

For office use:

Tracking No.

BP

Permit No.

Fee Received

# Applicant & Agent Information - LUPC Building Permit 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(s):** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Applicant Signature(s):** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Agent Signature(s):** \_\_\_\_\_ **Date:** \_\_\_\_\_

If not providing electronic signatures, you must submit a paper copy of this form with original manual signatures.

For office use:

BP

Applicant Last Name

Permit No.

## Property Information - LUPC Building Permit 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(s) <i>(list all)</i>	Township, Town, or Plantation	County
--------------------------------	-------------------------------	--------

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
--	----------------------------

<b>Road Frontage:</b> 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.	<b>Water Frontage:</b> 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 (SP) # \_\_\_\_\_ and Lot # \_\_\_\_\_ *(usually included in deed description)*

**PROJECT SUMMARY** *(for example: year-round dwelling and driveway; add deck; install new septic system; reconstruct damaged addition; etc.)* Home Based Business? yes  no

**APPLICATION FEE** *(see instructions 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 (Treasurer, State of Maine).

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

**Exhibit 4: Development Table – All Existing and Proposed**      Previously issued Building Permit (BP) number (if applicable): \_\_\_\_\_

Refer to [Structures, Features, and Uses](#) (Exhibit 4) for instructions. Name development consistent with the [Site Plan](#) (Exhibit 5).

Structures, Driveways, and Parking Areas (specify if temporary)	Year Built or Duration (if temporary)	Proposed alterations (check all that apply)									Dimensions in feet; L x W x H or L X W  For Modified, 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 <sup>1</sup>	Relocate or Remove	Enclose deck or porch	Change Dimensions or Setbacks	Other (Campsite)			Bedrooms	Plumbing or water fixtures	Road	Property line	Lake or pond	River or stream	Wetland	Ocean/Coastal Wetland
<b>Existing</b>																				
<b>Campsites: Type (tent, RV, etc.)</b>	Duration											Water Supply								

<sup>1</sup> Permanent foundations include full foundations, basements, slabs, and frost walls. Sono tubes or posts installed with augers are not considered permanent foundations.

**Exhibit 4: Development Table – All Existing and Proposed**

Previously issued Building Permit (BP) number (if applicable): \_\_\_\_\_

Refer to [Structures, Features, and Uses](#) (Exhibit 4) for instructions. Name development consistent with the [Site Plan](#) (Exhibit 5).

Structures, Driveways, and Parking Areas (specify if temporary)	Year Built or Duration (if temporary)	Proposed alterations (check all that apply)									Dimensions in feet; L x W x H or L X W  For Modified, 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 <sup>1</sup>	Relocate or Remove	Enclose deck or porch	Change Dimensions or Setbacks	Other (Campsite)			Bedrooms	Plumbing or water fixtures	Road	Property line	Lake or pond	River or stream	Wetland	Ocean/Coastal Wetland
<b><u>Proposed</u></b>																				
<b><u>Campsites: Type (tent, RV, etc.)</u></b>	Duration											Water Supply								

<sup>1</sup> Permanent foundations include full foundations, basements, slabs, and frost walls. Sono tubes or posts installed with augers are not considered permanent foundations.

**Exhibit 5: Lot Coverage, Vegetation Clearing, Soil Disturbance Tables**

Applicant Name: \_\_\_\_\_

Use the following tables to calculate **Lot Coverage Percentage** and total areas of **Vegetation Clearing** and **Soil Disturbance**. Use with the Site Plan (Exhibit 5).

**Lot Coverage** (the maximum total lot coverage is 30%)

Area of Lot: \_\_\_\_\_ sq. ft.

<i>Existing/Proposed Non-Vegetated Development</i>	<i>Dimensions (ft)</i>	<i>Footprint Area (sq ft)</i>

**Total Area of Non-Vegetated Development:** \_\_\_\_\_ sq. ft.

**Lot Coverage Percentage** = Total Area of Development / Area of Lot x 100%: \_\_\_\_\_ sq ft / \_\_\_\_\_ sq ft x 100% = \_\_\_\_\_ %

**Vegetation Clearing** (clearing outside of the footprint of structures, driveways, parking areas, etc. but including clearing for septic systems)

<i>Location, Name, or Number of Cleared Area on Site Plan</i>	<i>Dimensions (ft)</i>	<i>Cleared Area (sq ft)</i>

**Total Area of Vegetation Clearing:** \_\_\_\_\_ sq. ft.

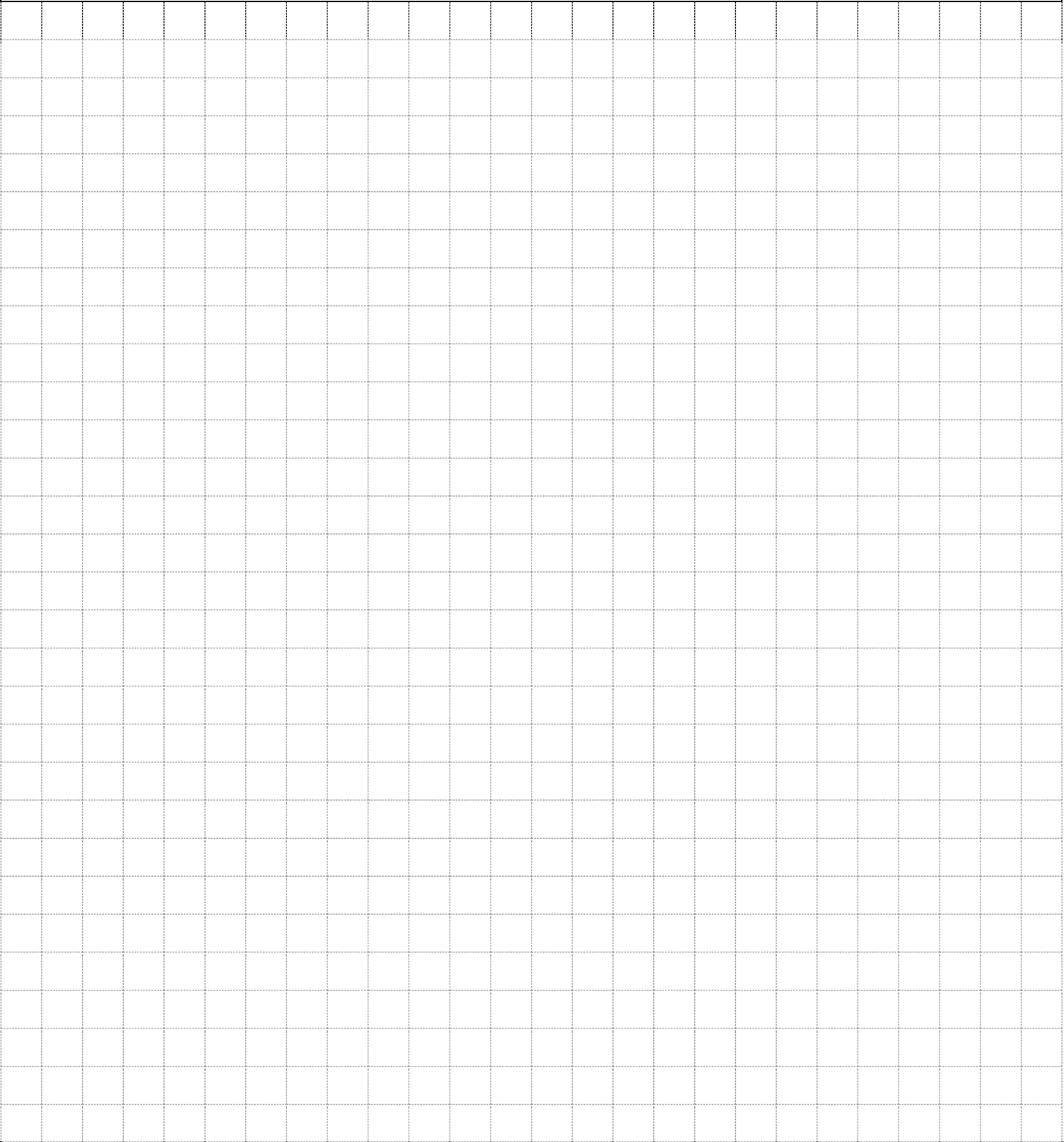
**Soil Disturbance**

<i>Location, Name, or Number of Disturbed Area on Site Plan</i>	<i>Dimensions (ft)</i>	<i>Disturbed Area (sq ft)</i>

**Total Area of Soil Disturbance:** \_\_\_\_\_ sq. ft.

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

**For Use with Exhibits 5 & 8: Site Plan & Erosion Control**



**Checklist:**

**Scale:** \_\_\_\_\_

**Not to Scale:**

- |   |   |  |  |
|---|---|--|--|
| <input type="checkbox"/> North arrow                | <input type="checkbox"/> Existing development, dimensions     | <input type="checkbox"/> Erosion control   | <input type="checkbox"/> Distances of all development, veg. clearing, soil disturbance from: |
| <input type="checkbox"/> Property lines, dimensions | <input type="checkbox"/> Proposed development, dimensions     | <input type="checkbox"/> Soil stockpiles   | - property lines - waterbodies   |
| <input type="checkbox"/> Natural/Cultural features  | <input type="checkbox"/> Vegetation clearing, dimensions/area | <input type="checkbox"/> Drainage          | - roads - wetlands   |
| <input type="checkbox"/> Exterior lighting          | <input type="checkbox"/> Soil disturbance, dimensions/area    | <input type="checkbox"/> Topography/slopes |  |

**For Use with Exhibit 6: Land Division History**

Applicant/Project Name: \_\_\_\_\_

Use this table to present the ownership and 20 year land division history of your parcel. Be sure to start the history with the land transaction that most closely pre-dates 20 years from today. Include conceptual drawings. *See further instructions and an example in [Land Division History \(Exhibit 6\)](#).*

<b>Drawing (not to scale)</b>	<b>Type of Transaction and Names of <u>Seller/Grantor and Buyer/Grantee</u></b>	<b><u>Date of Transaction</u></b>	<b><u>Book &amp; Page Numbers</u></b>	<b><u>Lot Size (in acres)</u></b>

**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.*

# FEE WORKSHEET

For directions, contact local LUPC representative

Fee Type	Description	Fee	Enter Applicable Fee ↓				
<b>Base Fee</b> <i>(only one base fee should apply)</i>	Development on lots <u>within</u> Commission approved subdivisions; no home-based business	\$50.00	\$				
	Development on lots <u>not within</u> Commission approved subdivisions; no home-based business	\$75.00					
	Permit involving a Home-based Business	\$100.00					
<b>Enter Applicable Measurement</b> ↓							
<b>Activity Specific Fees</b>	<b>Disturbed Areas</b>	Square feet of disturbed area in wetlands and within 25 feet of shoreline:	<u>          </u> sq ft	x	\$0.40 per square foot	=	\$
		Thousands of square feet of all other disturbed area, <i>excluding the first acre</i> (43,560 sq ft)	<u>          </u> thousands of sq ft	x	\$1.00 per 1,000 square feet	=	\$
	<b>Structures</b> <i>(the first 750 square feet of accessory structures may be excluded)</i>	...on lots within Commission approved subdivisions:	<u>          </u> sq ft	x	\$0.15 per square foot (footprint) <sup>2</sup>	=	\$
		... <u>not on lots within</u> Commission approved subdivisions:	<u>          </u> sq ft	x	\$0.20 per square foot (footprint) <sup>2</sup>	=	\$
<b>Special Exception Fee</b>	Includes one or more uses allowed by special exception	\$100	\$				

Fee Notes:

**Total Estimated Fee: \$ \_\_\_\_\_**  
*(add the values in the right-hand column)*

Compare the total estimated fee with the maximum fee for your permit type (see instructions) and enter the smaller of the two values here for the total application fee:

**\$ \_\_\_\_\_ Total Application Fee**



**i** Helpful information, including guides to this permit application, an example of a completed Building Permit application, and a list of items frequently missed may be found on the LUPC's residential development webpage: [maine.gov/dacf/lupc/application\\_forms/building-permit-help](https://www.maine.gov/dacf/lupc/application_forms/building-permit-help).

Brochures for nonconforming development, a guide to the building permit, and dimensional requirements can be found at: <https://www.maine.gov/dacf/lupc/reports/index.shtml>

## LIST OF EXHIBITS

**i** **Home-Based Businesses, Wetlands Alterations, or Floodplain Development:** Applications involving any of these activities may require additional information requested in the following Supplements (S):

- **S1** – Home-Based Business
- **S3** – Wetland Alterations
- **S4** – Floodplain Development

These supplements are available at: [https://www.maine.gov/dacf/lupc/application\\_forms/index.shtml](https://www.maine.gov/dacf/lupc/application_forms/index.shtml)

The first page of each supplement describes who needs to submit the supplement.

Exhibits Required for All Applications		✓
1.	Directions and Location Map	
2.	Deed, Lease, Sales Contract, or Easement	
3.	Site Photographs	
4.	Structures, Features, and Uses	
5.	Site Plan	

USE CHECK BOXES TO MAKE SURE YOU HAVE COMPLETED EACH SECTION

Exhibits Required for Certain Applications		
Exhibit	Applicability	✓
6.	Land Division History	Required if lot is <u>not</u> part of a Commission approved subdivision
7.	Wastewater Disposal	Required for projects involving bedrooms or bathrooms, adding plumbing or pressurized water, or conversion for human habitation
8.	Erosion Control, Sedimentation Control, and Drainage	Required if any soil disturbance, filling, grading, or drainage needed
9.	Exterior Lighting	Required for projects proposing new exterior lighting
10.	Driveway Entrance	Required if an entrance permit is needed for a new or modified driveway; required for change of use with existing driveway
11.	Vegetative Buffering in Prospectively Zoned Areas	Required if the project is located in a prospectively zoned area (see exhibit for the list of plantations and townships included)
12.	Additional Information	If needed

**Note:** In special cases, additional exhibits may be required. These special cases include development on certain hillsides. An LUPC staff member will contact you if additional information is needed.

## **Instructions:**

## **Exhibits Required for All Applications**

*Use Separate Paper and the Included Tables to Provide Information.*

*Do Not Put the Information on these Instructions.*

### **1. Directions and Location Map**

Applicability: **Required for all applications**

Rule Section: 4.05,A

#### **Directions**

Give directions to the site with enough detail for Commission staff to find it. Distances and a street address, if available, are helpful. Property landmarks are also helpful and may be shown in Site Photographs (Exhibit 3).

#### **Location Map**


Use an LUPC Land Use Guidance Map or use the online LUPC Zoning and Parcel Viewer to create a map (screenshot) showing your property and the surrounding area. See information (📍) and tool boxes (🔧) below for directions.

On the map, mark as best possible:

- the boundaries of all the parcels you own in the area
- the general location of proposed and existing development
- names of reference points such as roads or waterbodies

Provide the latitude and longitude of a point within the approximate footprint of the primary structure shown on the site plan (Exhibit 5). Sources for latitude and longitude include:

- your phone's maps application (mark a point)
- a GPS app or device
- Google Maps or Google Earth

 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 [maine.gov/dacf/lupc/plans\\_maps\\_data/digital\\_maps\\_data.html](http://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 used with an application.



The Zoning and Parcel Viewer is an interactive map on the Commission's website. It provides information about zoning and parcels in the Commission's service area. This tool can be found at [maine.gov/dacf/lupc/plans\\_maps\\_data/digital\\_maps\\_data.html#viewer](http://maine.gov/dacf/lupc/plans_maps_data/digital_maps_data.html#viewer).

## 2. Deed, Lease, Sales Contract, or Easement

**Applicability: Required for all applications**

Rule Section: 4.05,A

Provide copies of deeds, leases, active purchase or sale agreements, or easements showing your right to apply for a building permit on the property. Copies must show complete and signed documents.

You may also need to submit the information below:


**Leases:** Permission from your lessor may be needed. Check your lease or contact your lessor. If needed, include a letter or email granting permission. Contacting your lessor before submitting this application is generally a good idea.

**Purchase or Sale Agreements:** Copies of deeds or leases showing the current owner's right to sell.

**Restrictions:** Copies of existing or proposed restrictions on the property (for example: a conservation easement). Mark easement/restriction area(s) on the location map (Exhibit 1) and site plan (Exhibit 5).

**Common Ownership:** Either:

- a) include all other owners as co-applicants  
or
- b) provide signed statements from all other owners showing that they fully understand the proposal and authorize you to proceed with this application.

 *Deeds may be found through [mainregistryofdeeds.com](http://mainregistryofdeeds.com). See the Information Box on page 18 in Land Division History (Exhibit 6) for more information.*

## 3. Site Photographs

**Applicability: Required for all applications**

Rule Section: 4.05,A

Attach a series of photographs taken within the past two years showing the project area. Photographs should include structures, features, and other aspect that are noteworthy or representative (see Exhibit 4, Structures, Features, and Uses). While not required, aerial imagery (for example, from Google Maps or Google Earth) can help show site conditions.

Include the date taken and a descriptive caption for each photo.

## 4. Structures, Features, and Uses

Applicability: Required for all applications

Rule Section: 4.05,A

### Site Uses

Describe all current and proposed uses. Examples of uses include residential, home-based business, campsites for personal use, undeveloped, etc.

If known, describe past uses of the property.

### Site Conditions

Describe the condition of the property and the site to be developed. Include the following, if present:

- water features (lakes, ponds, man-made ponds, rivers, streams, drainages, etc.) and wetlands
- areas of flooding, ponding, or other water impact
- the general slope and topography of the ground (flat, steep, percent slope, etc.)

If your proposed development is on a hillside, additional information may be required. LUPC rules define hillside as “an area of two or more contiguous acres having a sustained slope of 15% or greater.” LUPC staff can check if your proposal involves a hillside by that definition. Certain standards minimizing visual impacts apply to development on hillsides.

- the existing vegetation and any history of vegetation clearing or timber harvesting activities
- special natural areas and cultural/historical conditions and features
- any other relevant features, conditions, or details

### Existing and Proposed Development

Fill out the attached table (next page) with all existing/modified and proposed structures, driveways, and parking areas. Structures include anything constructed with, or attached to, a fixed location on the ground. Examples of structures include houses, patios, walks, retaining walls, signs, outside storage tanks, etc. Leave blank any items that are not applicable. In the space at the top, provide the number of any previously issued building permits for the lot. Make additional copies of the table if needed.

**i** Requirements for lot size, frontage, setbacks, lot coverage, and building height may be found in the [LUPC’s Dimensional Requirements Guide for Residential Structures](#).

**i** Septic systems need not be included in this exhibit. Indicate the location of any septic system on the Site Plan, Exhibit 5. Septic systems are covered in Wastewater Disposal, Exhibit 7.

## Campsites

If your property includes a campsite for personal use (that will not be rented), provide additional information on the following:

- the number of days tents, trailers, recreational vehicles, pickup campers, and similar vehicles will be on the lot each calendar year [**Note:** not to exceed 120 days; in a flood area (P-FP), 90 consecutive days];
- the plan to keep any campers, trailers, and recreational vehicles registered and road ready;
- the water supply for the campsite; and
- campsite access to permanent structures.

## New Accessory Structures, Reconstructions, or Permanent Foundations

If the new accessory structure, reconstructed structure, or permanent foundation will not meet the LUPC's minimum setback distances from property lines, roads, water bodies or wetlands, explain the physical limitations (such as lot size, slope, location of septic system, etc.) preventing the structure or foundation from meeting setbacks.

If reconstructing a structure, provide the following information:

- explain whether the original structure was damaged, destroyed, or removed and provide the date this happened, and
- describe the use of the structure in the two years before the damage, destruction, or removal.

## 5. Site Plan


Applicability: **Required for all applications.**


Rule Section: 4.05,A

Submit a site plan showing an overhead view of the project area.

If all existing and proposed features/development do not fit on one drawing, use additional drawings.

The LUPC recommends finalizing the site plan with your contractor prior to submitting this application. Making changes to the site plan later may result in delays in starting construction and unintended violations.

 You may draw the plan to scale on an 8½ x 11 inch sheet of paper or on the [grid paper](#) provided with this exhibit. The grid paper includes a checklist of the items the site plan must show.

 Requirements for lot size, frontage, setbacks, lot coverage, and building height may be found in the LUPC's [Dimensional Requirements Guide for Residential Structures](#).

On the site plan, show the items listed below. The site plan should include all existing, proposed, temporary, and permanent project features:

- Property lines and dimensions (including any road and water frontage).
- Natural and cultural features (for example: wooded areas, open fields, rivers, perennial and intermittent streams, lakes, ponds, wetlands, floodplains, drainage ditches, historic landmarks, etc.).
  - Include names for waterbodies and other features that are named.
- All structures, driveways, parking areas, and similar types of non-vegetated development. Indicate exterior dimensions. Show new building footprints resulting from changes to existing structures.

In the table after the example site plan, indicate the dimensions and footprint (square footage) of all the non-vegetated development. Then calculate the lot coverage following the formula provided.

- Areas of cleared woody vegetation outside of the footprint of structures, driveways, etc. In the table after the example site plan, indicate the dimensions of each area and the total cleared area.

**i** **Vegetation clearing** should be at least 50 ft from public roadways; 75 ft from ponds less than 10 acres, coastal wetlands, or minor flowing water; and 100 ft from ponds greater than 10 acres and major flowing waters. The limit of existing and proposed vegetation clearing within 250 ft of lakes and rivers is 10,000 square feet. Additional application information is required for a permit to exceed these limits. Standards and information may be found in the LUPC's [Vegetation Clearing Standards Brochure](#).

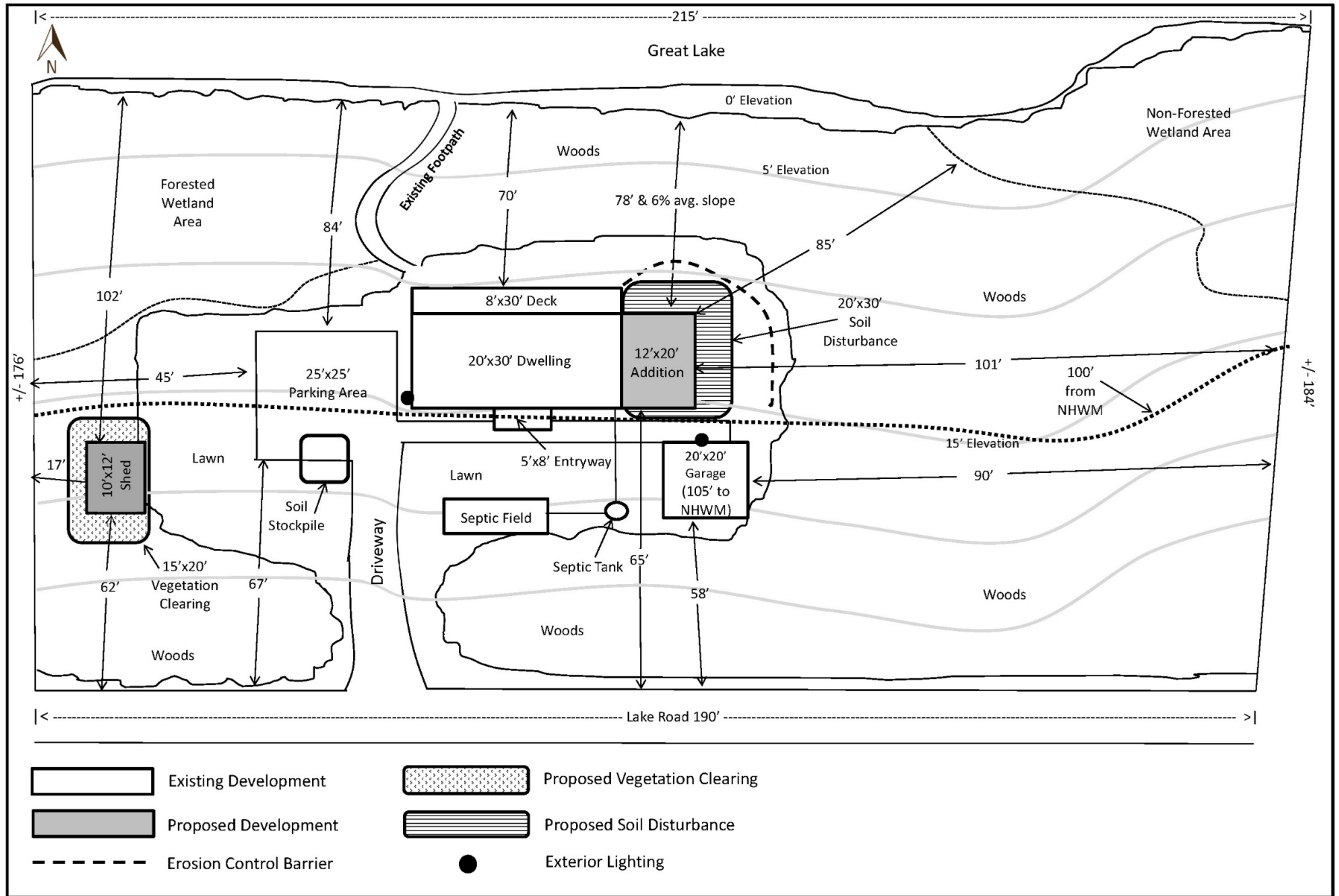
- Areas of any tree thinning or brush removal.
- Areas of soil disturbance, filling and grading, and soil stockpiling. In the table after the example site plan, indicate the dimensions of each area of soil disturbance and the total area.
- Distances of all structures, driveways, parking areas, vegetation clearing, soil disturbance, filling and grading, and stockpiles from roads, property lines, waterbodies, flowing waters, and wetlands (use the shortest distances). [**Note:** Soil must be stockpiled at least 100 feet from any water body.]
- Erosion, sedimentation, and drainage control measures (for example: hay bales, silt fencing, level spreaders, culverts, water bars, drainage ditches, etc.).
- Indications of topography such as: rough slopes, ridgelines, and areas with steep slopes.

Be sure to provide the slopes between areas of

- |                       |     |                  |
|-----------------------|-----|------------------|
| - soil disturbance    |     | ✓ waterbodies    |
| - vegetation clearing |     | ✓ flowing waters |
| - filling and grading | And | ✓ property lines |
| - soil stockpiles     |     | ✓ roads          |
|                       |     | ✓ wetlands       |

- A north arrow.

# Example Site Plan






## **Instructions:**

## **Exhibits Required for Certain Applications**

### **6. Land Division History**

**Applicability:** Required if lot is not part of a Commission approved subdivision

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

 *A land division history is not the same as a title search.*

#### **Background on Land Division History**

Generally, land divisions occur when:

- a parcel is split into smaller lots
- the landowner leases a portion of a parcel, or
- a new dwelling is placed on a parcel that already has one or more dwellings

Maine law limits the number of land divisions that can occur without a subdivision permit. The LUPC must know the history of a parcel's land divisions to issue a permit.

Certain types of land divisions are not counted toward the limits. These include most divisions involving an abutting landowner or gifts to a family member.

Contiguous parcels under the same legal deed name and in the same township, plantation, or town are considered one parcel when determining land division history.

#### **Researching and Presenting a Land Division History**

A land division history is like a family history but for land. You can trace a family history with marriages, births, etc. In the same way, you can trace a land division history with portions of properties being split from one another, joined together, leased, transferred, etc.

To research a land division history, start with the current deed, lease, or sales contract. Work backward to the land transaction that most closely pre-dates 20 years from today (not from your deed or lease year). For example, if today's date is May 5, 2023, work backward to the transaction that most closely pre-dates May 5, 2003. You may need to access the Registry of Deeds for the county. Instructions for this are given below. It may be helpful to get assistance from an attorney or land surveyor.

To present the land division history, reverse the order. Start with the end point of your research (the land transaction that most closely pre-dates 20 years from today) and work forward. An example land division history is given below.

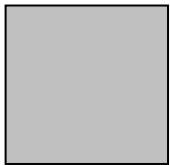

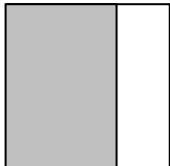
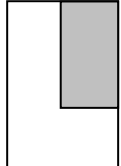

Conceptual drawings are very helpful when researching and presenting a land division history.

In the example below, a Building Permit applicant in 2023 is presenting the land division history of a 2-acre lot purchased in January of 2023. The 2-acre lot was once part of a 6-acre lot belonging to Sue Smith. The 6-acre lot was once part of a 10-acre lot belonging to Amy Adams and then Rob Rodgers. The applicant is applying in 2023, but the land division history goes back to 1999 to show the transaction that most closely pre-dates the 20 year limit (2003).

In the example, there have been two divisions: 1) when Rob Rodgers sold a 4-acre portion of the 10-acre lot on June 12, 2006, and 2) when Sue Smith sold a 2-acre portion of the 6-acre lot on May 21, 2014. The sale or gifting of entire lots does not count as a land division.

You do not need to figure out which transfers and divisions count toward the limit on divisions. The LUPC will figure it out from the information you provide.

**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>
	<i>Amy Adams sold a 10-acre lot to her neighbor, Rob Rodgers, on November 22, 1999.</i>	<i>Amy Adams → Rob Rodgers</i>	<i>Book 1251, Page 125 11/22/1999</i>	<i>10 acres</i>
	<i>Rob Rodgers sold a 4-acre portion of his lot to Dan Davis on June 12, 2006.</i>	<i>Rob Rodgers → Dan Davis</i>	<i>Book 1254, Page 63 06/12/2006</i>	<i>6 acres</i>
	<i>Rob Rodgers gifted the remaining 6 acres to his daughter, Sue Smith, on January 11, 2008.</i>	<i>Rob Rodgers → Sue Smith</i>	<i>Book 1254, Page 178 01/11/2008</i>	<i>6 acres</i>
	<i>Sue Smith sold a 2-acre portion of her lot to John Jones on May 21, 2014. Sue Smith still owns the remaining 4 acres.</i>	<i>Sue Smith → John Jones</i>	<i>Book 1257, Page 36 05/21/2014</i>	<i>2 acres</i>
	<i>Applicant purchased the 2-acre lot from John Jones on January 15, 2023.</i>	<i>John Jones → Applicant</i>	<i>Book 1262, Page 91 01/15/2023</i>	<i>2 acres</i>

*More detailed instructions and helpful hints for figuring out a Land Division History are on page 17, following the table below.*

## Instructions and Helpful Hints for Land Division History

Research: *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 to the transaction that most closely pre-dates 20 years from today.*

This can typically be done by searching for deeds online in a county's digital Registry of Deeds (see information box below).

Deeds will usually describe the land as "a portion of the premises" or "the same premises" as a prior deed and give the prior deed's Book and Page number in the Registry of Deeds. This information is often toward the end of the deed.

If the land is described as a portion of the premises, you would research the prior deed to see if any other land was split from its premises. You would record those splits and any subsequent splits from there. You would also research the land of the prior deed to see if it was a portion of or the same premises.

If the land is described as the same premises, you would research the prior deed to see if the land was split from a larger parcel or if it is also the same premises.

In this way, you work backward to the transaction that most closely pre-dates 20 years from today. If splitting of lots has occurred, you will also need to work forward to see if there has been additional splitting.

A tax map or a survey map of the property (either recent or old) is often very helpful.

For each transaction found in your research, record the information requested in the Land Division History Table above.

Examples of types of transactions include: sale, lease, gift to relative, inheritance, court-order, transfer to an abutter, transfer for forest management, agriculture management, conservation, etc. The type of transaction helps LUPC know which land divisions count toward limits.

**i** *County Registries of Deeds allow free searches by the public. In some cases, you must register for a free account. Links to each county's searchable electronic registry are at the Official Land Records Website of the Maine Registers of Deeds Association: [maineregistryofdeeds.com](http://maineregistryofdeeds.com). Select the appropriate county on the map.*

*Searching by book and page number is often easier and more efficient. But searches can include landowner name, date, etc.*

**i** *If your property is located in a plantation or town, you will find tax maps through its website or office. Tax maps for townships are found through the Unorganized Territory Division of the Maine Revenue Service: [maine.gov/revenue/taxes/property-tax/unorganized-territory/tax-maps-valuation-listings](http://maine.gov/revenue/taxes/property-tax/unorganized-territory/tax-maps-valuation-listings).*

## Presenting the Land Division History:

Use the table for Land Division History above to organize this information. List all changes in ownership and all divisions of lots from which your lot originated. Include any transfers to abutting landowners and gifts to relatives.

It is helpful to closely follow the example above. Be sure to start the history with the transaction that most closely pre-dates 20 years from today. Include conceptual drawings (not necessarily to scale) showing all the land divisions. The history should account for all the acreage within the parcel at the time of the transaction most closely pre-dating 20 years from today.

## 7. Wastewater Disposal

Applicability: Required for proposals that:


- build, expand, or reconstruct structures that include bedrooms, bathrooms, kitchens, or laundry rooms
- add plumbing, water fixtures, or pressurized water
- add the ability for human habitation
- otherwise result in new or additional wastewater volume.

Rule Sections:  
10.25,G & 10.25,I

An Important Note on Continued Use of Existing Systems: *If you plan to use an existing septic system AND not exceed the system's capacity, the system must be evaluated for continued use before you submit this application. See instructions for **Continued Use** on the next page.*

### **New/Replacement Wastewater Systems, Changes to Existing Systems, or Increases in Wastewater that Exceed Current System Capacity**

- Hire a Licensed Site Evaluator to test the soils on your property, design/modify a septic system, and complete a Subsurface Wastewater Disposal System Application (referred to as an "HHE-200 form").
- Submit the HHE-200 form signed by the Site Evaluator, and approvals for any required variances (see below), with this application.
- Indicate the location of the system on the Site Plan, Exhibit 5.

 **Locating Maine Licensed Site Evaluators and Local Plumbing Inspectors:** *Guidance and links for locating licensed professionals can be found on the LUPC's homepage, [maine.gov/dacf/lupc](http://maine.gov/dacf/lupc), in the column on the right.*

Variance Required?

The Site Evaluator will indicate on the HHE-200 form if a variance is required. (See the box under **Permit Information** in the upper middle of page 1 of the HHE-200 form; an example is below). The Site Evaluator will also complete and sign a Subsurface Wastewater Disposal System Variance Request Form (HHE-204). The property owner or applicant signs the Variance Request Form which is then submitted to the Local Plumbing Inspector along with the HHE-200 form. The LPI reviews the variance request for approval. If the State needs to approve the variance request, the LPI will submit the necessary forms to the Department of Health and Human Services.

**HHE-200 Variance Section.** *If any of the items within the greyed, dashed box below are checked on your HHE-200 form, you need to obtain a variance. The form will indicate whether the variance can be approved by the LPI only or whether it must be approved by the LPI and the State of Maine (Department of Health and Human Services).*

<b>THIS APPLICATION REQUIRES</b>	
<input type="checkbox"/>	1. No Rule Variance
<input type="checkbox"/>	2. First Time System Variance
<input type="checkbox"/>	a. Local Plumbing Inspector Approval
<input type="checkbox"/>	b. State & Local Plumbing Inspector Approval
<input type="checkbox"/>	3. Replacement System Variance
<input type="checkbox"/>	a. Local Plumbing Inspector Approval
<input type="checkbox"/>	b. State & Local Plumbing Inspector Approval
<input type="checkbox"/>	4. Minimum Lot Size Variance
<input type="checkbox"/>	5. Seasonal Conversion Permit

**Continued Use of an Existing System Within the System’s Capacity**

Find the HHE-200 form (Subsurface Wastewater Disposal System Application) for the system (see ⓘ box below). Determine that:

- the continued use will be within the system’s permitted capacity.
  - If the permitted capacity will be exceeded, follow the directions in the section above on “New/Replacement Wastewater Systems, Changes to Existing Systems, or Increases in Wastewater that Exceed Current System Capacity.”
- the system was permitted and inspected by the Local Plumbing Inspector (LPI).
  - Confirm that the signature block in the upper right-hand corner of the first page contains signatures for both the permit and installation inspection (see example below).

**i** You may be able to find a copy of the HHE-200 form for your system in the Septic System Permit Database maintained by the Division of Environmental and Community Health, Maine Department of Health and Human Services. The database may be searched by selecting "Get Started" at [apps.web.maine.gov/cgi-bin/online/mecdc/septicplans/index.pl](https://apps.web.maine.gov/cgi-bin/online/mecdc/septicplans/index.pl). If you are having trouble finding the form in the database, consult the FAQs under "Get Help" on the starting page.

*Example of Complete HHE-200 Signature Block*

<b>&gt;&gt; CAUTION: LPI APPROVAL REQUIRED &lt;&lt;</b>	
Town/City _____ T15 R17 _____	Permit # _____ 126 _____
Date Permit Issued <u>7 / 12 / 18</u> Fee: \$ <u>250.00</u> Double Fee Charged [ ]	
<i>J. Inspector</i> Local Plumbing Inspector Signature	L.P.I. # _____ 007 _____
< Owner < Town < State	
The Subsurface Wastewater Disposal system shall not be installed until a Permit is issued by the Local Plumbing Inspector. The Permit shall authorize the owner or installer to install the disposal system in accordance with this application and the Maine Subsurface Wastewater Disposal rules.	
Municipal Tax Map # _____ 01 _____	Lot # _____ 18 _____
<b>CAUTION: INSPECTION REQUIRED</b>	
I have inspected the installation authorized above and found it to be in compliance with the Subsurface Wastewater Disposal Rules Application.	
<i>J. Inspector</i> Local Plumbing Inspector Signature	<u>8/5/18</u> (1st) date approved <u>9/30/18</u> (2nd) date approved

If your existing system is permitted and inspected:

- submit the HHE-200 form (and HHE-204 variance form if applicable) with this application
- indicate the location of the system on the Site Plan, Exhibit 5.

If the existing system is not permitted or inspected, contact your local LPI for an after-the-fact permit, variance, and/or inspection. Then contact a Licensed Site Evaluator to examine the system. The Site Evaluator must provide a letter certifying that the system:

- meets the current requirements of the Maine Plumbing Code
  - is sited appropriately (as determined by the permit)
  - is not malfunctioning
  - is capable of accommodating the additional wastewater
- submit the Site Evaluator’s letter and HHE-200 form (and HHE-204 variance form if applicable)
  - indicate the location of the system on the Site Plan, Exhibit 5

## 8. Erosion and Sedimentation Control

Applicability: Required for soil disturbance, filling, grading, or drainage work

Rule Sections:  
10.25,M & 10.27,F

### Soil Disturbance and Filling and Grading

Describe the following:

- the planned construction activities and their general order, including clearing, filling, grading, construction, maintenance of erosion control measures, and final landscaping
- how you will minimize soil disturbance and control erosion and sedimentation
- how erosion and sedimentation control measures will be maintained during and after construction

Be sure to include all relevant information requested for the Site Plan, [Exhibit 5](#) (for example: locations of soil stockpiles, distances and slopes between disturbed areas and water bodies, areas where erosion control will be placed, etc.).

**i** “Guidelines for Vegetative Stabilization” may be found in [Appendix B of the LUPC’s Chapter 10](#) rules. Any fill used must be free of hazardous or toxic materials, trash, and rubbish.

Note: If you plan to disturb one acre (43,560 sq. ft.) or more of soil or disturb soil when the ground is frozen or saturated, you will need to provide additional information. This information includes estimates of the cost of installing and maintaining erosion and sedimentation control measures, plans for meeting those expenses, and inspection schedules. Contact LUPC staff for more information.

### Drainage

- Describe temporary and permanent drainage including culverts, water bars, drainage ditches, settling basins, etc. Describe your plan for maintaining these structures.

Calculations used to size drainage structures may be required.

- For any driveways, discuss how the driveway design minimizes the use of ditching, cuts, and fills.

## 9. Exterior Lighting

Applicability: Required for projects proposing new exterior lighting

Rule Sections: 10.25, F

Provide the following information for each existing and new exterior light fixture: 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 (if known).

Show the location of exterior lighting on the Site Plan, Exhibit 5.

**i** Bulb types include LED, fluorescent, 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. LUPC standards require for full cut-off fixtures for incandescent bulbs of 160 W or more and for other bulb types of 60 W or more.

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>
<i>Example: Front Entrance</i>	<i>LED</i>	<i>16 W</i>	<i>Y</i>	<i>N</i>	<i>New</i>

## 10. Driveway Entrance

**Applicability:** Required if an entrance permit is needed for a new or modified driveway; required for change of use with an existing driveway

*Rule Section: 10.25, D*

### State, County, Town, and Plantation Road Entrance Permits

Driveway entrances off State, State-Aid, County, Town, or Plantation roads may require an entrance permit if there is:

- a new or modified driveway entrance
- a change of use of the lot (for example: adding a home-based business)
- any change that could increase traffic or create a safety or drainage concern

If a permit is required, obtain it in advance and submit it with your application. Contact the Maine Department of Transportation (MaineDOT) or the applicable County, Town, or Plantation office for further information.

If a permit is not necessary, submit a statement from the applicable agency to that effect (for example: an email message from the MaineDOT saying that an entrance permit is not needed). Please be sure that the statement identifies the location of the driveway.

**i** The MaineDOT's phone number is (207) 624-3600 or visit the Department's website at [maine.gov/mdot](http://maine.gov/mdot).

Roadway jurisdictions are shown on the MaineDOT's Public Map Viewer at [maine.gov/mdot/mapviewer](http://maine.gov/mdot/mapviewer).

For additional information from MaineDOT, including contact information for regional offices, answers to FAQs, and a guide to driveway entrance permits, visit [maine.gov/mdot/traffic/drivewaypermits](http://maine.gov/mdot/traffic/drivewaypermits).



## 11. Vegetative Buffering in Prospectively Zoned Areas

*Applicability:* Required if your development is in a prospectively zoned area (see e box below)

*Rule Sections: 10.25, B*

### Background on Vegetative Buffering in Prospectively Zoned Areas

In prospectively zoned areas, there are additional standards for how much vegetation can be cleared or thinned and how vegetated buffers should be maintained. Vegetated buffers consisting of native trees and shrubs are required along roads (including private roads), property lines, and certain zoning subdistrict boundaries.

**i** *Prospectively zoned townships and plantations:*

Franklin County: Dallas Plantation, Rangeley Plantation, Sandy River Plantation

Oxford County: Adamstown Township, Lincoln Plantation, Magalloway Plantation, Richardson Township, Township C, Township D, Township E

The table below shows the widths of vegetative buffers required in prospectively zoned areas. Widths of the vegetative buffers are measured at their narrowest point. The vegetative buffers must be on the project property. Measurement of buffer width does not include vegetation on the other side of the property line.

Width of Vegetated Buffers on <u>Project Property</u> Between Buildings/Development and:				
	<u>Roads</u>	<u>Side Property Lines</u>	<u>Rear Property Lines</u>	<u>Subdistrict Boundaries (If Project in D-ES or D-CI)</u>
<b>Standard Minimum Required:</b>	25 ft in D-GN, D-GN2, & D-GN3	15 ft	15 ft	50 ft to other Subdistricts
	30 ft in D-RS			
	50 ft in D-RS2 & D-RS3			
	75 ft in D-ES & D-CI			

The Commission may require wider buffers, especially to screen unsightly uses.

## To Complete this Exhibit

- On the Site Plan (Exhibit 5) provide the width at the narrowest point of each existing and proposed vegetative buffer. The buffers will be between the existing and proposed structures and roads, property lines, and subdistricts as applicable.

Remember that buffer width is measured on your property. It does not include the width of vegetative buffers on any neighboring properties.

- Separately from the Site Plan, submit:
  - a description of the existing or proposed vegetation in the buffer(s)
  - a description of how buffers and other features of your property screen the proposed development from the road and adjacent properties

**i** *In limited cases, you may obtain a waiver of the buffering requirements:*

- *when there is a history of clearing or scenic views prior to 2001*
- *in certain “Main Street” settings*
- *when the proposed use fits in with nearby development and a waiver is acceptable to all abutting landowners.*

*Contact the LUPC’s Western Region office, [maine.gov/dacf/lupc/about/offices/western\\_region.shtml](http://maine.gov/dacf/lupc/about/offices/western_region.shtml), for more information.*

## 12. 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.