

Town of Topsham Shoreland Zoning Permit Application

GENERAL INFORMATION

1. APPLICANT	2. APPLICANT'S ADDRESS	3. APPLICANT'S TEL. #
4. PROPERTY OWNER	5. OWNER'S ADDRESS	6. OWNER'S TEL. #
7. CONTRACTOR	8. CONTRACTOR'S ADDRESS	9. CONTRACTOR'S TEL. #
10. LOCATION/ADDRESS OF PROPERTY	11. TAX MAP/PAGE & LOT #	12. ZONING DISTRICT
13. DESCRIPTION OF PROPERTY INCLUDING A DESCRIPTION OF ALL PROPOSED CONSTRUCTION, (E.G. LAND CLEARING, ROAD BUILDING, SEPTIC SYSTEMS, AND WELLS - PLEASE NOTE THAT A SITE PLAN SKETCH IS REQUIRED ON PAGE 3).		
14. PROPOSED USE OF PROJECT	15. ESTIMATED COST OF CONSTRUCTION	

15.1. IF THE ACTIVITY WILL DISTURBE MORE THAN ONE CUBIC YARD OF SOIL AND WILL BE COMPLETED BY SOMEONE OTHER THAN THE HOMEOWNER, PROVIDE CONTRACTOR CERTIFICATION # IN ACCORDANCE WITH 38MRSA § 439-B:

- CONTRACTOR WHO WILL BE ON SITE _____
- DEP CERTIFICATION # _____

SHORELAND AND PROPERTY INFORMATION

16. LOT AREA	17. FRONTAGE ON ROAD (FT.)
18. SO. FT. OF LOT TO BE COVERED BY NON-VEGETATED SURFACES	19. ELEVATION ABOVE 100 YR. FLOOD
20. FRONTAGE ON WATERBODY (FT.)	21. HEIGHT OF PROPOSED STRUCTURE
22. EXISTING USE OF PROPERTY	23. PROPOSED USE OF PROPERTY

Note: Questions 24 & 25 apply only to expansions of portions of existing structures which are less than the required setback.

<p>24. A) SO. FT. OF PORTION OF STRUCTURE WHICH IS LESS THAN REQUIRED SETBACK AS OF 1/1/89:</p> <p>_____</p> <p>B) SQ.FT. OF EXPANSIONS OF PORTION OF STRUCTURE WHICH IS LESS THAN REQUIRED SETBACK FROM 11/11/89 TO PRESENT:</p> <p>_____</p> <p>C) SQ. FT. OF PROPOSED EXPANSION OF PORTION OF STRUCTURE WHICH IS LESS THAN REQUIRED SETBACK:</p> <p>_____</p> <p>D) % INCREASE OF SO. FT. OF ACTUAL AND PROPOSED EXPANSIONS OF PORTION OF STRUCTURE WHICH IS LESS THAN REQUIRED SETBACK SINCE 1/11/89:</p> <p>(% INCREASE = $\frac{B+C}{A} \times 100$)</p> <p>_____</p>	<p>25. A) CU. FT. OF PORTION OF STRUCTURE WHICH IS LESS THAN REQUIRED SETBACK AS OF 1/1/89:</p> <p>_____</p> <p>B) CU.FT. OF EXPANSIONS OF PORTION OF STRUCTURE WHICH IS LESS THAN REQUIRED SETBACK FROM 1/11/89 TO PRESENT:</p> <p>_____</p> <p>C) CU. FT. OF PROPOSED EXPANSION OF PORTION OF STRUCTURE WHICH IS LESS THAN REQUIRED SETBACK:</p> <p>_____</p> <p>D) % INCREASE OF CU. FT. OF ACTUAL AND PROPOSED EXPANSIONS OF PORTION OF STRUCTURE WHICH IS LESS THAN REQUIRED SETBACK SINCE 11/11/89:</p> <p>(%INCREASE = $\frac{R+C}{A} \times 100$)</p> <p>_____</p>
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SITE PLAN

PLEASE INCLUDE: LOT LINES; AREA TO BE CLEARED OF TREES AND OTHER VEGETATION; THE EXACT POSITION OF PROPOSED STRUCTURES, INCLUDING DECKS, PORCHES, AND OUT BUILDINGS WITH ACCURATE SETBACK DISTANCES FROM THE SHORELINE, SIDE AND REAR PROPERTY LINES; THE LOCATION OF PROPOSED WELLS, SEPTIC SYSTEMS, AND DRIVEWAYS; AND AREAS AND AMOUNTS TO BE FILLED OR GRADED. IF THE PROPOSAL IS FOR THE EXPANSION OF AN EXISTING STRUCTURE, PLEASE DISTINGUISH BETWEEN THE EXISTING STRUCTURE AND THE PROPOSED EXPANSION.

NOTE: FOR ALL PROJECTS INVOLVING FILLING, GRADING, OR OTHER SOIL DISTURBANCE YOU MUST PROVIDE A SOIL EROSION CONTROL PLAN DESCRIBING THE MEASURES TO BE TAKEN TO STABILIZE DISTURBED AREAS BEFORE, DURING AND AFTER CONSTRUCTION (See attached guidelines)

SCALE: _____ = _____ FT.

FRONT OR REAR ELEVATION

SIDE ELEVATION

DRAW A SIMPLE SKETCH SHOWING BOTH THE EXISTING
AND PROPOSED STRUCTURES WITH DIMENSIONS

ADDITIONAL PERMITS, APPROVALS, AND/OR REVIEWS REQUIRED

CHECK IF REQUIRED:

- " PLANNING BOARD REVIEW APPROVAL
(e.g. Subdivision, Site Plan Review)
- " BOARD OF-APPEALS REVIEW APPROVAL
- " FLOOD HAZARD DEVELOPMENT PERMIT
- " EXTERIOR PLUMBING PERMIT
(Approved THE 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)

OTHERS:

" _____
"
" _____
"
" _____
"
" _____

NOTE: 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

I CERTIFY THAT ALL INFORMATION GIVEN IN THIS APPLICATION IS ACCURATE. ALL PROPOSED USES SHALL BE IN CONFORMANCE WITH THIS APPLICATION AND THE _____ SHORELAND ZONING ORDINANCE. I AGREE TO FUTURE INSPECTIONS BY THE CODE ENFORCEMENT OFFICER AT REASONABLE HOURS.

_____ APPLICANT'S SIGNATURE	_____ DATE
_____ AGENTS SIGNATURE (if applicable)	_____ DATE

APPROVAL OR DENIAL OF APPLICATION MAP _____ LOT # _____ (For Office Use Only)

THIS APPLICATION IS: _____ APPROVED _____ DENIED

IF DENIED, REASON FOR DENIAL:

IF APPROVED, THE FOLLOWING CONDITIONS ARE PRESCRIBED:

NOTE: 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 _____.

CODE ENFORCEMENT OFFICER

DATE

INSPECTION CHECK LIST
" Prior to Clearing and Excavation
" Prior to Foundation Pour
" Prior to Final Landscaping
" Prior to Occupancy

PERMIT #
FEE AMOUNT

NOTE: THIS CHECKLIST IS INTENDED TO ASSIST THE CEO IN TRACKING A SHORELAND ZONING PERMIT THROUGH THE REVIEW PROCESS

Appendix 1

SHORELAND ZONING PERMIT CHECKLIST

CHECKOFF FOR ALL STRUCTURES:

- .. COMPLETE SHORELAND ZONING PERMIT APPLICATION
- .. PAY APPROPRIATE FEE
- .. LOT AREA
- .. % OF LOT COVERED BY NON-VEGETATED SURFACES
- .. HEIGHT OF STRUCTURE
- .. SETBACK FROM HIGH WATER MARK
- .. ELEVATION SETBACK FROM SIDE AND REAR LOT LINES
- .. % INCREASE OF EXPANSIONS OF PORTION OF STRUCTURE WHICH IS LESS THAN REQUIRED SETBACK
- .. COPY OF INTERIOR AND EXTERIOR PLUMBING PERMITS
- .. COPY OF DEED
- .. ELEVATION OF LOWEST FLOOR TO 100 YEAR FLOOD ELEVATION
- .. COPY OF ADDITIONAL PERMIT(S) AS REQUIRED
(See Page 5 of Application Form)
- .. SOIL EROSION CONTROL PLAN PROVIDED

CHECKOFF FOR FURTHER REVIEW:

- .. COPY OF FILE TO BOARD OF APPEALS IF VARIANCE OR SPECIAL EXCEPTION IS REQUIRED
- .. COPY OF FILE TO PLANNING BOARD IF PLANNING BOARD REVIEW IS REQUIRED

CHECK OFF FOR SITE VISITS BY CEO:

- .. PRIOR TO CLEARING AND EXCAVATION
- .. PRIOR TO FOUNDATION POUR
- .. PRIOR TO FINAL LANDSCAPING
- .. PRIOR TO OCCUPANCY

NOTE: 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 PERMIT APPLICATION.

Appendix 2

SPECIAL PERMIT

PROPERTY OWNER	SHORELAND DISTRICT
ADDRESS OF PROPERTY	

**FINDINGS OF FACT AND
CONDITIONS OF APPROVAL**

BD. OF APPEALS _____
 PLANNING BOARD _____

CONDITIONS:

1. See standard conditions (attached).
- 2.
- 3.

NOTE:

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, 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.

APPROVED BY: _____ DATE _____

NOTICE TO APPLICANT:

I HAVE READ AND ACCEPT THE CONDITIONS OF THIS SPECIAL PERMIT

APPLICANT _____ DATE _____

The Full Text of the Law

38 MRSAS 439-B. Contractors certified in erosion control

1. Definition. For purposes of this section, "excavation contractor" means an individual or firm engaged in a business that causes the disturbance of soil, including grading, filling and removal, or in a business in which the disturbance of soil results from an activity that the individual or firm is retained to perform.

2. Certification required. An excavation contractor conducting excavation activity in a shoreland area shall ensure that a person certified in erosion control practices by the department:

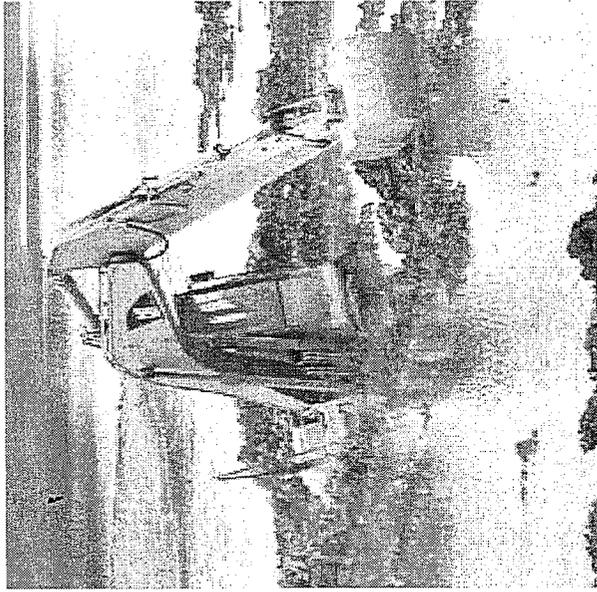
A. Is responsible for management of erosion and sediment control practices at the site; and

B. Is present at the site each day earth-moving activity occurs for a duration that is sufficient to ensure that proper erosion and sedimentation control practices are followed.

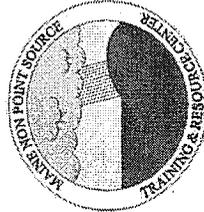
The requirements of this subsection apply until erosion control measures that will permanently stay in place have been installed at the site or, if the site is to be revegetated, erosion control measures that will stay in place until the area is sufficiently covered with vegetation necessary to prevent soil erosion have been installed.

3. Application. This section does not apply to activities resulting in less than one cubic yard of earth material being added or displaced.

4. Effective date. This section takes effect January 1, 2013.



Don't Get Stuck Not Being Certified!



Maine Nonpoint Source Training
and Resource Center

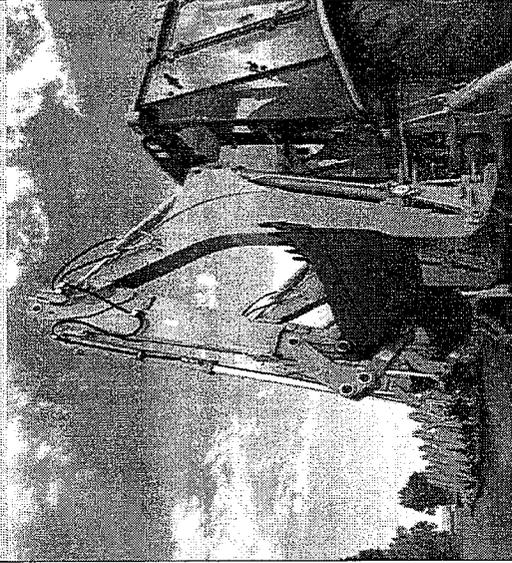
Maine Department of Environmental Protection
17 State House Station
Augusta, Maine 04333

Phone: 207-287-7726
Fax: 207-287-7826

E-mail: william.n.lafamme@maine.gov

Attention Earthworkers Contractors

Do you work within 250 feet of Maine Lakes, Rivers, Streams and Coastal Waters?



Are you prepared to comply with new certification requirements that will go into effect soon?



DEPLW-0981 2009

What Certification Requirements?

In 2008, the 123rd Maine Legislature passed LD 2249 which among other provisions requires that all excavation work in excess of one cubic yard done in shoreland areas, must be supervised by an individual certified in erosion control practices by the Department of Environmental Protection (DEP). The law further states that the certified individual must be responsible for management of erosion and sediment control practices at the site and must be present at the site each day earthmoving activity occurs to ensure that proper erosion and sedimentation control practices are followed.



What is this Shoreland Area and How can it be Determined that a Project is Located There?

Under the state's Shoreland Zoning Statutes, the shoreland zone is generally defined as all areas located within 250 feet of rivers, lakes, ponds, some non-forested wetlands, coastal waters, and within seventy-five feet of some streams. However, each municipality adopts their own mapped shoreland zone area. To determine if a project is located in the shoreland zone and subject to law requirements, it is best to consult with the municipality where a project is located.



When do these Requirements Go Into Effect?

In order to provide sufficient time for all construction companies to comply with provisions of the law, the effective date of the certification requirement is January 1, 2013.

How Do You Comply?

Compliance to law requirements can be accomplished in two ways: Company personnel involved in supervising work in shoreland areas may become certified through the DEP's contractor certification program. As an alternative, a company may choose to contract with a certified individual to supervise the company's work in shoreland areas.

How Do You Become Certified?



Certification is accomplished by attending a day-long training program in Erosion Control Practices sponsored by the DEP's Nonpoint Source Training and Resource Center, and successfully completing a construction site evaluation. These courses are generally held from December through April each year. A listing of courses can be found on the DEP Website at maine.gov/dep/blwq/training/schedule.htm or by calling the Center at 287-7726.