correct copy. Full scale official LUPC Land Use Guidance Maps are available from the Commission at its regional office. Potential applicants unsure of their zoning should request a full size map from the Augusta office.

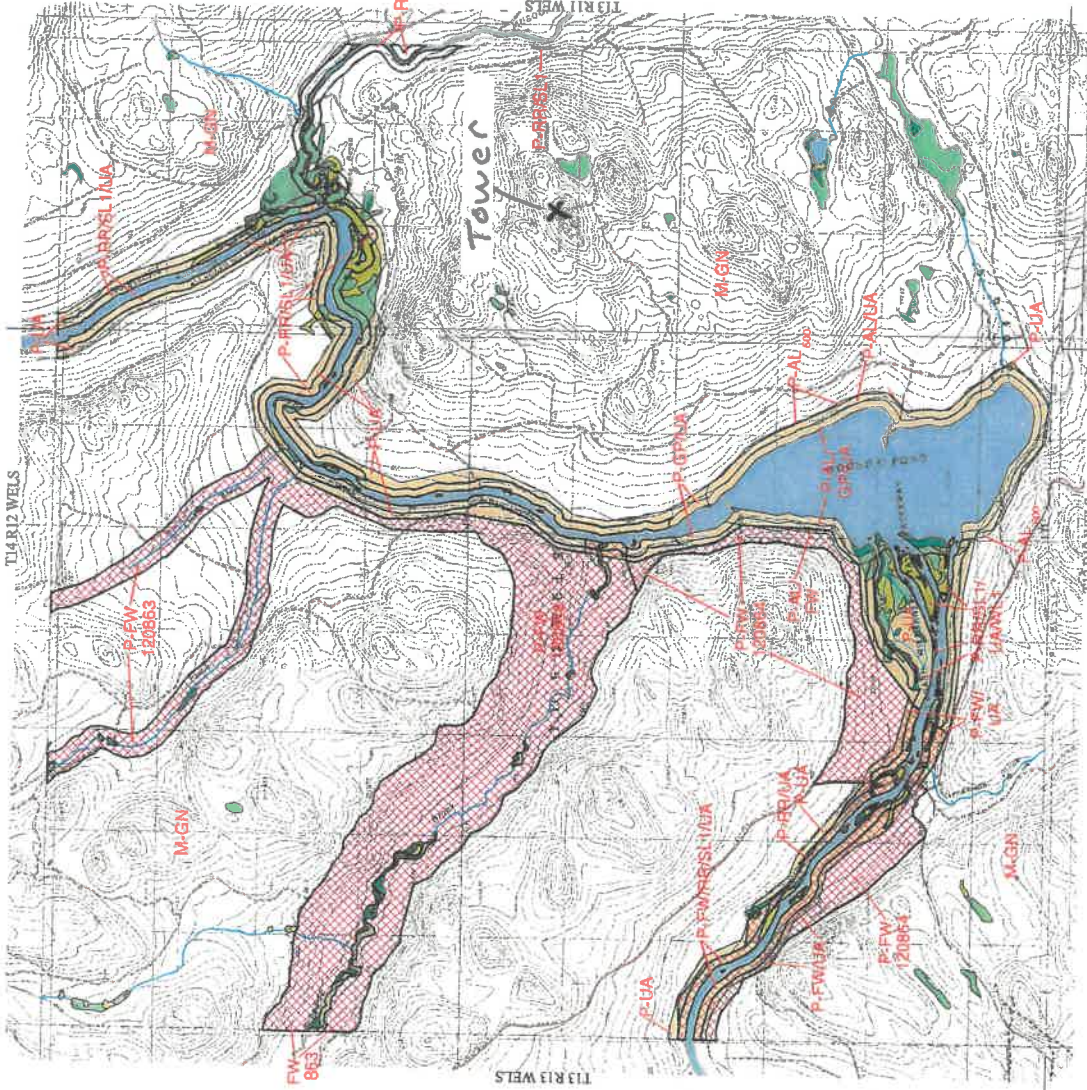


Exhibit A