

Subdivision Permit Application

Land Use Planning Commission



Getting Started

Contact the Land Use Planning Commission (LUPC) office that serves your area (see contact information on the next page) to schedule a pre-application meeting (if applying for a Zone Change or Development Permit) or a sketch plan review meeting (if applying for a Subdivision Permit). LUPC staff can also inform you about fees for the project (detailed in [Chapter 1](#) of the Commission's Rules) and make sure you are using the correct form(s). If you are requesting to change an existing permit, LUPC staff can determine which information you need to submit.

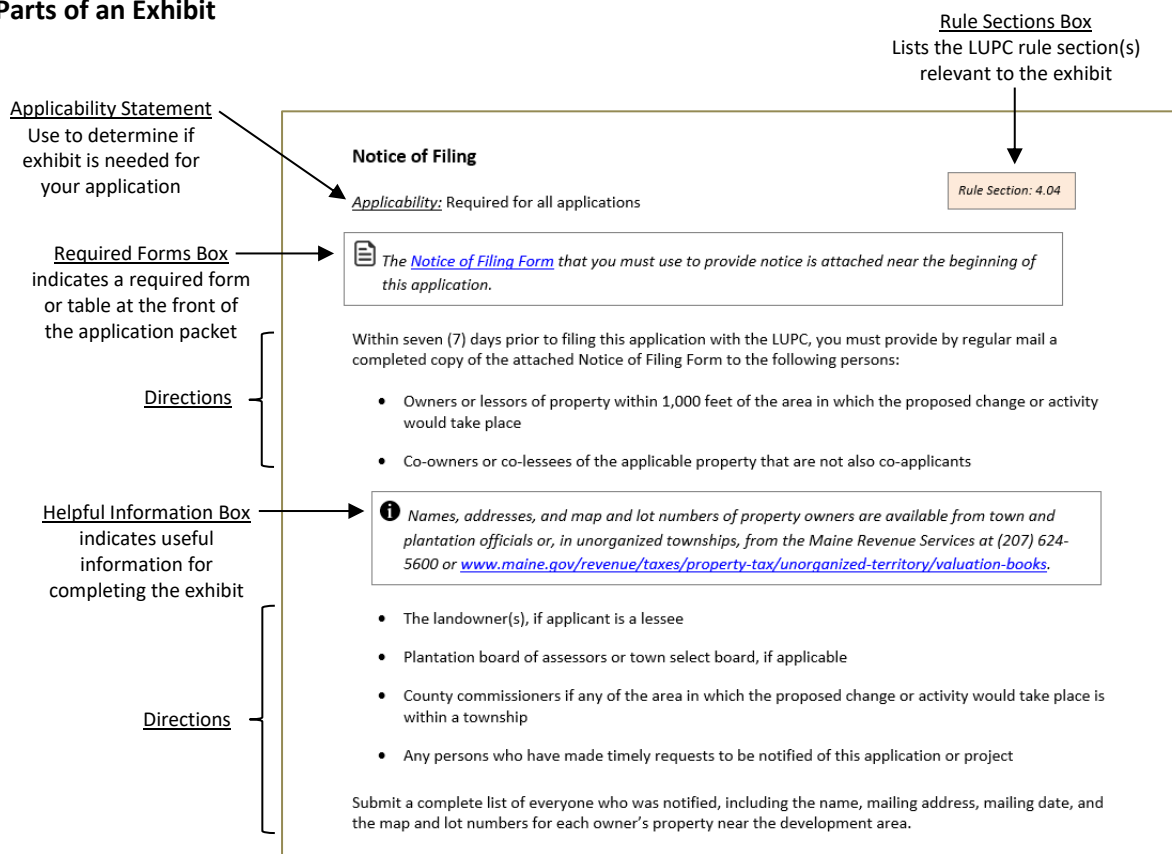
How Can I Get Help Completing This Application?

LUPC staff are available to answer your questions throughout the application process. You may also visit our web site at www.maine.gov/dacf/lupc/ to obtain copies of LUPC guidance materials and regulations.

Parts of this Form:

- 1) [Applicant, Agent, and Property Information](#) (p. 3-4) – two pages requesting information about the applicant, the applicant's agent (if applicable), and the property. The applicant and the agent must sign at the bottom of the first page.
- 2) [Required Forms and Tables](#) (p. 5-10) – these blank forms and tables must be used in completing this application. They may be typed in or printed and filled out by hand. Digital versions are also available on the [LUPC's website](#).
- 3) [Exhibit List](#) (p. 11-12) - provides the names and order of the exhibits required for all applications and those that are required only for certain applications.
- 4) [Exhibit Instructions](#) (p. 13-48) – describe the information to be submitted as part of each exhibit. Exhibits required for all projects appear first, followed by those required for certain projects.

Parts of an Exhibit

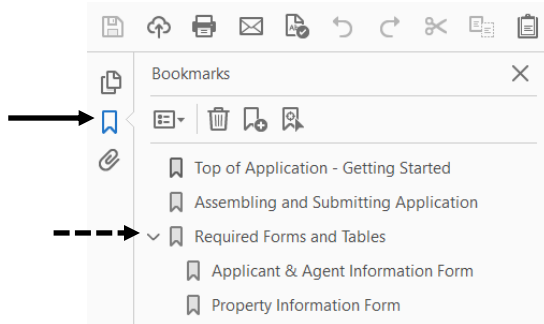


Subdivision Permit Application - Land Use Planning Commission

Helpful Hints for Navigating in the Application

The application contains both bookmarks and internal links to help you find what you are looking for.

In Adobe Acrobat Reader, bookmarks are revealed by clicking the bookmark symbol (usually on the far left):



If the bookmark symbol is not present, reveal it by using the 'View' drop-down menu at the top and selecting Show/Hide > Navigation Panes > Bookmarks so that 'Bookmarks' is checked.

Click on a bookmark to jump to the corresponding section of the application.

Click on the > symbol to reveal additional bookmarks.

Links are shown in [underlined, blue font](#). Some links will take you to another part of the application (similar to how a bookmark works); other links will take you to a webpage.

Assembling Your Application

Assembling your application involves bringing two pieces together. 1) The Applicant, Agent, and Property Information is provided by filling out two pages of forms requesting information such as name, address, etc. 2) Exhibits contain the information, required forms, required tables, maps, drawings, etc. that you submit in response to information requests and instructions. For example, to complete the exhibit called "Directions and Location Map," the applicant is given instructions for providing directions to the project site and a map of the site's location.

A completed application will include the Applicant, Agent, and Property Information form on the top followed by the exhibits. The information requested in the exhibits must be organized and labeled by exhibit and follow the order of exhibits given in the Exhibits List. *Use separate sheets of paper to answer all questions in the exhibits.* Do not add your exhibit information to the exhibit instructions.

Submitting Your Application

Submit the complete application and fee (see the [Application Fee](#) exhibit) to the LUPC regional office serving your area. See the LUPC [Contact Sheet](#) for a list of offices and addresses. For electronic submissions, call the appropriate office to speak with a staff person.

Digital Signatures and Electronic Submissions

Applicants and agents at their discretion may sign the Applicant and Agent Information Form (next page) using a digital signature. This digital signature has the same force and effect as an original manual signature. To meet statutory requirements, digital signatures must be computer-created electronic signatures linked to data, such as those generated by Adobe Fill and Sign, DocuSign, or any similar method with prior approval by the LUPC. A pasted image of a signature is not sufficient.

Applicants wishing to submit electronic application materials but not sign digitally must supply a paper copy of the Applicant and Agent Information Form with original manual signatures. This paper copy has the effect of applying signatures to all electronic records submitted as part of the application. Please be aware that review of application materials for completeness will not begin until an acceptable digital or manual signature has been received.

This Application Is Not A Permit.

No construction activities may begin prior to the Commission issuing a permit.

The Land Use Planning Commission decides whether to issue a permit based on the information submitted in this application. To complete its review, the LUPC may require additional information not requested in this application.

For office use:

Tracking No.

SP

Permit No.

Fee Received

Applicant & Agent Information - LUPC Subdivision Application

APPLICANT INFORMATION

Please Print Legibly

Applicant Name(s)	Title <i>(if representing a corporation)</i>	
	Phone	
Mailing Address	Email	
Town	State	Zip Code

AGENT INFORMATION (If applicable)

Agent Name(s)	Phone	
Business Name		
Mailing Address	Email	
Town	State	Zip Code

APPLICANT AND AGENT SIGNATURES

I have personally examined and am familiar with all information submitted in this application, and to the best of my knowledge, it is true, accurate, and complete. I am aware that there may be significant penalties for submitting false information. I understand that the applicant is responsible for complying with all conditions of any permits issued by the Land Use Planning Commission.

If signing this document on behalf of a corporation, partnership, trust, or other legal entity, I affirm that I am authorized to bind the entity and execute legal agreements on its behalf.

Please check **one** of the boxes below:

☐ I authorize staff of the Land Use Planning Commission to access the project site as necessary between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

☐ I request that staff of the Land Use Planning Commission make reasonable efforts to contact me in advance to coordinate access to the project site.

Authorization of Agent by Applicant: *By signing below, I authorize the individual or business listed above to act as my legal agent in all matters relating to this application.*

Applicant Signature: _____ **Date:** _____

Agent Signature: _____ **Date:** _____

For office use:

Tracking No.

SP

Permit No.

Fee Received

Property Information - LUPC Subdivision Application

PROPERTY INFORMATION. Provide the following details about your property location. Tax map, plan, and lot numbers are listed on your property tax bill. If you lease your property, check your lease to find out whether any unique lease lot numbers have been assigned to the property.

Applicant	Township, Town or Plantation	County
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Tax Map, Plan, and Lot Numbers *[list all applicable; check tax bill(s)]*

Lot size *(in acres, or in square feet if less than 1 acre)*

Deed Book and Page #'s, and lease information if applicable *(include any lessor or lease lot numbers assigned by a property owner)*

All Zoning on Property *(check the LUPC Land Use Guidance Map)*

Zoning at Development Site

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 _____ Frontage _____ ft.

Road #2 _____ Frontage _____ ft.

Water Frontage: List the name(s) and frontage(s) (in feet) for any lakes, ponds, rivers, streams (named and unnamed), or coastal wetlands on or adjacent to your lot:

Waterbody #1 _____ Frontage _____ ft.

Waterbody #2 _____ Frontage _____ ft.

If there is no road frontage, describe the access for the property.

LUPC Approved Subdivision: If the lot is part of an LUPC approved subdivision, provide the subdivision permit and lot numbers:

Subdivision Permit # _____ and Lot # _____ *(usually included in deed description)*

BRIEF PROJECT SUMMARY *(include proposed zoning if submitting an application for zone change; include proposed project name, if applicable)*

APPLICATION FEE *(see the [Application Fee](#) exhibit for more information, including surcharges if paying online)*

Please check **one** of the boxes below:

☐ I have enclosed a check or money order to pay my application fee.

☐ I would like to pay my application fee online. Please contact me with the necessary information.

Within seven days prior to filing an application with the Maine Land Use Planning Commission, the applicant must send by regular mail a completed copy of this notice to: all persons owning or leasing property within 1,000 feet of the proposed project; co-owners and co-lessors that are not co-applicants; the landowner(s) (if applicant is a lessee); plantation assessors or town select board (if applicable); county commissioners if any area proposed for development is within a township; and any persons who have made timely requests to be notified of this application or project.

has filed an application with the Maine Land Use Planning Commission, pursuant to provisions of 12 M.R.S. Section 685-B and the Commission's rule Chapter 10, Land Use Districts and Standards, to _____

_____ located in _____
(name of town, township, or plantation, and county)

<u>AUGUSTA OFFICE</u>		<u>NORTHERN REGION</u>	
18 Elkins Lane - Harlow Bldg.	Tel. (207) 287-2631	<i>Serving most of Aroostook County and northern Penobscot County</i>	
22 State House Station	TTY (888) 577-6690	45 Radar Road	Tel. (207) 435-7970
Augusta, ME 04333-0022	FAX (207) 287-7439	Ashland, ME 04732-3600	Tel. (207) 435-7969
			FAX (207) 435-7184
<u>DOWNEAST REGION</u>		<u>EASTERN REGION</u>	
<i>Serving Hancock, Knox, Lincoln, and Sagadahoc Counties, and portions of Washington, Kennebec, Penobscot and Piscataquis counties; and the coastal islands in the LUPC service area</i>		<i>Serving southern Penobscot County, southern Aroostook County, and portions of Piscataquis County</i>	
106 Hogan Rd, Suite 8	Tel. (207) 215-4685	191 Main Street	Tel. (207) 485-8354
Bangor, ME 04401	Tel. (207) 592-4448	East Millinocket, ME 04430	Tel. (207) 399-2176
	FAX (207) 941-4222		FAX (207) 746-2243
<u>MOOSEHEAD REGION</u>		<u>WESTERN REGION</u>	
<i>Serving Somerset County and most of Piscataquis County</i>		<i>Serving Franklin County and Oxford County</i>	
8 Moosehead Lane,	Tel. (207) 349-0941	932 US Route 2 East	Tel. (207) 670-7492 FR
Suite 107	Tel. (207) 731-4398	Wilton, ME 04294	Tel. (207) 670-7493 OX
Dover-Foxcroft, ME 04426			

Written comments and requests for a public hearing should be sent to the Maine Land Use Planning Commission at the address circled above and **must be submitted in a timely manner**. The Commission prefers that all written comments and requests for a public hearing be submitted within 20 days of the date an application is accepted for processing. Requests for a public hearing must clearly state the reason(s) a public hearing is warranted on this project.

For questions about submitting written comments, requesting a public hearing, or for any additional information, contact Commission staff at the office circled above.

The Land Use Planning Commission's legal authority is established by 12 M.R.S. Section 683-A.

For Use with [Exhibit 8](#): Land Division History

Applicant/Project Name: _____

Use this table to present the ownership and land division history of your parcel. Be sure to start the history 20 years ago and include drawings. See further instructions and an example in [Land Division History \(Exhibit 8\)](#).

Drawing (does not have to be to scale)	Transaction Details, Including Names of <u>Seller/Grantor and Buyer/Grantee</u>	Date of <u>Transaction</u>	Book & Page <u>Numbers</u>	Lot Size (<i>in acres</i>)

Note: If you own or are under contract to buy the property to be developed, your county registry of deeds office or the previous owner of the property may provide helpful information. If you lease your property, contact your lessor for information on the history of your lot.

For Use with [Exhibit 9](#): Structures Table

Applicant/Project Name: _____

Refer to [Structures, Features, Uses \(Exhibit 9\)](#) for instructions. Name structures consistent with the labeling used on the [Site Plans \(Exhibit 10\)](#).

Structure Type and Use (specify if temporary)	Year Built or Duration (if temporary)	Proposed alterations (check all that apply)									Exterior Dimensions (LxWxH) in ft Indicate Current (C) & Proposed (P)	Type of Foundation	Number of:		Distance (in feet) of structure from nearest:						
		Change in Use	New Construction	Expand or Add On	Reconstruct or Replace	Permanent foundation	Relocate or Remove	Enclose deck or porch	Change Dimensions or Setbacks	Other			Bedrooms	Plumbing or water fixtures	Road	Property line	Lake or pond	River or stream	Wetland	Ocean/Coastal Wetland	
<u>Existing Structures</u>																					
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<u>Proposed Structures</u>																					
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For Use with [Exhibit 9](#): Infrastructure Table

Applicant/Project Name: _____

Refer to [Structures, Features, Uses \(Exhibit 9\)](#) for instructions. Name infrastructure consistent with the labeling used on the [Site Plans \(Exhibit 10\)](#).

Infrastructure Type and Use (specify if temporary)	Proposed alterations (check all that apply)							Dimensions (LxW) in ft	Year Built or Duration (if temporary)	Average Slope (%)	Max. Sustain. Slope (%)	Distance (in feet) of infrastructure from nearest:					
	Change in Use	New Construction	Change Dimensions	Reconstruct or Replace	Relocate	Change Setbacks	Other					Road	Property line	Lake or pond	River or stream	Wetland	Ocean/Coastal Wetland
<u>Existing Infrastructure</u>																	
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<u>Proposed Infrastructure</u>																	
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Applicant/Project Name: _____

Note: Use of this grid is not required if you have prepared a site plan by other formal means.

For Use with Exhibit 10: Existing or Proposed Site Plan

This image shows a full page of blank graph paper. The grid consists of small, equal-sized squares formed by thin gray lines. There are 20 columns and 20 rows of squares, creating a total area of 400 square units. The grid is perfectly aligned and covers the entire page without any margins or additional markings.

Notes/Legend:

Scale: _____

Not to Scale: ☐

For Use with [Exhibit 14](#): Subdivision Lot Specifications Table

Applicant/Project Name: _____

Refer to [Subdivision Layout and Design \(Exhibit 14\)](#) for instructions. Use lot numbers consistent with the numbering on the [Site Plans \(Exhibit 10\)](#).

Lot no.	Lot width x depth (ft.)	Lot size (sq. ft.)	Building envelope width x depth (ft.)	Building envelope size (sq. ft.)	Shore frontage (ft.)	Road frontage (ft.)	Will remain undeveloped? (Y/N)	NRCS soils low density development potential rating(s)	Detailed description of lot characteristics (wooded, open field, stream, steep slopes, etc.)

LIST OF EXHIBITS

i Locating Maine Licensed Professionals: Some exhibits require Maine licensed professionals (for example, licensed soil scientists) to obtain information. Guidance and links for locating licensed professionals can be found on the LUPC's homepage, www.maine.gov/dacf/lupc/index.shtml, in the column on the right.

<u>Exhibits Required for All Applications</u>	
Exhibit	✓
1. Directions and Location Map	
2. Project Description	
3. Deed, Lease, Sales Contract, or Easement	
4. Application Fee	
5. Financial Capacity	
6. Technical Capacity	
7. Notice of Filing	
8. Land Division History	
9. Structures, Features, and Uses	
10. Site Plans	
11. Site Photographs	
12. Site Access and Legal Right of Access	
13. Vehicle Access, Circulation, and Parking	
14. Subdivision Layout and Design	
15. Common Open Space	
16. Subdivision Lot Deed or Lease Covenants	
17. Fire, Police, and Ambulance	
18. Solid Waste Disposal	
19. Electricity and Telephone Service	

List of Exhibits Required for All Applications (continued)

20. Water Supply	
21. Wastewater Disposal	
22. Exterior Lighting	
23. Noise	
24. Harmonious Fit and Natural Character	
25. Protected Natural Resources	
26. Archaeological and Historical Resources	
27. Soil Suitability and Mapping	
28. Water Quality	
29. Erosion, Sedimentation, and Drainage Control Measures	

Exhibits Required for Certain Applications		
Exhibit	Applicability	✓
30. Association Bylaws	Required if a road, lot, or home owners association, or similar organization, will be formed	
31. Roadway Construction and Upgrades	Required if upgrading existing roads or building new roads	
32. Roadway Maintenance	Required for any development project accessed by a private road	
33. Phosphorus Control	Required for all projects within the direct watershed of a lake or pond > 10 acres in size	
34. Liquidation Harvesting Certification	Required if timber was harvested on the project site within the past 5 years	
35. Additional Information	If needed	

Exhibits Required for All Applications

Use Separate Sheets of Paper to Answer All Questions in the Exhibits. Do Not Add Your Exhibit Information to these Exhibit Instructions.

1. Directions and Location Map

Applicability: Required for all applications

Rule Sections: 4.05,A & 10.25,Q

Provide directions to the site using enough detail for Commission staff to locate the site. Helpful information includes distances and, where applicable, a street address.

Submit an LUPC Land Use Guidance Map or a map from the LUPC Zoning and Parcel Viewer (see information and tool boxes below) on which you have clearly marked (if possible given the map scale):

- the approximate boundaries of all the parcels you own in the area
- the approximate location of the proposal (for example: the location of structural development, the boundaries of a proposed subdivision, or the area proposed for rezoning)
- map reference points such as roads or waterbodies
- a scale bar, a north arrow, and a legend that clearly describes what is shown on the map

If possible, the map should show a distance greater than one mile from all property boundaries.

If available, provide the latitude and longitude (by using a GPS app, Google Earth, etc.) for the approximate location of the center of the site plan, or provide a Geographic Information Systems (GIS) shapefile for the project area.

i *Land Use Guidance Maps are available for all townships, towns, and plantations served by the Land Use Planning Commission. Copies are available on the LUPC's website at www.maine.gov/dacf/lupc/plans_maps_data/digital_maps_data.html and at any [LUPC regional office](#). There is no charge for these maps when associated with an application.*



The Zoning and Parcel Viewer is an interactive map on the Commission's website that provides information about zoning and parcels in the Commission's service area. This tool can be found at www.maine.gov/dacf/lupc/plans_maps_data/digital_maps_data.html#viewer.

2. Project Description

Applicability: Required for all applications

Rule Section: 4.05,A

Explain, in detail, the activity or development that you are proposing, and the purpose of the project. For example, describe the type of subdivision layout, the number of proposed lots, and the subdivision density. Also describe any proposed uses and changes in use.

Describe the schedule of the project, including the start date, the completion date, and the dates and activities of any project phases.

3. Deed, Lease, Sales Contract, or Easement

Applicability: Required for all applications

Rule Sections: 4.05,A & 10.24

Submit complete, signed copies of registered deeds, leases, purchase or sale agreements, or easements that demonstrate the applicant's right, title, or interest in all of the areas relevant to this application.

Common Ownership: In the case of common ownership, the applicant must either:

a) include all other owners as co-applicants

or

b) provide documentation or statements from all other owners that authorize(s) the applicant to proceed with the application. Documentation or statements must indicate that other owners have thorough knowledge of the proposed development.

Leases: A lease-holder must provide written permission from the lessor for the proposed activity. Written permission must indicate that the lessor has thorough knowledge of the proposed development.

Purchase or Sale Agreement: If the property is under contract, you may submit a current binding option to purchase all necessary interest in the land or a similar contract that establishes terms for future title and provides a description of the property. If you are submitting a contract, you must also submit complete, signed copies of all deeds or leases that demonstrate the current land owner's title, right or interest.

Restrictions: Submit copies of any existing or proposed restrictions described in a conservation easement or other binding mechanism. Include a parcel map showing the easement/restriction area.

4. Application Fee

Applicability: Required for all applications

Rule Section: 1.02

Please note that LUPC application fees are nonrefundable.

Calculating the Application Fee

For a permit application, the total application fee is the sum of the following subsidiary fees:

$$\begin{aligned} & \text{Base Fee} \\ & + \text{Activity Specific Fee} \\ & + \text{Fees for Uses Allowed by Special Exception (if applicable)} \\ & + \text{After-the-Fact Fee (if applicable)} \\ & = \text{Total Application Fee} \end{aligned}$$

For accurate fee calculation, it is necessary to know the extent and type of the various activities planned (for example: the amount of disturbed area, the length of any road construction, the number of subdivision lots and type of subdivision layout, etc.). This information is needed to calculate activity specific fees and determine any fee limits that may apply. For that reason, it is important to complete key exhibits such as the [Site Plans](#) exhibit and the [Subdivision Layout and Design](#) exhibit as thoroughly and accurately as possible before calculating the fee. LUPC staff can help you determine the exhibits, or portions of exhibits, that are necessary to complete for calculating the fee.

To assist with fee calculation, LUPC staff have prepared a Fee Handout and Worksheet. Please contact the appropriate LUPC regional office to obtain a copy or for assistance with calculating your application fee.

i A list of LUPC regional offices along with contact information may be found on the [Notice of Filing Form](#) earlier in this application. Regional offices and contact information may also be found online through the clickable map at www.maine.gov/dacf/lupc/about/offices.

After-the Fact Permit Applications: The fee for development started prior to receiving permit approval is three times the otherwise applicable fee. This after-the-fact fee may exceed the maximum fee allowable had permit approval been sought prior to starting development activity.

Paying the Application Fee

Check or Money Order: Along with your application materials, submit a check or money order payable to “Treasurer, State of Maine” for the total application fee.

Electronic/Online Payment: Effective 1/1/2022 LUPC will be accepting electronic payments. If you intend to pay the application fee online, please check the appropriate box at the [bottom of the Property Information](#)

[Form](#). LUPC staff will provide you with the applicable fee, a tracking number, and a link to the online payment option.

Please note that the following third-party surcharges apply to electronic/online payments:

- For debit payments: \$0.25, regardless of the transaction amount
- For credit card payments: 3% of the transaction amount

These surcharges can be avoided if the application fee is paid by check or money order.

5. Financial Capacity

Rule Sections: 10.24 & 10.25,C

Applicability: Required for all applications

Provide the total estimated development cost of the proposed project and itemize each component of the total cost. For example, your itemization could include:

Legal	Roads & structures
Information about phasing, if applicable	Monitoring, or other routine expenses for project operation
Surveying	Maintenance
Soils & wetlands	Decommissioning
Erosion & drainage	
Sewer & water	

To demonstrate adequate financial resources to undertake the proposal, submit at least one of the following:

- A letter from a financial institution, government agency or other funding source indicating a commitment to provide a specified amount of funds and their specified uses. In cases where approvals must be received before money can be committed, submit a letter of Intent to Fund indicating the amount of funds and their specified uses.
- The most recent corporate annual report indicating availability of sufficient funds to finance the development. Include an explanation of the report.
- If the applicant will personally finance the development, submit copies of bank statements or other similar evidence indicating availability of funds necessary to complete the development, including all proposed improvements, structures, and facilities.
- If the applicant is a governmental agency, indicate the source of funding (for example: town revenue, bond, grant, etc.).

6. Technical Capacity

Applicability: Required for all applications

Rule Sections: 10.24 & 10.25,C

Summarize the qualifications and experience of any individuals involved with the design and construction of the project. Include any consultants, contractors, or staff you hire as well as yourself (if you are involved in design and construction decisions and activities).

Information demonstrating technical capacity may include, a statement of the applicant's or contractor's prior experience and appropriate training relating to the proposed development and a description of professional qualifications of personnel who will be employed to design, install, and oversee development, including stabilization and erosion control measures.

7. Notice of Filing

Applicability: Required for all applications

Rule Section: 4.04



The [Notice of Filing Form](#) that you must use to provide notice is attached near the beginning of this application.

Within seven (7) days prior to filing this application with the LUPC, you must provide by regular mail a completed copy of the attached Notice of Filing Form to the following persons:

- Owners or lessors of property within 1,000 feet of the area in which the proposed change or activity would take place
- Co-owners or co-lessees of the applicable property that are not also co-applicants



Names, addresses, and map and lot numbers of property owners are available from town and plantation officials or, in unorganized townships, from the Maine Revenue Services at (207) 624-5600 or www.maine.gov/revenue/taxes/property-tax/unorganized-territory/valuation-books.

- The landowner(s), if applicant is a lessee
- Plantation board of assessors or town select board, if applicable
- County commissioners if any of the area in which the proposed change or activity would take place is within a township
- Any persons who have made timely requests to be notified of this application or project

Submit a complete list of everyone who was notified, including the name, mailing address, mailing date, and the map and lot numbers for each owner's property near the development area.

8. Land Division History

Applicability: Required for all applications

Rule Sections: 12 M.R.S. §682-B,
12 M.R.S. §685-B,1,B & 10.25,Q

Knowledge of the parcel's land division history is needed for the LUPC to issue a permit. Contiguous parcels in the same township under the same legal deed name are considered one parcel when determining land division history.

In general, land divisions occur when:

- a parcel is split into smaller lots
- the landowner leases a portion of a parcel that creates exclusive rights, generally for the purpose of development, or
- a new dwelling is placed on a parcel that already has one or more dwellings on it

Exemptions apply to certain types of land divisions, such as transfer of property to an abutting land owner or to a family member.

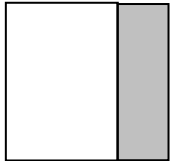
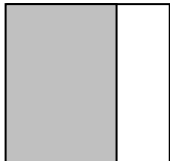
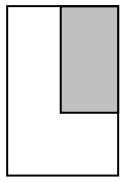
Using your deed, lease or sales contract as a starting point, trace the ownership history and configuration changes of the parcel or contiguous parcels back 20 years from today. List all changes in ownership and all divisions of lots from which your lot originated. Describe the transaction (sale, lease, gift, inheritance, court-order, transfers to abutters, transfers for forest management, agriculture management, conservation, etc.), the book and page numbers, the seller's/grantor's and buyer's/grantee's names, the date of the deed or lease, and the size of the lot resulting from the transaction. Be sure to include any land transfers to abutting land owners as well as property gifted to relatives.

In reporting the land division history, closely follow the example below. Be sure to start the history 20 years ago (rather than in the present) and include a drawing showing all the land divisions (for example, creation of new lots, creation of new leases for development, or the placement of new dwellings on your parcel). Your listings must account for all the acreage within the original parcel as it existed 20 years ago.

 A fillable [table for Land Division History](#) that you must use to organize this information is provided near the beginning of this application.

See the Next Page for a Land Division History Example

Land Division History Example

<u>Transaction Details</u>		<u>Seller/Grantor and Buyer/Grantee</u>	<u>Book/Page, and Date of Transaction</u>	<u>Lot Size</u>
	Amy Adams sold a 10 acre lot to her neighbor, Rob Rogers, on November 22, 1990.	Amy Adams → Rob Rogers	Book 1251, Page 125 11/22/1999	10 acres
	Rob Rogers sold a 4-acre portion of his lot to Dan Davis on June 12, 1997.	Rob Rogers → Dan Davis	Book 1254, Page 63 06/12/2006	4 acres
	Rob Rogers gifted the remaining 6 acres to his daughter, Sue Smith, on January 11, 1999.	Rob Rogers → Sue Smith	Book 1254, Page 178 01/11/2008	6 acres
	Sue Smith sold a 2-acre part of her lot to John Jones on May 21, 2005. Sue Smith still owns the remaining 4 acres.	Sue Smith → John Jones	Book 1257, Page 36 05/21/2014	2 acres
	Applicant purchased the 2-acre lot from John Jones on July 15, 2011.	John Jones → Applicant	Book 1260, Page 91 07/15/2019	2 acres

9. Structures, Features, and Uses

Applicability: Required for all applications

Rule Section: 4.05,A

Site Uses

List and describe separately all current uses and all proposed uses. Examples of uses include residential, rental, home-based business, campsite, commercial, industrial, forestry, undeveloped, public, institutional, etc.

If known, describe historic uses of the property.

Site Conditions

Describe in detail the present condition of your property and the site to be developed or rezoned. Include descriptions of the following:

- water features (lakes, ponds, man-made ponds, rivers, streams, drainageways, etc.)
- the nature of any water frontage (muddy, sandy, stones, boulders, wooded, cleared, etc.)
- whether there are wetlands or any portions of the site are subject to flooding, ponding, etc.
- the general slope and topography of the ground (flat, steep, percent slope, etc.)
- the existing vegetation
- any history of vegetation clearing and timber harvesting activities
- any special natural areas
- cultural/historical conditions and features
- any other relevant features, conditions, or details

Structures

For each structure that currently exists on the property or is proposed to be altered or newly constructed, provide the following information where applicable:

- type of structure (for example: dwelling, cabin, office, garage, bunkhouse, store, dock, deck, patio, porch, shed, free-standing sign, etc.). Indicate if the structure is temporary. (For occupied campers, tents, etc., 'temporary' means in place 120 days or less during any calendar year. For docks, 'temporary' means in place less than 7 months during any calendar year.) Name structures consistent with the labeling used in the Site Plans exhibit.
- current use and proposed use (if use is changing or if structure is new). Examples of uses include, but are not limited to: residential, rental, home-based business, recreational, commercial, industrial, forestry, public, institutional, etc.
- year built (or anticipated duration if structure is temporary)
- proposed alterations (if applicable), such as new construction, expansion or addition (include increasing height), reconstruction or replacement, adding permanent foundation, relocating, enclosing deck or porch, removal, etc.
- current (if applicable) and proposed exterior dimensions (Length x Width x Height)
- type of foundation (full basement, frost wall, slab, posts, techno posts, sono tubes, wheels, skid, etc.)
- number of bedrooms and plumbing/water fixtures

- setback distances: the distance (in feet) from the traveled portion of all roads; side and rear property lines; and the shoreline of lakes/ponds, rivers/streams, wetlands, and ocean/coastal wetlands

 A fillable [Structures Table](#) that you must use to organize this information is provided near the beginning of this application.

Infrastructure

- 1) For infrastructure that is currently existing or is proposed to be altered or newly constructed, provide the following information where applicable:
 - type (for example: well, utility corridor, land management road, driveway, common driveway, recreational trail, level A, B, or C road, subdivision or development access road, parking area, path, walkway, trail, boat launch, rip-rap, dock, well, etc.). Indicate if the infrastructure is temporary. If describing a road or trail, use names/descriptors consistent with those used in the Site Plans exhibit.
 - current use and proposed use (if use is changing or if infrastructure is new). Examples of uses include, but are not limited to: residential, rental, home-based business, recreational, commercial, industrial, forestry, public, institutional, etc.
 - year built (or anticipated duration if structure is temporary)
 - proposed alterations, such as none, newly construct, expand, reconstruct or replace, relocate, removal, etc.
 - new dimensions (L x W)
 - setback distances: the distance (in feet) from the traveled portion of all roads; side and rear property lines; and the shoreline of lakes/ponds, rivers/streams, wetlands, and ocean/coastal wetlands

 *Septic systems need not be included in this exhibit. They are covered in the Subsurface Wastewater exhibit. However, please indicate the location of any septic system on the Site Plan exhibit.*

 A fillable [Infrastructure Table](#) that you must use to organize this information is provided near the beginning of this application.

- 2) List the type of each water crossing currently existing or proposed (for example: bridge, box culvert, culvert, etc.).

 *Applicants proposing water crossings need to complete the Wetlands Supplement as part of this application. The Wetlands Supplement can be downloaded from the LUPC website, www.maine.gov/dacf/lupc/application_forms/index.shtml.*

10. Site Plans

Applicability: Required for all applications

Rule Sections: 4.05,A & 10.25,Q

Submit site plans showing an overhead view of the project area. One site plan should show the property as it presently exists (the Existing Site Plan). Another site plan should show the proposed changes (the Proposed Site Plan). A single site plan showing both existing features and proposed changes may be submitted if the information requested below fits conveniently on one drawing.

 Applicants for small subdivision projects may draw the plan to scale on an 8½ x 11 inch sheet of paper or on the [grid paper](#) found near the beginning of this application. Larger projects may draw the plan to scale on plan sheets up to 24 x 36 inches in size. Examples of different subdivision layouts are available from LUPC staff by request.

Each site plan drawing must show the following, if applicable:

- Property boundary lines and dimensions (including any road and water frontage)
- Indications of topography, such as contour lines, especially ridgelines and areas with steep slopes
- Setbacks of existing and proposed development from roads, property lines, waterbodies, and wetlands (based on the shortest distances)
- A north arrow

Site Plan(s) should show the following project features. In each case, include both temporary and permanent project features.

- Natural and cultural features (for example: wooded areas, open fields, rivers, perennial and intermittent streams, lakes, ponds, wetlands, floodplains, historic landmarks, etc.). Include names for waterbodies and other features that are named.
- Existing or proposed/modified structures (for example: buildings, signs, etc.). For each structure, indicate its dimensions. The Proposed Site Plan should show the new building footprints resulting from changes to existing structures, such as expansion, reconstruction, removal, relocation, or any other alteration.
- Existing or proposed/modified infrastructure (for example: wells, septic systems, roads, walkways, driveways, parking areas, utility corridors, utility infrastructure, trails, boat launches, bridges, culverts, etc.). Indicate all dimensions and include names for any roads or other infrastructure with a name.

See Next Page for Additional Details on Roads

In addition, for each existing and proposed/upgraded road indicate:

- the name
 - the center line
 - the width of the travel way, shoulders, and rights of way
 - the depth and type of the minimum base
 - the depth and type of the minimum wearing surface
 - the average grade and maximum sustained grade
 - the sizes and locations of turnouts, if present
 - the sizes and locations of turnarounds, if present
- Existing or proposed areas that have been, or will be, stripped, graded, grubbed, filled, or otherwise have exposed soil. Indicate the dimensions of each area.
 - For any areas of soil disturbance occurring within 250 ft of a water body, flowing water, or wetland, provide the average slope of the land between the disturbed soil and the normal high water mark (water body, flowing water) or upland edge (wetland) of the water feature.
 - For any areas of soil disturbance occurring within 250 ft of a property line or road, provide the average slope of the land between the disturbed soil and the property line or edge of the road.
 - Existing or proposed erosion, sedimentation and drainage control measures (hay bales, silt fencing, floating silt booms, level spreaders, culverts, water bars, drainage ditches, etc.)
 - Existing or proposed areas of cleared vegetation. Indicate the dimensions of each area.
 - Existing or proposed development and uses that are potential sources of water pollution (for example: junk yards, auto repair shops, fuel storage tanks, fertilizer or pesticide storage tanks, areas of sprayed fertilizers and pesticides, road salt, road sand, and chemicals used for de-icing or dust control)
 - Be sure to list sources of water pollution that will be present during construction in addition to those that will be present during routine operation.
 - Proposed areas for wildlife passage. Indicate the dimensions of each area.
 - Proposed subdivision lot boundary lines (including designated common areas and any other areas that are to remain undeveloped)
 - Proposed lot numbers

Bulleted list continued on the next page

- Proposed building envelopes (suitable areas where structural development and permanently maintained cleared areas may occur)
- Test pit locations
- Shoreland Development: For subdivisions involving shoreland development, show the common access point(s) to the water and any proposed permanent docks, trailered ramps, and hand-carry launches.
- Common Open Space: On the proposed site plan, show:
 - common open space and how it connects with off-site undeveloped land
 - wildlife passage
 - trails and any connections with off-site trails
 - nearby conserved land and nearby water bodies
 - the areas and frontages of the common open space lots

If not practical to include on a single proposed site plan, submit an additional site plan at a scale that will show integration with off-site undeveloped land, nearby conserved land, and water bodies.

- If practical include the soils mapping on the site plan(s).

11. Site Photographs

Applicability: Required for all applications

Rule Section: 4.05,A

Attach a series of photographs taken within the past two years that show the project area as it currently exists. Photographs should include structures, features, and other aspects of the area that are noteworthy and representative. While not required, in some cases, aerial imagery can best illustrate current conditions. Include the date taken and an explanatory caption for each photo.

Proceed to next page for Exhibit 12

12. Site Access and Legal Right of Access

Rule Sections: 10.24 & 10.25, Q

Applicability: Required for all applications

Site Access

Roadway Access – Private Roads

- Provide the following information about each existing road used to access the project site from the nearest public road: name, the name of the owner or land manager, the length, the width of the travel surface, the right-of-way width, and the type of road surface.

A table like the one below may be helpful.

<u>Road Name</u>	<u>Owner or Land Manager Name</u>	<u>Road Length</u>	<u>Travel Surface Width</u>	<u>Right-of- Way Width</u>	<u>Road Surface</u>
<i>Example Road</i>	<i>Mr. Smith</i>	<i>1.35 miles</i>	<i>16 ft.</i>	<i>33 ft.</i>	<i>Gravel</i>

- Describe any limitations on access/egress for the roads you listed (for example: seasonal road closures, granted temporary access only, etc.).
- If the road that would access the proposed development does not yet exist, provide general information indicating that it could be reasonably built in the proposed location AND that the design could accommodate all expected uses (including during construction phases).

Access Over Water

If the development site can only be accessed by water during any part of the year, identify and describe the boat launch and parking facilities near the site and on the mainland. Also include, in response to the three bulleted requests above, information on how these facilities are accessed from a public road.

When addressing this question be sure to:

- provide a map or clear description of the locations of the launching and parking facilities
- identify their owner(s)
- describe the capacity and any use restrictions of the facilities
- describe how construction equipment and materials will access the site (for example: will barges be used; if so, provide information on the proposed loading and offloading areas)

Legal Right of Access

If any access to the proposed development is by use of private roads owned by someone other than the applicant, submit a copy of all easements or rights of way that demonstrate and provide for perpetual continued access to the development (for example: to each lot within a subdivision). Such easements or rights of way should indicate any specific conditions or limitations on access (including restrictions to identified seasonal access, requirements for maintenance, maintenance fees, etc.). Indicate if these easements or rights of way were already submitted as part of the Deed, Lease, Sales Contract, and Easements exhibit.

If access is by water and requires use of a private road, parking area, or boat launch, demonstrate the legal right of all lot owners to use the necessary private road, parking area, or boat launch facilities at the launching and landing sites.

If applicable, describe the legal right of access provided to the owners of lots that previously were leased and have been/will be sold after June 17, 2019.

i *Legal right of access is not required for proposed D-RS subdistricts, or subsequent residential subdivision, intended for residential lots that will 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. However, legal right of access requirements will apply to the subsequent sale of lots in a subdivision created after June 17, 2019.*

13. Vehicle Access, Circulation, and Parking

Applicability: Required for all applications

Rule Section: 10.25,D

Vehicle Access and Circulation

- 1) Describe the type(s) and volume of traffic the proposed project will generate (both during and after construction).
- 2) Describe how safe entering and exiting of vehicles will occur. Include discussion of the following:
 - the number and width of access points
 - how access is designed so that vehicles can exit the site without backing onto roads or shoulders
 - the angle at which each access way intersects the road
 - how sight triangles are designed and maintained on each side of the intersection between the access way and road

- *(for commercial development only)* whether shared road access is used (if not, describe why shared access is not possible)
- additional information that may be important in determining safety (for example: gating, seasonal factors, etc.)

3) Describe how safe movement of vehicles within the development will occur. Include discussion of the following:

- the sizes and locations of turnouts and turnarounds, if applicable
- explanation of design and safety accommodations for emergency response vehicles
- explanation of design and safety accommodations if roadways will be used for forest management or other purposes involving large vehicles
- additional information that may help determine if movement of vehicles will be safe (for example: gating, seasonal factors, etc.)

Parking

4) If use of a new or existing parking area is proposed, explain:

- how parking areas are designed and located (on-street parallel, on-street diagonal, off-street at front, etc.)
- why side parking and rear parking are not possible or are limited (if proposing any off-street parking area at the front of a building)
- safety features of the parking areas (such as striping, directional signs, bollards, designated entrances and exits, etc.)
- how parking areas will be visually buffered from the roadway and adjacent structures or uses

State, County, Town, and Plantation Road Entrance Permits

If a permit is required for new or modified entrances, roads, or driveways off of county, town, or plantation roads in your area, you must obtain this permit and submit it with your application. Contact your County Commissioners' office or Town/Plantation office for further information.

If you are proposing to construct, modify, or change the use of a driveway, road, or entrance off of a state or state-aid road, or if the proposal could potentially increase traffic volume or create a safety or drainage concern, you must obtain a Driveway/Entrance Permit from the Maine Department of Transportation (MDOT) and submit it with this exhibit.

i The MDOT may be reached at (207) 624-3600, or visit the Department's website at www.maine.gov/mdot/.

Traffic Impact Study

You may be required to conduct a traffic impact study of roadways and intersections in the vicinity of your project site. If the proposed development has the potential to generate traffic safety or road capacity concerns, contact LUPC staff.

14. Subdivision Layout and Design

Applicability: Required for all applications

Rule Sections: 10.25,Q,3 & 4

Subdivision Acreage

Provide the following information on subdivision acreage:

- Developed Acres – the total acreage proposed for subdivision lots, roads, infrastructure, and other development
- Conserved Acres - the total acreage proposed for open space and other non-developable uses
- Retained Acres - the total acreage proposed to be retained but not conserved
- Total Project Acres – the total acreage of the project area. (Total should equal the sum of the Developed Acres, Conserved Acres, and Retained Acres.)

Layout and Design

Provide the type of subdivision layout are you proposing (Basic, Clustered, Rural Lot, or FlexDesign).

Lot Specifications: Submit a table listing individual lot specifications. Include lots that are designated common areas or any other areas that will remain undeveloped. The table of lot specifications must include, for each lot:

- lot number
- lot dimensions (width x depth, in ft)
- lot size (sq. ft)
- building envelope (structural development and permanently maintained cleared openings) dimensions (width x depth, in ft)
- building envelope size (sq. ft)
- shore frontage (ft)

Bulleted list continued next page

- road frontage (ft)
- an indication of whether the lot will be developed or remain undeveloped
- Natural Resources Conservation Service (NRCS) soils potential ratings for low density development
- a description of proposed uses (for example: residential, commercial, industrial, civic, roads, wildlife passage, common open space, water access, trails, etc.)



A fillable [table for Subdivision Lot Specifications](#) that you must use to organize this information is provided near the beginning of this application.

FlexDesign Subdivisions

If proposing a FlexDesign Subdivision:

- Describe how the design was created and what site features were considered in the design phase.
- Describe how the proposal is consistent with the subdivision objectives listed in Section 10.25,Q,4,d,1. These objectives include protection of limited and high values resources, access to recreational resources, and the adequacy of existing and proposed infrastructure.
- If the proposed site plan (Site Plan exhibit) does not include all future phases of development, include a conceptual, long-range development plan that describes future phases of development. The long-range development plan should include a narrative and sketched layout showing planned lots, roads, building envelopes, and other features if known at the time of submission.

15. Common Open Space

Applicability: Required for all applications

Rule Sections: 10.25,Q & S

Net Developable Land Percentage (for all subdivision types except non-recreational Basic layouts and Rural Lot layouts)

Provide the percentage of the parcel's net developable land that will be designated as common open space and explain how the percentage was obtained.

If applicable, provide the percentage of the parcel's net developable shorefront that will be designated as common open space and explain how the percentage was obtained.

Soil mapping by the Natural Resources Conservation Service (NRCS) may be used in calculating net developable land and net developable shorefront.

i NRCS soil maps may be found at websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx.

Description of Common Open Space

Explain why you chose the area(s) for common open space. In your explanation, include the rationale for wildlife passage and corridors and how the subdivision's common open space connects with off-site undeveloped land.

If the common open space will not connect with off-site, undeveloped land, explain why the proposed configuration better meets the Commission's natural and cultural resource goals [for example: protecting ecological diversity, quality of surface waters, ecological functions of wetlands, archaeological and historical resources of cultural significance (see the Comprehensive Land Use Plan, Chapter 1, for a full list of the Commission's natural and cultural resource goals)].

For Recreation-Based Subdivisions Using a Basic Subdivision Layout:

If requirements for common open space percentages of net developable land are not met, explain how the subdivision meets the applicable exceptions of either:

- a) abutting or being located within ¼ mile of permanently conserved land,
- OR
- b) including provisions for the preservation of nearby, off-site open space.

In either case, the conserved land must be equal to or greater than the required open space, both in total contiguous area and shoreline frontage.

For Flexdesign Subdivisions:

Include evidence that the common open space includes all identified priority conservation areas and indicates which supplemental conservation areas are included in the common open space.

If less than 50% of the net developable land area and/or net developable shore front area is included in common open space, explain how the proposed common open space will meet the Commission's subdivision design objectives of good fit, efficient use of limited resources, protection of high-value resources, adequate access to recreational resources, and adequate infrastructure (see the Commission's Chapter 10 rules, Section 10.25,Q,4,d,(1) for a description of these objectives).

Exhibit continued next page

Common Open Space and Recreational Features

If the proposed subdivision will be located near a recreational resource (for example: a trail or boat launch), explain why use of the recreational resource by new lot owners will not exceed the resource's capacity. For example, discuss how access roads, access trails, parking, and restroom facilities would accommodate the additional users and traffic.

Also, describe how the construction of informal access trails will be prevented.

Common Open Space Covenants or Easements

Submit the following:

- provisions for the ownership, preservation, use, maintenance, and management of on-site and off-site common ownership lots and common open space. Include a list of uses that will be allowed in the common open space
- documentation that the entity preserving, maintaining, and managing the common open space is one of the following: a qualified holder (for example: a governmental body, a nonprofit corporation, or charitable trust); a homeowners association; or a single landowner (provided deed covenant language is sufficient to ensure the purposes of the common open space)
- Draft legal documents that describe any restrictions and responsibilities imposed, and rights provided for, in any shared resources or infrastructure (such as common ownership lots and other common open space)
- If an owners association will be responsible for the common open space, the bylaws establishing the association must include the items listed in the Association Bylaws exhibit

16. Subdivision Lot Deed or Lease Covenants

Applicability: Required for all applications

Rule Section: 10.25,Q,3

Submit a copy of any restrictions, covenants, and conditions that will be imposed upon, or rights that will be granted to, persons buying, leasing or otherwise using a part of the subdivision. Include:

- specific deed restrictions requiring that all development and cleared areas must be located within designated building envelopes
- provisions for common access to the water for subdivisions with shoreline frontage

If the Land Use Planning Commission has granted an emergency services waiver for the subdistrict, provide evidence that sufficient notice of the absence of emergency services will be provided to subsequent property owners within the subdivision. Include the specific language to be used on the subdivision plat and in any deed for lots within the subdivision.

17. Fire, Police, and Ambulance Protection

Applicability: Required for all applications

Rule Sections: 10.24 & 10.25,Q

For each service (for example: fire department or forest service; county sheriff's office or town police department; ambulance service), give the name of the provider and their distance from the proposed development.

Submit letters from local officials, county officials, and/or service providers confirming availability and capacity to provide the necessary services. Letters must indicate that officials and service providers have sufficient knowledge of the proposed development to accurately assess the services needed.

If the development would increase demand for services beyond the existing capacity of the service provider, the letter should explain how the additional needs can be met.

18. Solid Waste Disposal

Applicability: Required for all applications

Rule Section: 10.24,A

Construction Wastes

List the types of wastes to be generated by proposed construction activities (asphalt, pavement, stumps, brush, specific building materials, etc.).

For off-site disposal, submit a letter(s) from the solid waste facility(ies) that states both the availability and capacity of each facility to accept wastes from the proposed construction activities. Each letter must specify the location of the facility, the types of construction wastes the facility will accept from the project, and whether the facility is state approved. Each letter must also indicate that the facility operator has sufficient knowledge of the proposed construction activities to accurately assess the disposal services and capacity needed. If you have a contract with an individual or firm for the collection or transfer of solid construction wastes from the project area to the approved solid waste facility, provide a signed copy of the contract.

For on-site disposal, show the location and size of the disposal area on the Site Plan AND describe how the construction wastes will be disposed of in compliance with the Maine Solid Waste Management Rules.

Solid Waste from Routine Operation:

Submit a letter from the solid waste facility that states both the availability and capacity of the facility to accept wastes from the proposed project. The letter must specify the location of the facility, the types of solid waste the facility will accept from the project, and whether the facility is state approved. The letter must also indicate that the facility operator has sufficient knowledge of the proposed development to accurately assess

the disposal services and capacity needed. If you have a contract with an individual or firm for the regular collection or transfer of solid wastes from the project to the approved solid waste facility, provide a signed copy of the contract.

If the same facility is accepting both construction wastes and waste from routine operations for this project, a single letter is sufficient.

Submit a description of provisions for collection or transfer of wastes from individual subdivision lots to the facility (for example: provisions for weekly collection from each lot by a contracted firm or individual, a central on-site collection area with provisions for weekly transport, responsibility of individual lot owners, etc.).

19. Electricity and Telephone Service

Applicability: Required for all applications

Rule Section: 4.05,A

Electricity Service

Describe how electricity will be provided for your project, both during and after construction. In your description, include:

- the source(s) of electricity (for example: generators, utility lines, solar, etc.)
- the existing and proposed infrastructure for bringing electricity to the site and distributing it within the site (for example: poles, underground cables, solar panels, inverters, etc.)
- the approximate distance of the project to the nearest existing utility line (whether or not the project site will be provided with electric power)

If electricity will be provided by a utility company, submit a letter confirming the company's capacity to provide the electricity. The letter must indicate that the company has sufficient knowledge of the proposed development to make an accurate assessment of the project's demand for electricity.

Telephone Service

Describe the telephone service for your project. In your description, include:

- the type(s) of telephone service provided (for example: cellular, landline, etc.)
- the existing and proposed infrastructure necessary for providing telephone service to the site and throughout the site (for example: poles, towers, underground cables, etc.)
- the approximate distance of the project to the nearest existing telephone line (whether or not telephone service will be provided)

If telephone service will be provided by a utility company, provide a letter confirming the company's capacity to provide service. The letter must indicate that the company has sufficient knowledge of the proposed development to make an accurate assessment of the project's demand for telephone service.

20. Water Supply

Applicability: Required for all applications

Rule Section: 10.25,J

To confirm that sufficient and healthful drinking water exists for your project, submit:

- a) a letter from a geologist, hydrogeologist or well driller knowledgeable with the area, describing the project site and stating that a sufficient and healthful water supply is likely to be available

OR

- b) a report indicating the volume and potability of water from a test well dug or drilled on site

Explain how surface water and contaminants will be prevented from infiltrating any existing and new wells. (Locations of all wells must be shown in the Site Plans exhibit.)

If you plan to install a central water supply, submit detailed plans for the water supply system in conformance with Maine's drinking water regulations. Such plans must be designed by a Maine Licensed Professional Engineer, and must show all water supply locations, support facilities and structures, and pipelines. Also describe how the system will be maintained.

i For details about Maine's drinking water regulations, call the Division of Environmental Health, Drinking Water Program at (207) 287-2070 or www.maine.gov/dhhs/mecdc/environmental-health/dwp/.

Proceed to next page for Exhibit 21

21. Wastewater Disposal

Applicability: Required for all applications

Rule Sections: 10.25,G & 10.25,I

Depending on the proposed system(s) for wastewater disposal, submit the information requested below.

Individual systems

If subsurface sewage disposal systems are proposed, demonstrate that each subdivision lot has a sufficient area of suitable soils for a sewage disposal system in full compliance with the requirements of the Maine State Plumbing Code.

Sewage disposal systems must be located within the proposed building envelope of each lot. Test pit evaluations must be conducted on each individual subdivision lot, and an organized compilation of all test pit results submitted. This information must be compiled by a Licensed Site Evaluator and submitted in the log format shown below. The log must be dated and include the signature and license number of the Site Evaluator responsible for the work.

As a minimum, at least one test pit is needed per subdivision lot. However, LUPC rules, Chapter 10, Section 10.25,G,3 require additional test pits depending on the characteristics of the soils. Where soil limitations exist, additional test pits are required. Refer to Section 10.25,G,3 for details.

Lot No.	Test Pit	Soil Name	Plumbing Code Soil Profile & Condition	Depth of Pit	Depth to Seasonal Ground Water	Depth to Bedrock	Area of Suitable Soils	Area Required for System Installation	Type of System Anticipated
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Private Central or Clustered Systems

If a private central or clustered wastewater disposal system is proposed, submit soil test pit information from a Licensed Site Evaluator and detailed specifications for the system designed by a Maine Licensed Professional Engineer. The design must show locations of the collection and treatment systems, and all support facilities, structures, and pipelines in relation to proposed subdivision lots and roads. Also submit specific provisions for emergency handling of sewage and the continued operation and maintenance of the system. If such responsibilities are to be assumed by an owners association, the bylaws required as part of the Association Bylaws exhibit must include specific provisions for the operation and maintenance of the system.

Off-Site Systems

If wastewater is to be collected and treated off-site by a public or private sewage treatment facility, provide a letter confirming the facility's availability and capacity to provide the necessary services. The letter must indicate that the facility operator has sufficient knowledge of the proposed development to accurately assess

the capacity needed. The letter must also confirm that the facility is licensed by the Maine Department of Environmental Protection.

If the proposed development would increase demand for wastewater disposal services beyond the capacity of the service provider, the letter should explain how additional needs can be met.

22. Exterior Lighting

Applicability: Required for all applications

Rule Section: 10.25,F

Provide the following information for each exterior light fixture that will illuminate any part of the project area or surroundings: the location, type of bulb, the bulb wattage, whether it is a cutoff fixture, whether it is a motion activated fixture, and if existing, the date it was installed. Include existing lighting and light fixtures to be installed.

i Bulb types include LED, fluorescent, incandescent, mercury vapor, high-pressure sodium (HPS), and others. A cut-off (or shielded) fixture has a recessed bulb that prevents glare and directs light downward.

A table like the following will help to organize the information:

<u>Fixture Location</u>	<u>Type of Bulb</u>	<u>Wattage (W)</u>	<u>Cutoff fixture? (Y/N)</u>	<u>Motion activated? (Y/N)</u>	<u>Date Installed (if existing)</u>
Example: Front Entrance	LED	16 W	Y	N	New

23. Noise

Applicability: Required for all applications

Rule Section: 10.25,F

Describe the source and frequency of any continuous, regular, or frequent source of noise that will be generated by the development (except for construction activities occurring between 7 AM and 7 PM).

Explain how you will ensure that such noise will not exceed LUPC’s maximum permissible sound pressure levels.

24. Harmonious Fit and Natural Character

Applicability: Required for all applications

Rule Sections: 10.24 & 10.25,E

Describe the visibility of the proposed development from roadways, scenic byways, major waterbodies, coastal wetlands, permanent trails, or public property within three miles. If the development will not be visible, explain why not.

Describe how the proposed development will affect the character of the area, and describe the plan to fit the development into the existing surroundings. Approaches for fitting development into the surroundings may involve siting, design, size, coloring and construction materials, vegetation and landscaping, driveway and roadway locations, lot sizes, or other factors that lessen the impact of the project on its surroundings.

For subdivisions with mixed residential, commercial, or civic uses: explain how commercial or civic uses fit the size, scale, and intensity of any surrounding residential uses.

For development on hillsides:

Submit a vegetation management plan that shows building envelopes and the location of trees, vegetation, or other screening features on the property. The plan should establish long-term maintenance of clearing limits that will minimize potential impacts to views of the development.

i *Hillside has a specific definition in LUPC regulations. To determine if any parts of the proposed subdivision are located on a hillside, [contact](#) staff in the regional office that serves the area.*

25. Protected Natural Resources

Applicability: Required for all applications

Rule Section: 10.25,P

- Submit letters from the Maine Natural Areas Program (“MNAP”)/Ecology Group and the Maine Department of Inland Fisheries and Wildlife (“MDIFW”) confirming the presence or absence of rare or special plant communities or significant wildlife habitat in the area proposed for development and its surroundings. If MNAP or the MDIFW recommends a more detailed inventory of the area by a qualified professional, submit the results of an on-site survey for these natural resources. Note that vernal pool surveys are recommended by MDIFW. Please contact staff for questions about the vernal pool survey requirement.
- If MNAP indicates that *critically imperiled (S1) or imperiled (S2) natural communities or plant species* are present, describe the resource and the designation. Explain why the proposed development will result in no undue adverse impact to the community or species.

- If MDIFW indicates that essential wildlife habitat, significant wildlife habitat, or other important wildlife habitat designated by U.S. Fish and Wildlife or by MDIFW is present, explain why the proposed development will result in no undue adverse impact on the habitat AND how the values that qualify the site for such designation will be maintained.

i For information about natural communities and plant species, contact the Maine Natural Areas Program at (207) 287-8044 or maine.nap@maine.gov or go to the Program's website at www.maine.gov/dacf/mnap/.

For information about wildlife habitat, contact the Maine Department of Inland Fisheries and Wildlife at (207) 287-8000 or IFWEnvironmentalreview@maine.gov or go to the department's website at www.maine.gov/ifw/.

*****If the project is disturbing over 1 acre, a wetland delineation is required.*****

26. Archaeological and Historical Resources

Applicability: Required for all applications

Rule Section: 10.25,E

Submit a current letter from the Maine Historic Preservation Commission stating the location proposed for development and indicating whether or not further action (such as a site survey) is required to determine the potential effect of the proposed development on archaeologically or historically significant resources.

i The Maine Historic Preservation Commission (MHPC) can be reached at (207) 287-2132. Information on MHPC project review, including contact and submission information, may be found at www.maine.gov/mhpc/programs/project-review.

If the Maine Historic Preservation Commission decides that further action is necessary, submit evidence that the specified action has been completed. For example, submit the results of a site survey by a qualified archaeologist.

Using information provided by the Maine Historic Preservation Committee, or collected as a result of further actions, explain how or why the project will result in no undue adverse impact to archaeological or historical resources. Be sure to explain how the values that qualify the site for special archaeological or historical designation will be maintained.

27. Soil Suitability and Mapping

Applicability: Required for all applications.

Rule Section: 10.25,G

Soil Surveying and Mapping

Submit a completed on-site soil survey conducted by a Maine Licensed Soil Scientist or Natural Resources Conservation Service (NRCS) Soil Scientist according to the “Guidelines for Maine Certified Soil Scientists for Soil Identification and Mapping” (Maine Association of Professional Soil Scientists, 2009) and Chapter 10, Section 10.25,G.

The soil survey must include a soil map based on the on-site survey (may be included on the Site Plan), a soil narrative report, and a soil profile log description.

All map units on the project site with hydric (frequently flooded or waterlogged) soils, or with a low or very low development potential rating for low density development must be clearly identified as such on the soil survey map.

Use the following guidelines to determine the type of soil survey required in different areas of the proposed project:

Class B High Intensity Soil Survey (*for Residential/Subdivision Development only*) – use to identify soils within all subdivision lot building envelopes and other disturbed areas on your project site (except for proposed access roads, driveway locations, utility lines, and other linear development components which require a Class L Soil Survey; see below). Disturbed areas include areas that are stripped, graded, grubbed or otherwise result in soil exposure at any time during the site preparation for, or construction of, a project.

Class B soil surveys for subdivisions must be completed with a minimum delineation of one acre for similar soils and ¼ acre for dissimilar soils.

Class L Soil Survey: Use to identify soils for any linear components of the project that involve soil disturbance and have little, or no, adjacent development. Linear components that may qualify for a Class L soil survey include roads, driveways, utility lines, trails, and fairways.

Class C Soil Survey: Use to identify soils elsewhere within the project area. In lieu of a Class C Survey, the Commission may allow applicants to use USDA Natural Resources Conservation Service Soil Survey published maps in certain conditions:

- when the published mapping indicates the project area is rated with a medium or high potential for low density development
- in areas that will be preserved as open space
- in unusual instances in which the Commission finds that published mapping provides the necessary information.

Soil Suitability

With the results of your soil survey, identify the development potential rating for each soil type within your project area using the Natural Resources Conservation Service's (NRCS) soils potential ratings for low density development.

If any soils within your project area have a low or very low development potential rating, explain what measures will be used to overcome the limitations that resulted in such a rating.

28. Water Quality

Applicability: Required for all applications

Rule Sections: 10.24 & 10.25, K, N, & O

Explain the measures ensuring that each source of water pollution (shown in the Site Plans exhibit) will not contaminate:

- the project site and other properties
- adjacent lakes, ponds, rivers, streams, and ocean
- adjacent wetlands
- groundwater aquifers

In your explanation, discuss the best management practices that will be used, including those for spill prevention, control, and cleanup.

Proceed to next page for Exhibit 29

29. Erosion, Sedimentation, and Drainage Control Measures

Applicability: Required for all applications

Rule Sections: 10.25,M & D; 10.27,D & H

Minor Soil Disturbance - less than one acre and ground not frozen or saturated

If the total area of soil disturbance will be less than one acre (43,560 sq. ft.) AND if soil disturbance will not occur when the ground is frozen or saturated, provide the following information:

- Provide a general timeline of construction activities at the development site, including clearing, grading, construction, maintenance of erosion control measures, and final landscaping.
- Describe how you will minimize and control soil disturbance, erosion, and sedimentation. The description should cover each phase of the project, including site preparation, construction, cleanup, and post-construction. Refer to your timeline of construction activities (#1 above) and your Site Plans exhibit in your description.

Include the following elements in your description:

- how you will minimize soil disturbance and the duration of soil exposure during each phase of construction
- how you will stabilize areas of disturbed soil and soil stockpiles and prevent sediment from entering water, wetlands, natural drainage systems, catch basins, culverts, or adjacent properties during each phase of construction

Pay special attention to:

- soil disturbance that will occur in, or adjacent to, water bodies, wetlands, natural drainage systems, or water crossings
 - soil disturbance that will occur on slopes exceeding 15%
 - distances of soil stockpiles from water bodies, flowing waters, wetlands, drainage systems, water crossings, property lines, etc.
 - scheduling and inspection of erosion/sedimentation control measures (for example: daily)
 - sources of fill and how you will ensure that fill is free of hazardous or toxic materials, debris, trash and rubbish
 - how and when disturbed areas will be seeded or stabilized at the end of the construction season and at the completion of the project
 - provisions you will make for the continued maintenance of all proposed erosion and sedimentation control measures during and after construction operations
- Describe all temporary and permanent provisions for drainage including culverts, water bars, drainage ditches, settling basins, etc., and your plan for the continued maintenance of these structures. Emphasize best management practices. Discuss how any roadways proposed are designed to minimize

the use of ditching, cuts, and fills. Refer to your timeline of construction activities and your Site Plans exhibit in your description.

Calculations, formulas and factors used to determine the sizing of drainage structures may be requested.

Significant Soil Disturbance: Erosion Control Plan – 1 acre or more or ground frozen or saturated

If the total area of soil disturbance shown in the Site Plans exhibit will be one acre (43,560 sq. ft.) or more OR if soil disturbance activities will occur when the ground is frozen or saturated, submit an erosion and sedimentation control plan that includes the information listed below. Emphasize best management practices, and refer to the Site Plans exhibit in your plan.

- A timeline identifying the sequence of construction events at the development site from site preparation to completion of the project. The timeline should include:
 - stripping and clearing
 - rough grading
 - construction of utilities, infrastructure and buildings
 - final grading and landscaping
 - the expected date on which clearing will begin
 - the estimated duration of exposure of cleared and disturbed areas
 - the sequence of installation of temporary erosion and sedimentation control measures, and
 - the planned date of establishment of permanent vegetation
- A detailed description of all temporary and permanent erosion and sedimentation control measures, including:
 - 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 quality of mulching for both temporary and permanent vegetative stabilization measures
- Describe in detail all plans for temporary and permanent drainage including culverts, water bars, drainage ditches, settling basins, etc., including plans for their continued maintenance. Discuss how any roadways proposed are designed to minimize the use of ditching, cuts, and fills.

Calculations, formulas and factors used to determine the sizing of drainage structures may be requested.

- If any proposed road or trail is anticipated to be closed out or put to bed at a later date, explain when and how it will be closed out.

Exhibits Required for Certain Applications

30. Association Bylaws

Applicability: Required if a road, lot or home owners association, or similar organization, will be formed

Rule Sections: 10.25,Q & 10.25,S

If you plan to form an association for the continued operation and maintenance of roads, common lots, common open space, central sewage disposal facilities, central water supply facilities, or other common elements within the subdivision, submit a copy of the proposed association bylaws.

The association bylaws must include:

- date of creation
- the subdivision developer's responsibilities until development sufficient to support the association has taken place (including capitalization to cover initial operating costs)
- mandatory lot owner or lessee membership
- association responsibilities and authority, including the power to place liens on property of members who fail to pay assessments
- proper capitalization to cover ongoing operating costs
- process for assessing and collecting membership fees
- process for apportioning monies among costs
- all other operating procedures
- membership rights, privileges, restrictions, and responsibilities regarding all shared resources and infrastructure (including allowed uses; allowed or required improvements; common open space covenants; and operation and maintenance requirements, such as for roads or water access)
- prohibitions on all residential, commercial, and industrial structures and uses within any designated open space
- prohibitions on other structures and uses in open space that have not specifically been authorized by the subdivision permit

31. Roadway Construction and Upgrades

Applicability: Required if upgrading existing roads or building new roads

Rule Sections: 10.25,D; 10.27,D & H

- Provide the following information about each road you propose to build or upgrade: length; width of the travel surface; type and depth of base; type and depth of wearing surface; average and maximum sustained grade; and number of culverts and/or water crossings.

Use road names/descriptors consistent with those used in the Site Plans and Structures, Uses, Features exhibits. For roads that will not have a consistent wearing surface or base, provide information separately for each road section.

A table like the one below may be helpful:

<u>Road Description/ Name</u>	<u>Length (ft)</u>	<u>Travel Surface Width (ft)</u>	<u>Base Depth (in) and Type</u>	<u>Wearing Surface Depth (in) and Type</u>	<u>Avg. Grade and Max. Sustained Grade (%)</u>	<u>Number of Culverts and/or Water Crossings</u>
Camp Road – Section 1	2,000 ft	14 ft	12 in, Gravel	3 in, Fine Gravel	5% and 12%	2
Camp Road – Section 2	230 ft	14 ft	20 in, Gravel, Geotextile	3 in, Fine Gravel	0% and 0%	0

- In addition to the information about roads shown on your Proposed Site Plan, submit plans (to scale) showing:
 - A typical road cross-section including the travel surface, location and materials of original ground surface, depth and type of fill to be used, slopes, drainage ditches and other water control devices, and boundaries of the travel surface, shoulders, and rights of way
 - A typical road profile showing elevations of the roadway and the original ground surface, and the percent slope of the entire length of the roadway from the center line
- Describe the best management practices that will be used to ensure that construction does not create safety problems.
- Describe the best management practices that will be used to ensure existing and proposed roadways do not create problems for wells, sewage disposal systems, structures, and other features in the vicinity.
- If the proposed road or trail is anticipated to be closed out or put to bed at a later date, explain when and how it will be closed out.

Blasting Plan

If explosive devices will be used as part of the road construction project, you must submit a blasting plan that meets the requirements of 38 M.R.S.A. Subsection 490-Z. This may include a pre-blast survey and will require that certain data be recorded for each blast.

Roads or Trails Dedicated to a Government Entity

If any road or trail will be dedicated to a town, plantation, county, or other government entity, you must submit a letter from that entity confirming that the proposed road or trail is designed in compliance with their applicable standards.

i *This letter may also confirm the entity's willingness and capacity to maintain the dedicated road(s); see Road Maintenance (Exhibit 31).*

32. Roadway Maintenance

Applicability: Required when project is accessed by a private road

Rule Sections: 4.03(8) & 10.24

Roadways

Describe who will be responsible, and what provisions will be made, for continued maintenance of any private roadways. Include a list of road maintenance tasks.

If the maintenance of the road will be assumed by a government entity, submit a letter from that entity confirming its capacity to provide the maintenance. The letter must indicate that the public entity has sufficient knowledge of the proposed development to make an accurate assessment of maintenance needs. If additional maintenance requirements would exceed current capacity, the letter should explain how additional needs will be met.

If the applicant will be responsible for maintenance of any private road(s) owned by another entity, provide evidence that the applicant has a legal right to conduct any future maintenance activities.

In responding to this question, be sure to describe the maintenance provisions that will protect wells, sewage disposal systems, structures, and other features in the vicinity of the road.

Water Crossings and Drainage Control

Describe who will be responsible, and what provisions will be made, for continued maintenance of any water crossings and drainage control structures. Include a list of water crossing and drainage control structure maintenance tasks.

33. Phosphorus Control

Applicability: Required if development is within the direct watershed of a lake or pond that is 10 acres or larger in size (but see note below)

Rule Section: 10.25,L

If your development (including current development on the site) creates disturbed and/or impervious area of one acre or more within the direct watershed of a lake or pond that is 10 acres or larger in size, you must submit a phosphorus control plan and, in most cases, a phosphorus impact analysis (see below). The plan must use the methods and procedures described in the "Maine Stormwater Best Management Practices Manual, Volume II, Phosphorus Control in Lake Watersheds: A Technical Guide to Evaluating New Development" Maine Department of Environmental Protection, 2016.

i *Impervious areas are buildings and associated structures, as well as areas covered by pavement or concrete, or which will be compacted due to use. (Examples: rooftops, walkways, decks, porches, patios, driveways, parking lots or storage areas, concrete or asphalt paving, or packed earthen materials).*

i *The Technical Guide is available on the Department of Environmental Protection's website at: www.maine.gov/dep/land/stormwater/stormwaterbmps/. For assistance with the Technical Guide or with specific technical, engineering, or design questions related to phosphorus control, call the Department at (207) 287-7688 and ask for the Stormwater Program.*

This exhibit must include plans for protection and long term maintenance of any proposed phosphorus control measures, including vegetative buffers.

i *Before you conduct a phosphorus impact analysis, [contact](#) the LUPC office that serves your area for guidance on how to proceed.*

For specific technical, engineering, or design questions related to phosphorus control, call the Department of Environmental Protection at (207) 287-7688 and ask to speak with an environmental engineer from your region.

Projects with Less Than 3 Acres of Impervious Area and Less Than 5 Acres of Developed Area

Projects with less than 3 acres of impervious area and less than 5 acres of developed area that are designed to meet specific performance standards in the Department of Environmental Protection's Technical Guide, or the LUPC's alternative buffer standard (Chapter 10, Section 10.25,L), may not require a phosphorus impact analysis.

If your project qualifies for the alternative buffer standard, this exhibit must include the following information showing that the performance standards will be met:

- the location and size of the vegetated buffers on the Site Plan
- a description of the type of buffer(s) used
- an explanation of how the vegetated buffers were sized to treat the right amount of impervious and/or developed area (the explanation may reference technical guidance on phosphorus control)
- a description of how the buffers will be used and maintained
- evidence of deed restrictions protecting the buffers from alteration if they are not otherwise protected as open space

34. Liquidation Harvesting Certification

Applicability: Required if any timber on the project site has been harvested within the past 5 years

*Statute Reference:
12 M.R.S. Section 685-B(4-A)*

If the timber on the parcel proposed for subdivision has been harvested within the past 5 years, you must submit one of the following to demonstrate that the parcel has not been subject to liquidation harvesting:

- Submit evidence that the parcel meets one or more of the following exemptions to the Maine Forest Service (MFS) liquidation harvesting rule (MFS Chapter 23: Timber Harvesting Standards to Substantially Eliminate Liquidation Harvesting):
 - The parcel contains less than 20 acres of forest land (meaning that either your property is not primarily covered with trees or commercial timber harvesting is not allowed on your property by legal requirements)
 - You own less than 100 acres of forest land statewide
 - You purchased the parcel before January 2, 2005
 - You purchased the parcel after January 2, 2005, and it has been in your ownership for at least 5 years

OR

- Submit a statement signed by a Maine Licensed Forester describing in detail how the parcel either meets one or more liquidation harvesting rule exemptions not listed above (Section 23.5 of the Maine Forest Service rules) or complies with the liquidation harvesting rule standards (Section 23.6 of the Maine Forest Service rules).

35. Additional Information

Applicability: If needed

Rule Section: 4.05,A

Provide any other information that further explains your proposal or may help in the review of your application.