



REQUIREMENTS FOR NON-RESIDENTIAL DEVELOPMENT

Supplement S-2

WHO NEEDS TO SUBMIT THIS SUPPLEMENT?

You must submit this supplement if you are proposing any type of commercial, industrial, public, institutional or other non-residential type of development or use that requires LURC permit approval. This supplement is also used when a particular proposal does not come under any of LURC's specific permit applications.

WHAT LURC REQUIREMENTS APPLY TO NON-RESIDENTIAL DEVELOPMENT?

All applications submitted to LURC must satisfy the general approval criteria of Section 10.24 of the Commission's Land Use Districts and Standards. LURC's development standards of Section 10.25 identify additional requirements for non-residential structures and uses. These include review standards for structures adjacent to lakes, standards for technical and financial capacity, vehicular circulation, scenic character, noise and lighting, soil suitability, phosphorus control, erosion and sedimentation control, and others. For additional details, or to obtain a copy of these requirements, contact the LURC regional office that serves your area (see below).

WHERE CAN I GET HELP TO COMPLETE THIS SUPPLEMENT?

Call the LURC regional office that serves your area and ask to speak to one of our regional representatives. Also, visit our web site at www.maine.gov/doc/lurc to browse through our rules and regulations, meeting agendas, and other valuable information.

<p>Augusta Office <i>Main LURC Office</i> 18 Elkins Lane - Harlow Bldg. Tel. (207) 287-2631 22 State House Station TTY (207) 287-2213 Augusta, ME 04333-0022 FAX (207) 287-7439</p>	<p>Ashland Office <i>Serving Aroostook County northwest of I-95</i> 45 Radar Road Tel. (207) 435-7963 Ashland, ME 04732-3600 FAX (207) 435-7184</p>	
<p>Cherryfield Office <i>Serving Hancock and Washington Counties and Coastal Islands in LURC Jurisdiction</i> 7 Campbell Hill Tel. (207) 546-4405 P.O. Box 269 FAX (207) 546-2799 Cherryfield, ME 04622</p>	<p>East Millinocket Office <i>Serving Penobscot, Southern Aroostook, and portions of Piscataquis Counties</i> 191 Main Street Tel. (207) 746-2244 East Millinocket, ME 04430 FAX (207) 512-1003</p>	
<p>Greenville Office <i>Serving Piscataquis and Somerset Counties</i> 43 Lakeview Street Tel. (207) 695-2466 P.O. Box 1107 FAX (207) 695-2380 Greenville, ME 04441</p>	<p>Rangeley Office <i>Serving Franklin and Oxford Counties</i> 2352 Main Street Tel. (207) 864-5064 P.O. Box 887 FAX (207) 512-1004 Rangeley, ME 04970</p>	

GENERAL INSTRUCTIONS



Before you start filling out this supplement, contact LURC for guidance on how to proceed. Due to the varied nature of non-residential developments, some applicants may not need to respond to all of the questions in this supplement. For large-scale proposals, a pre-application meeting with LURC is strongly encouraged. Contact the LURC office that serves your area to set up an appointment.

Use separate sheets of paper to answer all questions in this supplement. List the applicant name(s) and the project location (township and county) on each sheet. Submit this supplement and any required exhibits (see instructions) with your permit application to the LURC regional office that serves your area. Important references are made throughout this supplement to LURC's rules and regulations, including sections within Chapter 10, the Commission's Land Use Districts and Standards. You may obtain a copy of these standards by contacting our offices, or by visiting our web site at www.maine.gov/doc/lurc.



No construction activities or other development activities (including vegetation clearing, filling, grading, and installation of driveway) may be started until you obtain an approved LURC permit!



Supplement S-2

Requirements for Non-Residential Development

Applicant Name(s): Maine Mountain Power LLC (MMP)	Project Location (Township and County): Redington Township, Franklin County
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TECHNICAL AND FINANCIAL CAPACITY – See Sections 3 and 4 in the permit application

<ol style="list-style-type: none"> Will you hire any consultants, contractors or staff to design and construct the proposed development? If yes, summarize the previous experience and training of your staff. If no, summarize your own previous experience and training in construction. What is the estimated total cost of the proposed development (including all proposed improvements, structures and facilities)? How will the development be financed (e.g. by the applicant, bank, state government loan, etc.)? 	<p> Refer to Section 10.25.C of the Commission's <u>Land Use Districts and Standards</u> for rules relating to technical and financial capacity.</p>
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IMPACT ON SERVICES


<ol style="list-style-type: none"> Will your proposed development involve any sources of potential contamination (such as junkyards, auto repair, gas stations, and bulk storage of petroleum)? If so, will the project site be located at least 300' from any existing private & public water supplies? <i>N/A</i> If your proposed development will use an existing or new well, where will the well be sited and how will it be constructed to prevent infiltration of surface water and contaminants? See Section 17 on Wastewater Disposal Will the project site have electric power? If yes, how will the power be generated (on site, by power company, etc.)? How far is the project site from the nearest existing utility pole? Power to the maintenance facility will be generated from the wind farm What state-approved dump will you use for the regular collection and disposal of site-generated solid wastes? Provide the name and location of the dump. How will you dispose of construction debris, stumps, brush, wood wastes, asphalt and pavement products? See Section 18, Solid Waste Who will provide fire protection to your project site? Provide the name and distance to the nearest fire station. See the Development Description in Section 1, Consistency with LURC Land Use

VEHICULAR CIRCULATION, ACCESS AND PARKING – See Section 1, Appendix 2.0, Road Design Narrative and Section 13 on Maintenance

<ol style="list-style-type: none"> How will you provide safe, uncongested vehicular access to and circulation within your project area? Will you limit the number and width of entrances and exits onto a roadway to that necessary for safe entering and exiting? Will access be designed so that vehicles can exit the site without backing onto a roadway or shoulder? Will shared access be implemented? If not, describe why shared access is not possible. At what angle will access between the roadway and property intersect the roadway? What curb radius will the access way have? How will sight triangles be designed and maintained on each side of the intersection of the access way and the roadway? If you are proposing to use any existing or new parking areas, explain how such parking will meet the needs of the development and how such parking areas will be designed. <ol style="list-style-type: none"> Are you proposing to use on-street or off-street (on-site) parking? If using on-street parking, will parking be parallel or diagonal? If using off-street parking, will parking be located to the side or rear of the principal structure? If not, explain why side or rear parking is not possible. How will parking areas be visually buffered from the roadway? If your project area is adjacent to residential structures or uses, how will parking areas be visually buffered from such development? If you are proposing to build or upgrade any roads to be used to access your project site, explain how any existing or proposed roadways will meet the needs of the development and describe how such roadways will be designed. Describe what site-specific best management practices will be used to ensure that the roadways will not cause erosion or safety problems. <ol style="list-style-type: none"> Provide the following information about each road you propose to build or upgrade: <table border="0"> <tr> <td>- Length and travel width of roadway</td> <td>- Number of culverts and/or water crossings</td> </tr> <tr> <td>- Right-of-way width</td> <td>- Type and depth of wearing surface</td> </tr> <tr> <td>- Average and maximum sustained grade</td> <td>- Type and depth of base</td> </tr> </table> How will roadways be designed to minimize use of ditching, cuts & fills. How will roadways be designed to protect scenic vistas Who will be responsible for continued maintenance of any proposed roadways? If any roadway will be dedicated to a town, plantation, county or other government, will its design comply with that government's roadway construction standards? If any proposed roadways will be co-utilized for forest management purposes, explain how and where turnouts will be installed to accommodate wood haulers and other large vehicles. 	- Length and travel width of roadway	- Number of culverts and/or water crossings	- Right-of-way width	- Type and depth of wearing surface	- Average and maximum sustained grade	- Type and depth of base	<p> Refer to Section 10.25.D; Section 10.27.D; and Section 10.27.H of the Commission's <u>Land Use Districts and Standards</u> for LURC's traffic management and road construction requirements.</p>
- Length and travel width of roadway	- Number of culverts and/or water crossings						
- Right-of-way width	- Type and depth of wearing surface						
- Average and maximum sustained grade	- Type and depth of base						


NOISE AND LIGHTING – See Section 5, Sound and Lighting for Navigation in Section 1 Development Desc.

12. Except for day-time construction activities, will any continuous, regular or frequent source of noise be generated by the development? If yes, describe the source and frequency of such noise and explain how you will ensure that such noise will not exceed LURC's maximum permissible sound pressure levels.
13. If your development will use any new or existing lighting, will all non-essential lighting be turned off after business hours? What will be the hours of operation for your development?

 Refer to Section 10.25,F of the Commission's Land Use Districts and Standards for LURC's noise and lighting requirements.


WATER AND AIR QUALITY – See Section 15, Groundwater and Section 21, Air Emissions

14. If your property or development area is adjacent to any water bodies, what measures will you use to ensure that point and nonpoint sources of water pollutants (including sediment) generated by your development do not affect the surface water quality of the water bodies?
15. How will you ensure that your development will not pose an unreasonable risk of polluting a groundwater aquifer?
16. Will your development generate any air emissions other than ordinary fireplace smoke or heating furnace exhaust? If so, describe the type and amount of emissions.

 Refer to Section 10.25,K; Section 10.25,N; and Section 10.25,O of the Commission's Land Use Districts and Standards for LURC's surface water, groundwater and air quality requirements.


SCENIC CHARACTER, NATURAL AND HISTORIC FEATURES – See Section 6, Visual Quality & Scenic Character and Section 8, Historic Sites

17. How will your development be located, designed and landscaped to minimize visual impacts on the scenic character of the surrounding area? Will structures and other features be visible from existing roadways or shorelines? If on a ridge, how will the natural character of the ridgeline be preserved?
18. If any portion of your project site includes S1 or S2 natural communities or plant species, how will you ensure that there will be no undue adverse impact on the community/species and how will you preserve the values that qualify your site for such designation?
19. If any portion of your project site includes archeologically sensitive areas, structures listed in the National Register of Historic Places or is likely to contain a significant archaeological site or structure, how will you ensure that there will be no undue adverse impact on such features and how will you preserve the values that qualify your project site for such designation? See Section on Maine Historic Preservation (Section 8) for information on historic sites.

 Refer to Section 10.25,E of the Commission's Land Use Districts and Standards for LURC's scenic character and natural & historic features requirements.


SHORELAND CRITERIA – N/A

20. If your proposed development is adjacent to any lakes or ponds, explain in detail how your proposal is consistent with each of the following shoreland criteria:
 - a. The proposal will not adversely affect any significant or outstanding natural and cultural resource values, as identified in the Commission's Wildland Lakes Assessment;
 - b. The proposal will not have an undue adverse impact on water quality, alone or in conjunction with other development;
 - c. The proposal will not have an undue adverse impact on traditional uses, including non-intensive public recreation, sporting camp operations, timber harvesting, and agriculture;
 - d. The proposal will not substantially alter the diversity of lake-related uses available in the area;
 - e. Adequate provision has been made to maintain the natural character of shoreland;
 - f. The proposal is consistent with the management intent of the affected lakes classification; and
 - g. Where future development on a lake may be limited for water quality or other reasons, proposed development on each land ownership does not exceed its proportionate share of total allowable development.

 Refer to Section 10.25,A of the Commission's Land Use Districts and Standards, as well as the "Review Criteria for Shoreland Permits" in the Commission's Comprehensive Land Use Plan (Appendix C, p 4-5) for LURC's standards for shoreland development.

BUILDING LAYOUT IN PROSPECTIVELY ZONED AREAS – N/A

21. If your proposed development is located in a D-GN, D-GN2, D-GN3, D-RS or D-RS2 subdistrict within a prospectively zoned area, answer the following questions.
 - a. Will your development be substantially similar in building height, bulk, and roof lines to neighboring development? Describe the features that makes your development is substantially similar.
 - b. What will you do to facilitate pedestrian access between adjacent sites and nearby residential neighborhoods? What will you do to facilitate automobile access?
 - c. Do you propose any windowless walls facing a public road?
 - d. If you are proposing new development adjacent to development in a "Main Street" setting (see instructions), will your buildings be configured so that at least 80% of the road frontage to be developed remains devoted to buildings?

 Refer to Section 10.25,B of the Commission's Land Use Districts and Standards for LURC's additional rules for prospectively zoned areas.

Required Exhibits

Supplement S-2: Requirements for Non-Residential Development

All proposals for non-residential development must include Exhibits S-2A, S-2B, and S-2C.

Depending on the nature of your proposal, you may also need to submit some or all of the additional exhibits described below.



If you are unsure about what to submit with your application, contact the LURC office that serves your area for assistance.

S2-A. FINANCIAL CAPACITY – See Section 3

To demonstrate that you have adequate financial resources to undertake the proposed development, submit at least one of the following:

- x Submit a letter from a financial institution, government agency or other funding source indicating a commitment to provide a specified amount of funds and the uses for which those funds may be utilized. In cases where there can be no commitment of money until approvals have been received, submit a letter of Intent to Fund from the funding institution indicating the amount of funds and their specified uses.
- Submit the most recent corporate annual report indicating availability of sufficient funds to finance the development, along with explanatory materials to interpret the report.
- If you 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.

S2-B. SOLID WASTE DISPOSAL AUTHORIZATION – See Section 2, “Black Nubble Expansion Deed” for Stump Dump Information

To confirm that the solid waste facility you propose for use by your development is available and can accommodate the additional wastes anticipated to be generated by your development, submit a letter of authorization from the owner of the solid waste facility which states both availability and acceptability of the facility to accept wastes from your development. If you have a contract with an individual or firm for the collection and/or transfer of solid wastes from the project area to the approved solid waste facility, provide a signed copy of such contract.

S2-C. SOIL SUITABILITY AND MAPPING – See Section 11

Submit an on-site soil survey, conducted by a Maine licensed soil scientist according to the “Guidelines for Maine Certified Soil Scientists for Soil Identification and Mapping” (Maine Association of Professional Soil Scientists, 2003). Use a Class A high intensity soil survey to identify soils within all disturbed areas on your project site. 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. Use a Class B soil survey to identify soils elsewhere within the project area.



In certain cases, LURC may reduce the soil survey class requirements, or waive certain provisions of a Class A or B high intensity soil survey (for instance, the contour mapping requirement). Before you conduct your soil survey, contact the LURC office that serves your area for guidance on how to proceed.

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 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.

S2-D. CORPORATE GOOD STANDING. See Section 0 in the Application.

If the owner of the proposed development is a corporation, submit a certification of good standing from the Maine Secretary of State.

S2-E. WATER SUPPLY – See Section 17 for Permit for Septic System and Drilled Well

If you plan to install a well, submit at least one of the following:

- A letter from a geologist, hydrogeologist or well driller knowledgeable with the area, describing the project area and stating that a sufficient and healthful water supply is likely to be available.
- A test well dug or drilled on site and a report prepared which indicates the volume and potability of water obtained from the well.

Additionally, if you plan to install a central water supply, submit detailed plans for the water supply system in conformance with the Maine Drinking Water Regulations. Such plans must be designed by a Maine Registered Professional Engineer and must show all water supply locations, wells, support facilities and structures, and pipelines. You must also describe proposed methods for continued maintenance of the system.

S2-F. ROADWAY DESIGN AND MAINTENANCE – See Section 1, Appendix 2.0 and Section 13, Access Road Maintenance

If you are proposing to construct or upgrade any roadways, submit a plan (drawn to scale) which shows the location of all proposed roadways, as well as turnarounds, water crossings and turnouts and drainage control measures (such as ditches, water bars, etc.). Identify each roadway by name and include width of roadways, rights of way and travel surfaces. Also submit three drawings, each to scale, illustrating the following:

- A typical overhead view of the proposed roadways showing widths of the travel way, shoulders, and rights of way, and the roadway center line.
- A typical cross section showing the roadway 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 profile showing elevations of the roadway and the original ground surface, and the percent slope of the final roadway from the center line of the entire length of the roadway.

If you will dedicate any roadways to a town or plantation, you must also submit a maintenance plan that specifies the proposed roadway construction and design standards that will be used.

S2-G. PARKING LANDSCAPING PLAN – N/A

If your proposed development has a parking area that is more than one acre in size, you must submit a landscaping plan that indicates planting locations, type and maintenance. The plan must include provisions that all parking areas will have landscaped strips along the perimeter, as well as landscaped islands within the parking area. The plan also must include provisions that expanses of parking areas will be broken up with landscaped islands that include shaded trees and shrubs. Contact the LURC office that serves your area for additional details about the requirements for a landscaping plan.

S2-H. TRAFFIC IMPACT STUDY – See Section 1, Development Description

If your proposed development has the potential to generate significant amounts of traffic or if safety or capacity concerns exist in the area, you may be required to conduct a traffic impact study of roadways and intersections in the vicinity of your project site. If such information is needed, LURC will contact you during the review of your proposal.

S2-I. ARCHAEOLOGICAL SURVEY – See Section 8, Historic Sites

If any portion of your development site includes an archeologically sensitive area or a structure listed in the National Register of Historic Places, or is considered by the Maine Historic Preservation Commission or other pertinent authority as likely to contain a significant archaeological site or structure, you must conduct archaeological surveys or submit information on the structure. If such information is needed, LURC will contact you during the review of your proposal.

S2-J. PHOSPHORUS CONTROL – See Section 12, Stormwater

If your development creates a disturbed area of one acre or more within the direct watershed of a lake or pond, you must submit a phosphorus impact analysis and control plan using the methods and procedures set forth in the booklet "Phosphorus Control in Lake Watersheds: A Technical Guide to Evaluating New Development" (DEP, 1992). The booklet is available from the Department of Environmental Protection by calling (207) 287-3901. This exhibit must include plans for long term maintenance of any proposed phosphorus control measures, including vegetative buffers, infiltration systems and wet ponds.