

Application for Zone Change

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.

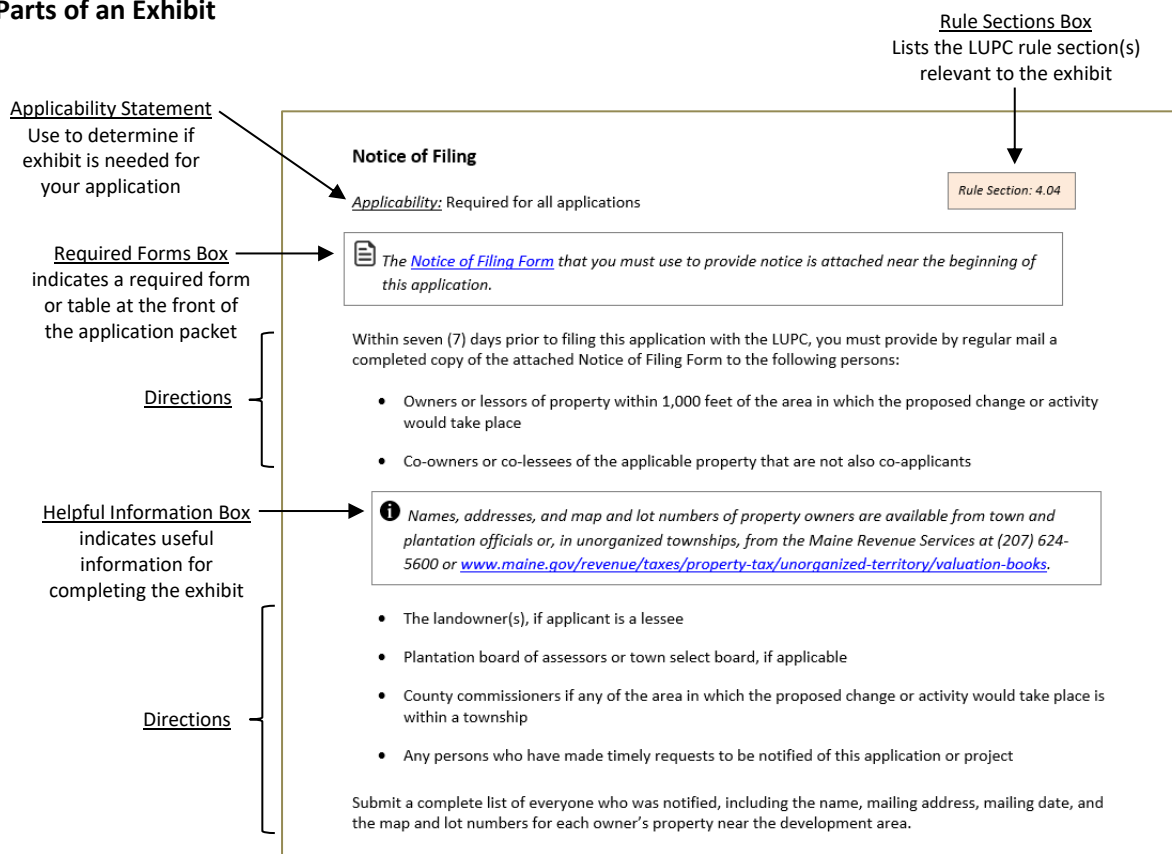
How Can I Get Help Completing This Application?

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. 5-9) – 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. 10-11) - 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. 12-34) – 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

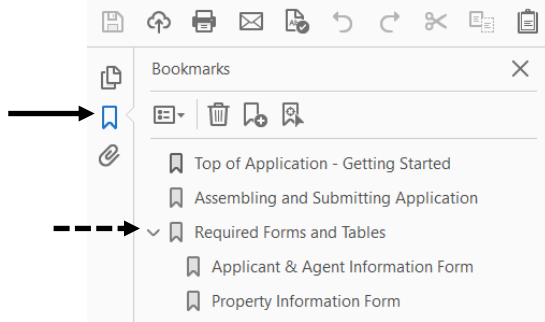


Application for Zone Change - Land Use Planning Commission

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.

ZIP

Permit No.

Fee Received

Applicant & Agent Information - LUPC Application for Zone Change

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.

ZP

Permit No.

Fee Received

Property Information - LUPC Application for Zone Change

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 <i>(in acres, or in square feet if less than 1 acre)</i>	Deed Book and Page #'s, and lease information if applicable <i>(include any lessor or lease lot numbers assigned by a property owner)</i>
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All Zoning on Property <i>(check the LUPC Land Use Guidance Map)</i>	Zoning at Development Site
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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.
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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.

For Use with [Exhibit 5](#): 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 \(Exhibit 5\)](#)*.

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 6](#): Structures Table

Applicant/Project Name: _____

Refer to [Structures, Features, Uses \(Exhibit 6\)](#) for instructions. Name structures consistent with the labeling used on the [Site Plans \(Exhibit 7\)](#).

Type of Structure and Use (specify if temporary)	Duration in Place if Temporary (specify days or months)	Current Exterior Dimensions (LxWxH) in ft	Proposed Exterior Dimensions (LxWxH) in ft	Distance (in feet) of structure from nearest:					
				Road	Property line	Lake or pond	River or stream	Wetland	Ocean/Coastal Wetland
<u>Existing Structures</u>									
<u>Proposed Structures</u>									

For Use with [Exhibit 6](#): Infrastructure Table

Applicant/Project Name: _____

Refer to [Structures, Features, Uses \(Exhibit 6\)](#) for instructions. Name infrastructure consistent with the labeling used on the [Site Plans \(Exhibit 7\)](#).

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 7: Existing or Proposed Site Plan

This image shows a full page of blank graph paper. The grid consists of thin, light gray horizontal and vertical lines that intersect to form small squares across the entire surface. There are no margins, text, or other markings on the paper.

Notes/Legend:

Scale: _____

Not to Scale: ☐

Application for Zone Change – Land Use Planning Commission

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.

Exhibits Required for All Applications	
Exhibit	✓
1. Directions and Location Map	
2. Project Description	
3. Deed, Lease, Sales Contract, or Easement	
4. Application Fee	
5. Land Division History	
6. Structures, Features, and Uses	
7. Site Plans	
8. Site Photographs	
9. Goals and Policies of the Comprehensive Land Use Plan	
10. Surrounding Uses & Anticipated Impacts	

Application for Zone Change – Land Use Planning Commission

Exhibits Required for Certain Applications		
Exhibit	Applicability	✓
11. Rezone to/from Protection Subdistrict	Rezoning to/from protection subdistricts	
12. Corporate Good Standing	If petitioner is a corporation	
13. Notice of Filing	Rezoning to a development subdistrict, rezonings among protection and management subdistricts	
14. Financial Practicability	Rezoning to a development subdistrict	
15. Location Requirements	Rezoning to a development subdistrict	
16. Harmonious Fit and Natural Character	Rezoning to a development subdistrict	
17. Fire, Police, and Ambulance	Rezoning to a development subdistrict	
18. Educational Services	Rezoning to development subdistrict for a residential subdivision	
19. Solid Waste Disposal	Rezoning to a development subdistrict	
20. Electricity and Telephone	Rezoning to a development subdistrict	
21. Public Roads	Rezoning to a development subdistrict	
22. Site Access/Legal Right of Access	Rezoning to a development subdistrict	
23. Soil Suitability	Rezoning to a development subdistrict	
24. Wastewater Disposal	Rezoning to a development subdistrict	
25. Archaeological and Historic Resources	Rezoning to a development subdistrict	
26. Rare or Special Plant Communities and Wildlife Habitat	Rezoning to a development subdistrict	
27. 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 Section: 4.05,A

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

Provide a general description of the proposed project. Include in your description any planned activities or development, which subdistricts currently exist, and which new subdistricts are being proposed.

If rezoning to a development subdistrict, explain in general how the proposed new subdistrict designation will result in no undue adverse impacts on existing uses or resources in the area. (Detailed information on no undue adverse impact is requested in other exhibits.)

i *If rezoning for a development subdistrict, proposals should include sufficient land to provide for the proposed use and appropriate flexibility for subsequent permitting review and construction processes. Proposals should not include speculative future development.*

If rezoning to a protection or management subdistrict, explain how the proposed new subdistrict designation is more appropriate for the existing uses and resources within the affected area.

3. Deed, Lease, Sales Contract, or Easement

Applicability: Required for all applications

Rule Section: 4.05,A

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 zone change application, the total application fee is the sum of the following subsidiary fees:

$$\begin{aligned} & \text{Base Fee} \\ & + \text{Per Acre Fee (if applicable)} \\ & = \text{Total Application Fee} \end{aligned}$$

Base fees and per acre fees are listed below. Note that the per acre fees apply only to applications for new or changed development subdistricts.

Applications proposing more than one of the following subdistrict changes will be assessed the highest applicable base fee and each applicable per acre fee.

Zone Change	Base Fee	Fee Per Acre of New Development Subdistrict
Change to a protection subdistrict	\$250.00	N/A
Change to a management subdistrict	\$500.00	N/A
Change to a development subdistrict (except as provided below)	\$1,000.00	\$25.00
Change to a D-RB or other qualified development subdistrict created through a community-based planning process	\$250.00	\$8.00
Change to a D-RF or D-PR subdistrict	\$500.00	\$10.00
Change to a D-PD subdistrict	\$5,000.00	\$25.00

Please contact the appropriate LUPC regional office with any questions about, or for assistance with, calculating your application fee.

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: 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. Land Division History

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

Applicability: Required for all applications

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

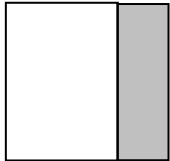
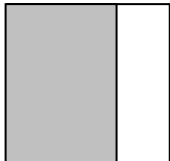
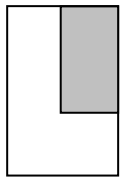
Exemptions apply to certain types of land divisions, such as transfer of property to an abutting land owner or to a family member.

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.

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

6. 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 (for example: building, sign, utility structure, etc.) that currently exists on the area to be rezoned, 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, utility-related structure). 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 (for example: residential, rental, home occupation, recreational, commercial, industrial, forestry, undeveloped, public, institutional, etc.)
- year built
- exterior dimensions (Length x Width x Height)
- 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

If known, provide the above information for any proposed structures.

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

Infrastructure

For infrastructure that currently exists on the area to be rezoned, 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 (for example: residential, rental, home-based business, recreational, commercial, industrial, forestry, public, institutional, etc.)
- year built
- 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

If known, provide the above information for any proposed infrastructure.

 *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.*

Proceed to Next Page for Exhibit 7, Site Plans

7. Site Plans

Applicability: Required for all applications. If rezoning to a Protection or Management subdistrict, only an existing site plan is needed.

Rule Section: 4.05,A

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 development 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. An example site plan is shown at the end of this exhibit.

Provide preliminary or conceptual plans for structures and infrastructure, as requested below. Include on the site plan the proposed boundary of the new zone as shown in the Directions and Location Map Exhibit.

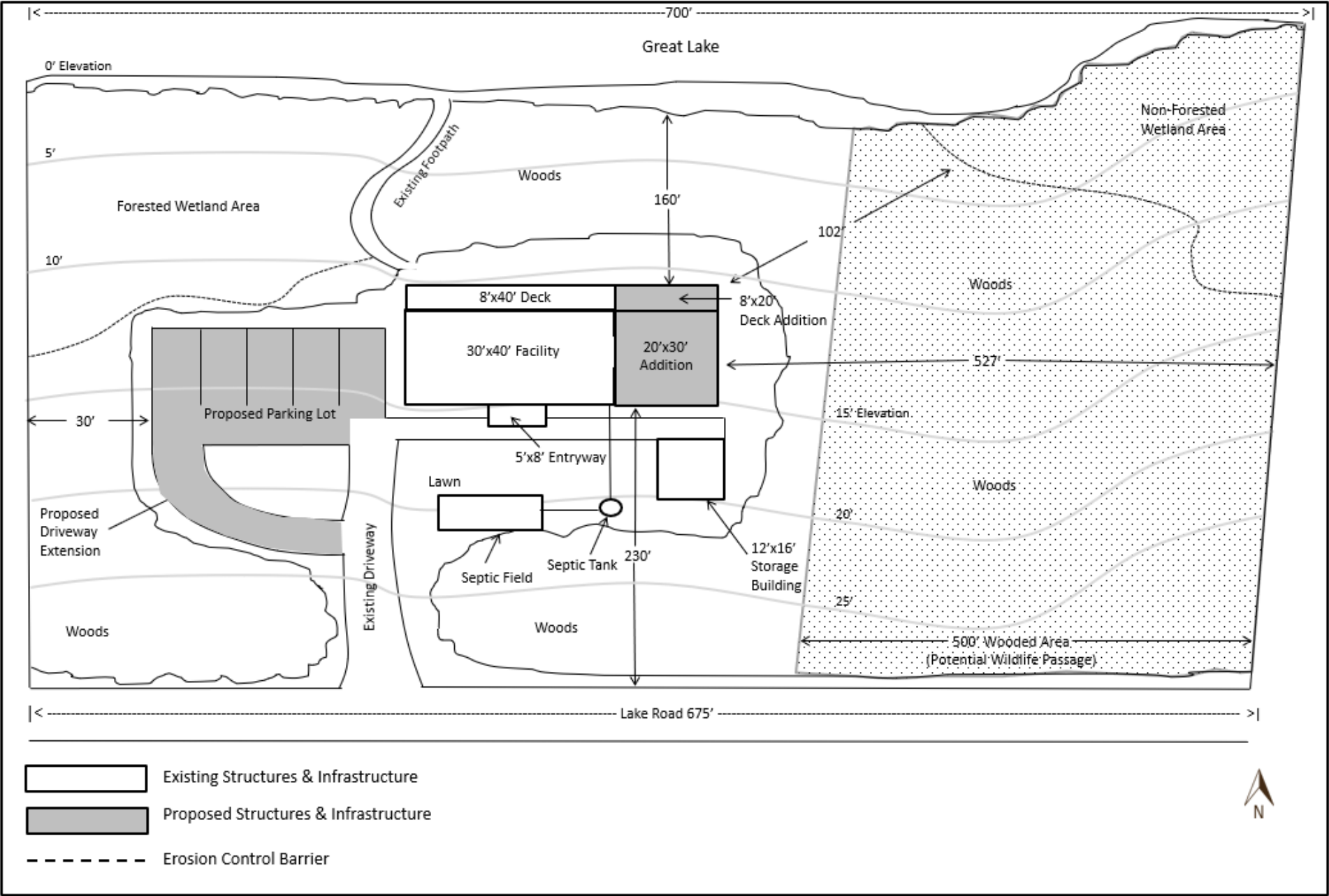
Each site plan drawing must show the following, if applicable:

- 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.
- If practical include the soils mapping on the proposed site plan. *See Next Page for an Example Site Plan*

Sample Site Plan:



8. 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.

9. Goals and Policies of the Comprehensive Land Use Plan

Applicability: Required for all applications

CLUP Section: 1.2

Read the goals and policies found in Chapter 1 of the Comprehensive Land Use Plan and then describe how the proposed rezoning will be consistent with those goals and policies. Be as specific as possible regarding individual goals and policy statements.

i The Comprehensive Land Use Plan can be found on the Commission's website at:
www.maine.gov/dacf/lupc/plans_maps_data/clup/index.html.

10. Surrounding Uses and Anticipated Impacts

Applicability: Required for all applications

Rule Sections: 10.08, 10.08-A,
10.21,K & 10.24

Surrounding Uses

Provide a detailed list of existing uses and features in the area including the number and type of residences (for example: seasonal vs. year-round), the type and scale of commercial enterprises, and other relevant details. Examples of uses and features include, but are not limited to: homes, businesses, commercial forest land, farm land, recreational resources, natural features, cultural features, etc.

Exhibit instructions continued on the next page

Anticipated Impacts

- Describe both potential positive and negative impacts the proposed development may have on the community or area. If describing economic benefits, distinguish between short-term and long-term benefits.
- Describe what measures will be taken to assure no undue adverse impact of the proposed new or expanded land use to wildlife habitat. Special consideration should be given to areas near waterbodies.
- If the proposed development is on or near a mapped and zoned high yield sand and gravel or bedrock aquifer, explain how the new or expanded land use will result in no undue adverse impact to the aquifer.

i For assistance with the location of sand and gravel or bedrock aquifers, contact the Maine Geological Survey at (207) 287-2801 or mgs@maine.gov. A web map of Maine's sand and gravel aquifers may be found at www.maine.gov/dacf/mgs/pubs/digital/aquifers.htm.

- For recreational resources, explain why the proposed development will result in no undue adverse impact to these features AND how the values of recreational resources will be maintained.
- Petitions to rezone for recreation-based subdivision or resource-based commercial development require additional information, depending on the proposed use:

Recreation-based Residential Subdivision: If near a permanent trail that supports motorized, non-motorized, or equestrian uses, explain how lot owners would access the trail. Also describe how the new development would affect the existing capacity of the trail, including parking facilities and other infrastructure.

Recreation Supply Facility: Explain how the proposal will affect existing parking facilities and other infrastructure at boat launches or trailheads.

Exhibits Required for Certain Applications

11. Rezone to or from Protection Subdistrict

Applicability: Required when rezoning to or from protection subdistricts

Rule Sections: 10.08,A
& 10.23,B, D, K & N

If rezoning to or from the following subdistricts, please submit the additional information requested below:

Aquifer Protection (P-AR): submit a letter from a Maine Licensed Geologist stating that the proposed change to or from the P-AR subdistrict is appropriate due to resources that are or are not present.

Fish and Wildlife Protection (P-FW):

If rezoning to P-FW provide site details:

- Number of acres proposed for the P-FW subdistrict
- For deer wintering areas, the applicable wildlife management district and identification number

OR

- For other fish or wildlife habitats, all information required by Section 10.23,D,2 within Chapter 10 Land Use Districts and Standards, including information about the importance of the proposed location as a significant fish spawning nursery and feeding area, critical or important habitat of endangered and threatened fish and wildlife species, or as the shelter portion of a deer wintering area.

i *Chapter 10 of the Commission's Rules and Standards can be found on the Commission's website at www.maine.gov/dacf/lupc/laws_rules/ch10.html. Section 10.23 is within Sub-Chapter II (Land Use Districts) of Chapter 10.*

If rezoning from P-FW, provide evidence that:

- The area has not been used as a wintering area by deer or as significant habitat for other wildlife for at least 10 years
- The change is consistent with the Comprehensive Land Use Plan
- The change is more appropriate for the protection and management of the resource

OR

- Submit a written statement from the property owner and the Maine Department of Inland Fisheries and Wildlife regarding the suitability of the proposed change.

Soil and Geology Protection (P-SG): Submit a letter from a Maine Licensed Soil Scientist or Geologist regarding the suitability of the proposed change to or from the P-SG Subdistrict due to resources that are or are not present.

Wetland Protection (P-WL): Submit a letter from a qualified wetlands professional regarding the suitability of the proposed change to or from the P-WL Subdistrict due to resources that are or are not present.

12. Corporate Good Standing

Rule Section: 4.05,A

Applicability: Required if the petitioner or applicant is a corporation

If the applicant is a corporation, submit a certification of corporate good standing from Maine's Secretary of State.

i *Certificates of good standing can be obtained by conducting a corporate name search at icrs.informe.org/nei-sos-icrs/ICRS?MainPage=x (submit the result of the search) or by contacting the Bureau of Corporations, Elections, and Commission's Reporting and Information Section at (207) 624-7752.*

13. Notice of Filing

Applicability: Required for rezoning to Development Subdistricts and for rezonings among protection and management subdistricts

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

i *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 the 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

Exhibit continued on next page

- 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.

14. Financial Practicability

Applicability: Required for rezoning to Development Subdistricts

Rule Section: 4.05,A

Provide the total estimated development cost of the proposed project. Include sub-categories of costs if known.

Provide evidence that it is financially practicable to undertake the proposed project. Such evidence includes but is not limited to:

- A pre-qualification, pre-approval, or full credit approval letter from a lending institution or government agency for funds covering the estimated cost of the development.
- A commercial loan term sheet indicating approval for funds covering the estimated cost of the development.
- A letter from a financial institution, government agency, or other funding source indicating a commitment or intent to provide a specified amount of funds and their specified uses.
- A grant approval letter indicating funds awarded and specifying the uses of those funds.
- A financing plan along with industry standard economic reports or analyses showing that the financing plan is likely to be practicable.
- The most recent corporate annual report indicating availability of funds to finance the development. Explain how the report shows financial practicability or capacity.
- Copies of bank statements or other similar evidence indicating availability of funds.
- If the applicant is a governmental agency, indicate the source of funding (for example: town revenue, bond, grant, etc.).

15. Location Requirements

Applicability: Required for rezoning to Development Subdistricts

*Rule Sections: 10.08,
10.08-A, & 10.21,K*

*Comprehensive Land
Use Plan*

Proposals to rezone for development must demonstrate consistency with the adjacency principle. The adjacency principle is a policy that encourages development to locate near other development and where services can be provided efficiently, unless a use is dependent on being near a natural or recreational resource.

Demonstrating consistency with the adjacency principle may require different information depending on the proposed use. Below are categories of uses and relevant information to include in this exhibit.

Rezoning to a Subdistrict for Residential Subdivision

Residential subdivision (D-RS): Describe how the proposed area meets the criteria for primary or secondary locations (see Chapter 10, Section 10.08-A,C.).

Recreation-based residential subdivision (D-RS): Moderate density residential subdivisions designed to be integrated with a recreational resource (for example: a lake or permanent trail), and located outside of the primary or secondary locations. The information to include is (depending on proposed use):

Lake-Based Projects: distance from the proposed location to the lake, lake management classification, miles of shoreline, acres of total surface area, and total number of existing dwellings within 700 feet of the shoreline.

i *To qualify for recreation-based subdivision, a lake must have: 1) at least five dwellings along the shoreline; 2) at least one dwelling per 50 acres of lake surface area; and 3) at least one dwelling per ½ mile of shoreline.*

Trail-Based Projects: distance from the proposed location to a trailhead on a permanent trail, the type of use the trail receives and evidence that the trail has enough additional capacity and parking availability to serve the proposed residential area. Include information demonstrating that the trail is owned in fee and managed for public access.

i *To qualify, a project must be located within ½ mile of an access point for a permanent, land-based trail supporting motorized vehicles, non-motorized vehicles, or equestrian use. A trail that is established by lease, license, or informal agreement with a landowner who is not maintaining the trail is not a permanent trail.*

Rezoning to a Commercial Subdistrict

Non-resource-based commercial (D-CI or D-GN): Examples of potential uses include retail, manufacturing, auto repair, etc. Describe how the proposed area meets the criteria for primary or secondary locations (see Chapter 10, Section 10.08-A,C.).

Projects Requiring Three Phase Power: If the proposed use is commercial requiring three-phase power to operate, and if it would be located outside of the primary or secondary locations, include information about where and how the proposed development would tie into the electrical grid.

Resource-based commercial (D-RD): Examples include resource extraction, resource processing, recreational supply, and recreational day use facilities. The information to include in the application is (depending on proposed use):

Natural resource extraction or natural resource processing: Explain why the proposed use is dependent on proximity to a natural resource and how far it would be from major waterbodies or areas where there are four or more dwellings within a 500-foot radius.

Recreation supply facility: Explain how far the facility would be from the nearest lake or permanent trail.

Recreation Day Use Facility: Describe the topographic feature or natural resource that the facility would be located near (for example: lake, river, mountain, etc.).

Grid-scale Solar Energy Generation Facility: Describe how the facility would be interconnected with the grid, including information about the nature of the connection (overhead lines, buried lines, etc.) and the distance from the areas proposed for rezoning to the point of interconnection.

16. Harmonious Fit and Natural Character

Applicability: Required for rezoning to Development Subdistricts

Rule Section: 10.08

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.

17. Fire, Police, and Ambulance Protection

Applicability: Required for rezoning to Development Subdistricts

Rule Section: 10.08,B

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. Educational Services

Applicability: Required if rezoning to a Development Subdistrict for residential development

Rule Sections: 4.05,A & 10.08

Give the name of the school district serving the development and the distances of that district's schools from the proposed development or proposed subdistrict.

Provide a letter confirming the school district's capacity to provide the necessary educational services. The letter must indicate that the service provider has sufficient knowledge of the proposed development to make an accurate assessment of services needed.

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

i *Applications to rezone for subsequent residential subdivision must include this exhibit regardless of whether the dwelling units are anticipated to be seasonal or year-round.*

19. Solid Waste Disposal

Applicability: Required for rezoning to Development Subdistricts

Rule Sections: 4.05,A & 10.08

Give the name of the solid waste disposal facility and the distance from the proposed development.

Provide a letter confirming the facility's state license, availability, and capacity to provide the necessary services both during construction and during regular use. The letter must indicate that the facility operator has sufficient knowledge of the proposed development to accurately assess the disposal services and capacity needed.

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

20. Electricity and Telephone Service

Applicability: Required for rezoning to Development Subdistricts

Rule Sections: 4.05,A & 10.08

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.

If the proposed development would increase demand for electricity beyond current capacity, the letter should explain how the additional needs can be met.

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.

If the proposed development would increase demand for services beyond current capacity, the letter should explain how the additional needs can be met.

21. Public Roads

Applicability: Required for rezoning to Development Subdistricts

Rule Sections: 4.05,A & 10.08

Provide the name of the nearest public road and its location relative to the area proposed for rezoning to a development subdistrict.

Explain how the proposed development would affect traffic on public roads. For example, describe the expected type of traffic and its frequency.

If the development would result in increased traffic on public roads, provide a letter confirming that the public entity maintaining the road has the capacity to meet the additional maintenance needs. 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.

22. Site Access and Legal Right of Access

Applicability: Required for rezoning to Development Subdistricts

Rule Section: 10.08-A,E

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.

See next page for a table suggestion

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.

23. Soil Suitability

Applicability: Required for rezoning to Development Subdistricts

Rule Section: 10.08,A

Submit a report from a Maine Licensed Soil Scientist or Natural Resources Conservation Service (NRCS) Soil Scientist containing sufficient detail to demonstrate that soils and site conditions in the area proposed for rezoning are generally suitable for the proposed uses. The report should include information on the depth to groundwater, the depth to bedrock, and the slopes in the project area. The field investigation used in preparing the soil suitability report may be based on excavator, hand shovel, and/or auger borings, provided the method used is specifically documented in the report.

If the soil suitability is limited for the proposed uses, describe how the limitations could be overcome using standard construction practices.

i *If the area to be rezoned is less than 1 acre, the Commission may accept the following as evidence of soil suitability in place of a report completed by a Maine Licensed Soil Scientist: a) the preliminary site evaluation report submitted for the Wastewater Disposal exhibit provided it is based on at least two test pits or two soil auger borings, or b) a complete HHE-200 form for the site signed by a Maine Licensed Site Evaluator and including a statement that the soils data on the form is generally representative of the site.*

24. Wastewater Disposal

Applicability: Required for rezoning to Development Subdistricts

Rule Section: 10.08,A

On-Site Systems

If an on-site wastewater disposal system is proposed, submit evidence that site conditions are sufficient to support both the system and a replacement site in the event of system failure.

This evidence could be in the form of:

- a preliminary site evaluation report from a Licensed Site Evaluator containing sufficient detail to demonstrate that soils and other site conditions are generally suitable for the wastewater disposal system(s) planned and a replacement system in the event that the original system fails. The field investigation used in preparing the preliminary site evaluation report may be based on excavator, hand shovel, or auger borings to assess soils, provided the method used is specifically documented in the report.

See next page for an additional bullet point

- a previously completed HHE-200 form(s) signed by a Licensed Site Evaluator. The form must indicate that there are sufficient soils and suitable site conditions for a replacement system.

i *If the area to be rezoned is less than 1 acre, the preliminary site evaluation report may also be used in the Soil Suitability exhibit provided that the report is based on at least two test pits or two soil auger borings.*

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 facility, the letter should explain how the additional needs can be met.

25. Archaeological and Historical Resources

Applicability: Required for rezoning to Development Subdistricts

Rule Section: 10.08,A

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.*

26. Rare or Special Plant Communities and Wildlife Habitat

Applicability: Required for rezoning to Development Subdistricts

Rule Section: 10.08,A

- 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.
- 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/.

27. Additional Information

Applicability: As needed

Rule Section: 4.05,A

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