

Town of Eagle Lake

# Shoreland Zoning Building Permit



RENOVATIONS OR EXTENSION: Please answer the following questions.

1. If EXTENSION, what part of the dwelling/structure will be extended?

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2. If RENOVATION, what part of the dwelling/structure will be renovated?

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3. Will plumbing be changed or installed?  Yes or  No

If yes, a plumbing permit must be obtained from the Local Plumbing Inspector. The homeowner or master plumber is responsible to telephone the local plumbing inspector for an inspection.

Estimated Cost of Total Construction: \$ \_\_\_\_\_

1. Before signing this application be sure all materials requested are enclosed.
2. Applications with missing information will be returned within 35 days of receipt.
3. Completed applications will be answered within 35 days of receipt.
4. Permits issued will lapse and become void within 1 year of date issued unless a substantial start is made in construction or use of the property.
5. Permit fee must be paid when application is submitted. See page 3 for fee schedule. Applications without fees shall be considered incomplete
6. The Planning Board may require additional information not encompassed by this application. Said information shall be supplied at the expense of applicant.
7. If permits are required from other agencies, you must attach a copy of the permit or application for the permit to this application.
8. A before photo must be attached to application. An after photo must follow completion.
9. **Applicant is advised to consult with the Code Enforcement Officer and appropriate State and Federal agencies to determine whether additional permits, approvals, and reviews are required.**
10. For all applications within the "Wellhead Protection Zone 1" (Within 300 Feet) and "Wellhead Protection Zone 2" (Within 1000 Feet) review and approval will be required from the Water District Superintendent as well as the Code Enforcement Officer. These areas include but are not limited to the properties located on Map-16/Lots-10, 11-1, 25, 25-A, 26, 28, 29, 29-1, 30, 31-5, 31-4, 31-3, 31-2, 31-1.

11. All applicants are urged to obtain a current copy of the Shoreland Zoning Ordinance. Copies are available at the Eagle Lake Town Office for \$5.00 plus postage.

I, do hereby apply for a permit to construct/extend or renovate a building(s) as described on previous page. I understand that the permission to build/extend or to renovate is subject to any and all ordinances and/or building codes that may apply at the time of construction. I also understand that false answers to these questions will VOID this permit and may subject to the penalties provided by MAINE STATE LAW.

I certify that all information given in this application is accurate. All proposed uses shall be in conformance with this application and the Town of Eagle Lake's Shoreland Ordinance.

I agree to future inspections by the Code Enforcement Officer at reasonable hours.

_____ APPLICANT'S SIGNATURE	_____ DATE
_____ AGENT'S SIGNATURE (if applicable)	_____ DATE
_____ BUILDING CONTRACTOR	_____ DATE

APPLICATION PERMIT FEE: SCHEDULE:

- NEW CONSTRUCTION: \$250.00
- UPGRADE/REMODEL: \$100.00
- SHORELAND WORK/SMALL PROJECT: \$50.00
- COMMERCIAL CONSTRUCTION: Fee to be determined by the Board of Selectmen



## **UNDUE HARDSHIP CRITERIA FOR GRANTING VARIANCES**

Under Title 30-A, M.R.S.A. Section 4353(4), a Board of Appeals may grant a variance only when strict application of the ordinance to the petitioner and the petitioner's property would cause "undue hardship." The term "undue hardship" is defined as:

1. The land in question cannot yield a reasonable return unless a variance is granted;
2. The need for a variance is due to the unique circumstances of the property and not the general condition in the neighborhood;
3. The granting of a variance will not alter the essential character of the locality; and
4. The hardship is not the result of the action taken by the applicant or a prior owner.

## **STANDARD CONDITIONS OF APPROVAL FOR ALL PROJECTS**

1. A copy of this permit must be posted in a visible location on your property during development of the site, including construction of the structures approved by this permit.
2. This permit is limited to the proposal as set forth in the application and supporting documents, except as modified by specific conditions adopted by the Planning Board or Code Enforcement Officer in granting this permit. Any variations from the application or conditions of approval are subject to prior review and approval by the Planning Board or Code Enforcement Officer. Failure to obtain prior approval for variations shall constitute a violation of the ordinance.
3. A substantial start (30% of project based on estimated cost) of construction activities approved by this permit must be completed within one (1) year of the date of issue. If not, this permit shall lapse, and no activities shall occur unless and until a new permit is issued.
4. The water body and wetland setbacks for all principal and accessory structures, driveways, and parking areas must be as specified in the application, or as modified by the conditions of approval.
5. In the event the permittee should sell or lease this property, the buyer or leasee shall be provided with a copy of the approved permit and advised of the conditions of approval.
6. Once construction is complete, the permittee shall notify the Code Enforcement Officer that all requirements and conditions of approval have been met following notification, the Code Enforcement Officer may arrange and conduct a compliance inspection.
7. Eagle Lake Shoreland Zoning Ordinance, Section 12C, 1(a) Non-conforming structures within the 100 foot setback: After January 1, 1989 if any portion of a structure is less than the required setback from the normal high-water line of a water body or tributary stream or the upland edge of a wetland, that portion of the structure shall not be expanded, as measured in floor area or volume, by 30% or more, during the lifetime of the structure. If a replacement structure conforms with the requirements of Section 12C (3), and is less than the required setback from a water body, tributary stream or wetland, the replacement structure may not be expanded if the original structure existing on January 1, 1989 had been expanded by 30% in floor area and volume since that date.

## STANDARD CLEARING CONDITIONS

The following shall apply to vegetation clearing for all activities within the shoreland zone.

1. A vegetative buffer strip shall be retained within 100 feet of a great pond or river flowing to a great pond, and within 75 feet of other water bodies, wetlands, and tributary streams.
2. Within the buffer strip(s) there shall be no cleared opening greater than 250 square feet in the forest canopy as measured from the outer limits of the tree crown. A winding footpath is permitted, provided it does not exceed ten (10) feet in width as measured between tree trunks, and does not provide a cleared line of sight to the water. Adjacent to great ponds and rivers flowing to great ponds, the width of the footpath is limited to six (6) feet.
3. Selective cutting of trees within the buffer strip(s) is permitted provided that a well-distributed stand of trees and other vegetation is maintained. Not more than 40% of the total volume of trees four (4) inches or more in diameter, measured at 4-1/2 feet above ground level, may be removed in any ten (10) Year period.
4. Within the buffer strip(s) adjacent to great ponds, and rivers and streams flowing to great ponds, existing vegetation under three (3) feet in height and other ground cover shall not be removed, and the soil shall not be disturbed, except to provide for a footpath or other permitted use.
5. Within the buffer strip(s) pruning of tree branches is prohibited, except on the bottom 1/3 of the tree provided that tree vitality will not be adversely affected.
6. Within the buffer strip(s), in order to maintain a buffer strip of vegetation, when the removal of storm-damaged, diseased, unsafe, or dead trees results in the creation of cleared openings in excess of 250 square feet, these openings shall be replanted with native tree species. When removal of such trees appears necessary, the permittee is advised to consult with the Code Enforcement Officer prior to tree removal.
7. Within the shoreland zone, but outside the 75 feet or 100 foot buffer strip(s) described in Standard #1 above, not more than 40% of the total volume of trees four (4) inches or more in diameter, measured 4-112 feet above ground level, may be removed in any ten (10) year period. In no instance shall cleared openings exceed, in the aggregate, 10,000 square feet or 25% of the lot area, whichever is greater, including land previously cleared.
8. Legally existing cleared openings which exceed the above standards may be maintained, but shall not be enlarged except as permitted by the ordinance.
9. Where natural vegetation is removed it shall be replaced by other vegetation (except for areas to be built upon) that is effective in preventing erosion and retaining natural beauty.

## GUIDELINES FOR SOIL STABILIZATION

Areas of disturbed soil, including but not limited to areas that are filled, graded, or otherwise disturbed during construction, must be stabilized according to the approved erosion control plan provided as part of the permit application, or as modified by specific conditions of approval. The following guidelines provide guidance for the landowner to consider in preparing and executing the soil stabilization portion of the erosion control plan. The goals to be achieved by proper stabilization are the avoidance of accelerated soil erosion and sedimentation of water bodies.

In General:

- 1) Sterile soils such as sands and gravels should be covered with a minimum of 4 inches of compacted topsoil to provide a growth medium for vegetation.

2) Disturbed areas which can be seeded between May 1 and September 15 should be prepared and seeded during that period, the best seeding dates are from May 1 to June 15, and Mid-summer seeding will usually require significant watering.

3) Disturbed areas which cannot be seeded between May 1 and September 15 should be heavily mulched with hay, straw, or some other suitable material to keep them as stable as possible over the winter, and particularly during the spring runoff the following year. Generally, one bale of hay for each 500 square feet of disturbed area provides a stabilizing mulch. For over-wintering, mulch must be tied down, as it is easily blown around on frozen ground, leaving areas of exposed soils. Mulched over-winter areas should be prepared and seeded the following spring as soon as conditions allow.

4) Seeding preparation, in addition to providing topsoil or loam if the site is sterile, includes the application of lime and fertilizer, which should be lightly raked into the soil prior to seeding. After the area is seeded, it should be lightly watered and then mulched to protect the seed, keep the site stable and moist, and allow the seed to germinate and grow.

5) Lime should be applied at a rate of approximately 138 pounds per 1000 square feet of area. This rate may vary depending on soil conditions, and it is recommended that soil be analyzed to determine specifically what additional nutrients are needed.

6) Fertilizers should be a "quick release" low phosphorus mixture. They should be applied at a rate of approximately 18.4 pounds per 1000 square feet. However, no more fertilizer than necessary should be added since any excess may be washed into the adjacent water body and contribute to lower water quality. Fertilizers should never be applied before thunderstorms or before spring runoff.

7) Minimize the areas of exposed soil during construction, and temporarily or permanently stabilize disturbed areas within one week of the time the area is actively worked. Runoff control features such as hay bales, silt fencing, and diversion ditching must be in place and functioning prior to the start of construction.



## APPROVAL OR DENIAL OF APPLICANT

This applicant is                       APPROVED                       DENIED

If denied, reason for denial:

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If approved, the following conditions are prescribed:

- PLANNING BOARD REVIEW APPROVAL, (e.g. Subdivision, Site Plan Review)
- BOARD OF APPEALS REVIEW APPROVAL
- FLOOD HAZARD DEVELOPMENT PERMIT
- EXTERIOR PLUMBING PERMIT, (Approved HHE 200 Application Form)
- INTERIOR PLUMBING PERMIT
- DEP PERMIT, (Site Location, Natural Resources Protection Act)
- ARMY CORPS OF ENGINEERS PERMIT (e.g. Sec. 404 of Clean Waters Act)

OTHER:

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In approving a Shoreland Zoning Permit, the proposed use shall comply with the purposes and requirements of the Shoreland Zoning Ordinance for the Town of Eagle Lake.

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CODE ENFORCEMENT OFFICER

PERMIT#
FEE AMOUNT:
DATE:

## **SPECIAL PERMIT**

Where the Shoreland Zoning Ordinance requires a variance, a conditional use, or Special Exception by the Board of Appeals or the Planning Board, then this SPECIAL PERMIT shall be completed by the appropriate Board and attached to the Shoreland Zoning Building Permit Application.

PROPERTY OWNER	SHORELAND DISTRICT
ADDRESS OF PROPERTY	

<b>FINDINGS OF FACT AND CONDITIONS OF APPROVAL</b>
BOARD OF APPEALS     _____
PLANNING BOARD     _____
CONDITIONS: (See standard conditions attached)
 <b>NOTE:</b> The Findings of Fact and The Conditions of Approval should include the reasons why the special permit was granted and specific conditions which clearly define the scope of the use. In reviewing a request for a variance, the Boards of Appeal shall apply the "Undue Hardship" criteria printed on the back of this page. In reviewing a request for a conditional use or a special exception, Planning Boards shall apply the standards of review provided in the local ordinance.

\_\_\_\_\_  
BOARD OF APPEALS CHAIRMAN

\_\_\_\_\_  
PLANNING BOARD CHAIRMAN

DATE: \_\_\_\_\_