



Town of Lamoine Construction Application

This section to be completed by Code Enforcement Officer

Map 14 Lot 25 Zone _____ Shoreland Zone LR Flood Zone _____

Fee Calculation \$1044.80 Date Received 1/1/23 Permit Number 23-03

☒ Building Permit ☐ Shoreland Permit ☐ Floodplain Hazard Permit ☐ Commercial

The undersigned applies for a construction permit for the uses indicated below. Said permit is to be considered on the basis of the information contained within this application. Any Federal, State or Local statutes, or regulations shall be applicable and their compliance necessary to obtain a permit. The permit will be issued to the owner of record or properly designated agent. Incomplete applications will NOT be processed.

Section I – Owner, Applicant & Contractor Information

Owner		Applicant		Contractor	
Name	David, Terry Wilson	Filmora Inc	Michael E. Jordan		
Mailing Address	14 Eresgreen way	P.O. Box 246			
City, St. Zip	Gardiner, Me	Ellsworth Me 04605			
Home Phone					
Work Phone		207-667-1524			(207) 667-1524
Cell Phone	(578)-704-8946	207 266-4905			(207) 266-4905
Email	drum22@mc.com	michael.jordan@1962.com			michael.jordan@1962.com

Section II – Lot information

Existing Property Use _____ Lot Size (acres or square feet) _____

Physical Address of property (road name & number) _____

Please Answer all questions below	Yes*	No	Facilities Info (check all that apply)
Are Current Uses non-conforming?		<input checked="" type="checkbox"/>	Well <input checked="" type="checkbox"/>
Are State or Federal Permits Required?		<input checked="" type="checkbox"/>	Cold Spring Water Co Customer? <input type="checkbox"/>
Is State or Federal Funding provided?		<input checked="" type="checkbox"/>	Septic System Permit # _____
Is lot created by division from another Lot in the past 5 years?		<input checked="" type="checkbox"/>	Subdivision name & Lot # _____

*If yes, attach explanation to application

Section III – Proposed Construction Activity-Briefly Describe in Box Below

Dig and Backfill First well (concrete), Construct a 28x32 Garage with apt. above and a 12'x26' shop/office on one side there will be a 6'x12 covered porch on front and a 8'x13' Deck on second floor

(Check All That Apply, fill in dimensional information) **Provide RV, Mobile Home Information requested on Page 5

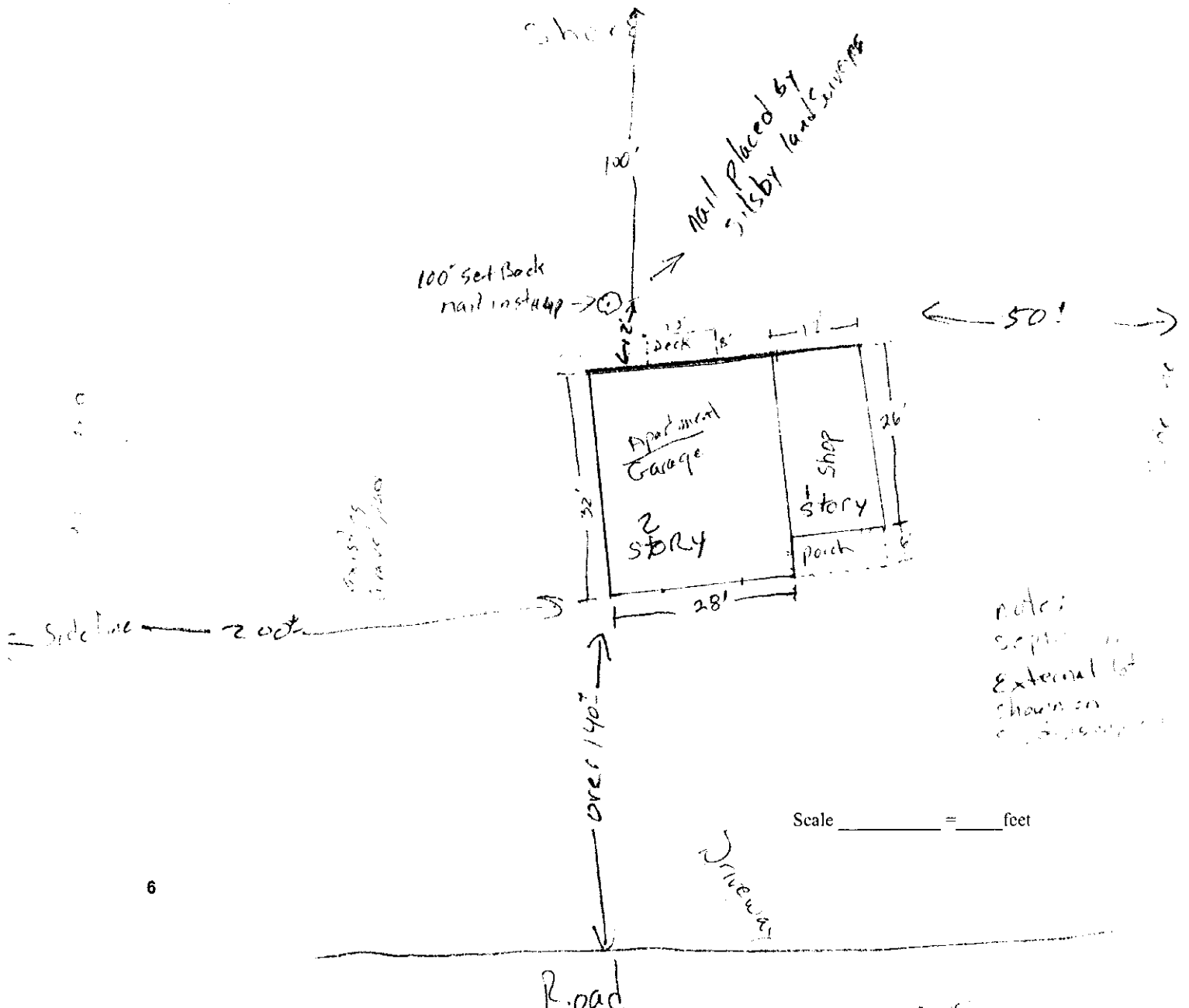
Residential Uses	#Stories*	Sq. Ft.	Total Sq. Ft.	SSWD #	Int Plumb #	Accessory Uses	Sq Ft
<input checked="" type="checkbox"/> New Dwelling Unit	2		1012			Garage/Shed/Barn	896
<input type="checkbox"/> Manufactured Home						Deck	
<input type="checkbox"/> Mobile Home*						Shore Access	
<input type="checkbox"/> Change of Use							
<input type="checkbox"/> Expansion							
<input type="checkbox"/> Recreational Vehicle**							
<input type="checkbox"/> Ground coverage in Shoreland Zone							

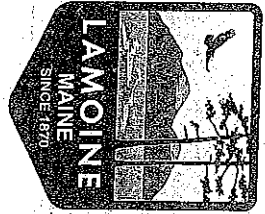
*A foundation (other than a slab) is a separate story

PLOT PLAN

PLEASE INCLUDE ALL SETBACK DISTANCES FROM:

Property Boundaries, Roads, Streets and rights of way, all wetlands and waterbodies, any existing wells and septic systems. Include 100 foot shoreland set back and/or flood elevations if applicable. Show all proposed decks & porches. **Please identify all abutter names.** (You may attach your own plot plan if you desire)





Town of Lamoine, Maine Building/Land Use Permit

Date of Issue 1/9/23 Map 14
Name David + Terry Wilson Lot 25

Permit Number 23-03 Issued By Rebecca Abung
Type of Project: 28' x 32' 2 story garage/lot

Foundation/Setback Checked	Final Inspection Date	Certificate of Occupancy Date

NO OCCUPANCY WITHOUT PERMIT

This card must be visible from the lot frontage.
Building permits expire in two years

Lamoine CEO 667-2242



Town of Lamaine, Maine Shoreland Zoning Permit

Map 14 Lot 25 Zone LR

Issued to Terry + Dale Albright Date 11/12/23

Fee 50 Issued by: Rebecca Albright

Type of Project 2 story 28' x 32' building
garage below rampment above 12' x 26' 1
shop and a 6' x 12' covered porch on 8' x 13' deck
The above described project application complies with the Town of Lamaine Shoreland Zoning Ordinance and is hereby issued this permit to commence construction within the Shoreland Zone

Accepted by Rebecca Albright

23-03
Associated Building Permit Nbr

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That I, SUSAN LARA, formerly known as Susan Lara Scott, whose mailing address is 16 Norwood Road, Eastport, Maine 04631 for consideration paid, GRANTS to JEFFREY D. BRAWN and SUSANNE D. BRAWN, whose mailing address is 1426 E. 2370 North Road, White Heath, Illinois 61884 with WARRANTY COVENANTS, as Joint Tenants, a certain lot or parcel of land situated in Lamoine, County of Hancock, State of Maine, bounded and described as follows:

MAINE REAL ESTATE
TRANSFER TAX PAID

"Tract Number Thirty (30), as designated on that certain Map entitled BAR HARBOR HIGHLANDS, FILED OF RECORD IN THE Office of the Clerk of Hancock County in Map Book No 11 at Page 57 on March 7, 1969, and containing 1.0 Acres, more or less, together with all right, title and interest of the Seller in and to any shorefront, beach or tidelands bordering upon the said premises; and Tract Number Thirty-One (31) as shown and designated on that certain Map entitle (sic) BAR HARBOR HIGHLANDS, filed of record in the Office of the Clerk of Hancock County in Map Book No. 12 at Page 6 in Registry of Deeds and containing 1.0 Acres, more or less, together with all right, title and interest of the Seller in and to any shorefront, beach or tidelands bordering upon the said premises.

"Grantee herein and the heirs and successors of Grantee shall have the right in common with all other owners of property shown on the said Map, to use the beach and community areas set aside for said uses on said Map, subject to the common rights of all others and subject to such reasonable rules for safety, cleanliness and convenience as may, from time to time, be imposed by Grantor or the successors and assigns of Grantor. Said right shall be a covenant running with the land and may not be assigned or transferred to others excepting only as a part of conveyance of title to the said premises.

"Meaning and intending to convey the same premises conveyed to the herein Grantors by deed of Maria Franziska Zweng, dated May 7, 1987, and recorded in the Hancock County Registry of Deeds at Book 1638, Page 135, EXCEPTING THEREFROM any rights the Grantors may have received in and to Lots No. 61 and 61A in the Bar Harbor Highlands Subdivision by virtue of said conveyance, those rights having been conveyed from herein Grantors to David P. Nadeau and Mary Vasquez Nadeau by deed dated January 21, 1988, recorded in Hancock Registry of Deeds at Book 1677, Page 460."

Together with that Easement for the right to install, maintain and repair a septic system as described in that Deed recorded at Book 4135, Page 324 of said Registry as follows:

Bk 3309 Pg 17 #8556
05-01-2002 @ 02:33p**WARRANTY DEED**

BERTRAM MARTIN BANTA II and ELAINE BANTA, whose mailing address is 18391 S.E. Lakeside Drive, Tequesta, FL 33469, for consideration paid, grant to JOHN M. SCOTT and SUSAN L. SCOTT, husband and wife, whose mailing address is 28 Cove Road, Lamoine, ME 04605, with WARRANTY COVENANTS, AS JOINT TENANTS, certain lots or parcels of land situated in Lamoine, Hancock County, Maine, bounded and described in deed from Richard A. Davis, Sr. and Gregory T. Marquise to Bertram Martin Banta II and Elaine Banta dated November 2, 1988, recorded in the Hancock County Registry of Deeds, Book 1723, Page 206, in which the said premises are described as follows:

MAINE REAL ESTATE
TRANSFER TAX PAID

Tract Number Thirty (30), as designated on that certain Map entitled BAR HARBOR HIGHLANDS, FILED OF RECORD IN THE Office of the Clerk of Hancock County in Map Book No 11 at Page 57 on March 7, 1969, and containing 1.0 Acres, more or less, together with all right, title and interest of the Seller in and to any shorefront, beach or tidelands bordering upon the said premises; and Tract Number Thirty-One (31) as shown and designated on that certain Map entitle BAR HARBOR HIGHLANDS, filed of record in the Office of the Clerk of Hancock County in Map Book No. 12 at Page 6 in Registry of Deeds and containing 1.0 Acres, more or less, together with all right, title and interest of the Seller in and to any shorefront, beach or tidelands bordering upon the said premises.

Grantee herein and the heirs and successors of Grantee shall have the right in common with all other owners of property shown on the said Map, to use the beach and community areas set aside for said uses on said Map, subject to the common rights of all others and subject to such reasonable rules for safety, cleanliness and convenience as may, from time to time, be imposed by Grantor or the successors and assigns of Grantor. Said right shall be a covenant running with the land and may not be assigned or transferred to others excepting only as a part of conveyance of title to the said premises.

Meaning and intending to convey the same premises conveyed to the herein Grantors by deed of Maria Franziska Zweng, dated May 7, 1987, and recorded in the Hancock County Registry of Deeds at Book 1638, Page 135, EXCEPTING THEREFROM any rights the Grantors may have received in and to Lots. No. 61 and 61A in the Bar Harbor Highlands Subdivision by virtue of said conveyance, those rights having been conveyed from herein Grantors to David P. Nadeau and Mary Vasquez Nadeau by

M14 625

Giunta and Chiasson, LLC

Valerie C. Chiasson

Attorney at Law

Anthony J. Giunta, 1944 - 2008

P.O. Box 735, Ellsworth, Maine 04605

TEL: 207-667-2545 FAX: 207-370-6610 20 Oak Street

E-Mail: vchiasson@roadrunner.com

Terry Towne

9 Cove Rd

Lamoine ME 04605

Meadow Point Road Association

PO Box 1502

Ellsworth ME 04605

August 22, 2018

Dear Mr. Towne,

I represent Jeffrey Brawn, who owns lots in the Bar Harbor Highlands Parcel of Meadow Point Subdivision, as shown on the plan recorded in May of 1970 in Plan File 12, No. 6 of the Hancock County Registry of Deeds.

A road is "proposed" for acceptance [as a public road] to a municipality by virtue of being shown on a recorded subdivision plan. If the municipality doesn't "accept" the road (which they generally don't) within 20 years of the recording of the plan, the public's rights are extinguished. The private rights, the implied easement to all of the lots in the subdivision, remain, and the road becomes a "proposed unaccepted way."

Any conveyance prior to September 29, 1987 that conveyed land abutting on a proposed unaccepted way laid out in a recorded subdivision plan is deemed to have conveyed all of the Grantor's interest in the portion of the way that abuts. This is true unless the Grantor had expressly reserved fee-simple title by a specific reference to this reservation in his conveyance. 33 MRSA 469-A. The original deeds out of Bar Harbor Highlands did not expressly reserve the fee-simple title to the roads.

As of September 29, 1987, Bar Harbor Highlands had 2 years to record a document at the Registry evidencing their intent to retain fee-simple ownership of the roads. Bar Harbor Highlands did not do so. Therefore, the owners of the lots shown on the recorded subdivision plan own to the center of the roads shown on the plan. 33 MRSA 469-A(6).

Note that this law is echoed in 23 MRSA 3031.

My client will be proceeding with his planned construction, and will, of course, put any disturbed area back to its original condition.

Sincerely,



Valerie Chiasson, Esq.

PROPERTY ASSESSMENT RECORD

TOWN OF LAMOINE, MAINE

CARD OF CARDS

MAP	LOT	LOCATION	SINGLE FAMILY	RESIDENTIAL	SUMMARY
14	25	39 COVE ROAD	TWO FAMILY	SEASONAL	LAND 45400
		NOTES	CONDO	OTHER	BLDG. 11,700

RECORD OF OWNERSHIP
Banta, Bertram Martin II & Elaine
1723 206
Cove Road - BHH

MAP 14 LOT 25

DATE	BK	PG	RET ST	REMARKS	LAND	BLDG.	TOTAL
5-01-02	3309	17		"abatement" 10/26/99	93	45400	45400
8-06-08	5041	282	J.T.	Lot Failed Soil Test	93	11,700	11,700
				Info on file	93	26,800	26,800
				LAND Value Incr. b/c of Easement for Septic on MAP 14 Lot 150	93	102,900	102,900

INTERIOR INSPECTED:

NC - 5/19/07-84

FARM AND OPEN SPACE / TREE GROWTH

LAND VALUATION

LAND FACTORS

MINUS	PLUS
VACANCY 20	COMM. INFL.
TOPOGRAPHY	OTHER
ACCESS	
R/W	
SIZE	
SHAPE	
USE	

ASSESSED VALUE

CLASSIFICATION	ACRES	%	PRICE	TOTAL	- DEPR	+	VALUE
HOUSE LOT	1		110,000	75,120			22,999
BASE							88,000
FRONT ACRES	1.35	35	110,000	13,475	75		3400
FRONT ACRES							13,475
ACREAGE	1.45		3000	1350			1400
ACREAGE							
IMPROVEMENTS							
WASTE							
TOTAL	1.8						26,800

FRONTAGE	DEPTH	UNIT PRICE	DEPTH %	FRFT PRICE	TOTAL	DEPR	VALUE
3270							102,900

5/19/07
Had Easement for 0.97 MW on 14.150
Septic on 14.150

OTHER FACTORS

LEVEL	PAVED ROAD
ROUGH	GRAVEL ROAD
ROLLING	TOWN WATER
SWAMPY	DRILLED WELL
HIGH	DUG WELL
LOW	TOWN SEWER
	SEPTIC



DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF LAND AND WATER QUALITY

2/4/2010

FIELD DETERMINATION FORM

CONTACT ID 8311

CONTACT

PERRY FOWLER
216 PARTRIDGE COVE ROAD

LAMOINE ME 04605
2076675147

PROPERTY OWNER

BRAWN, JEFF

ME

STAFF CULLEN, JONATHAN

RESOURCE FW

DIRECTIONS

Property is on Cove Road just past North Road.

SITE TOWN LAMOINE

MAP LOT

14

25

TOWN COPY

MEMO

Jay Fowler and Sons, Construction was hired by Jeff Brawn to construct a driveway and a pad for a camper. The lot consists entirely of wooded freshwater wetland and a Natural Resources Protection Act permit will be required for this work. Thank you for contacting the DEP. Please call again if we can be of further assistance.

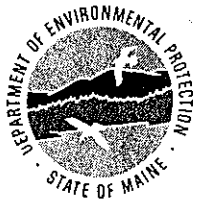
NAME: Jonathan A. Cullen

RECEIVED 2/3/2010

SITE VISIT 2/3/2010

COMPLETED 2/4/2010

M14625



Rec'd by: MC
Office: EMRD

DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF LAND AND WATER QUALITY

FIELD DETERMINATION

Directions to Site

Name: <u>Sue Scott</u>	<u>Lamoine towards beach</u> <u>Cove Road</u>
Address: <u>28 Cove Road</u>	
<u>Lamoine ME 04605</u>	
Phone: <u>667-1474</u>	
Town: <u>LAMOINE</u>	

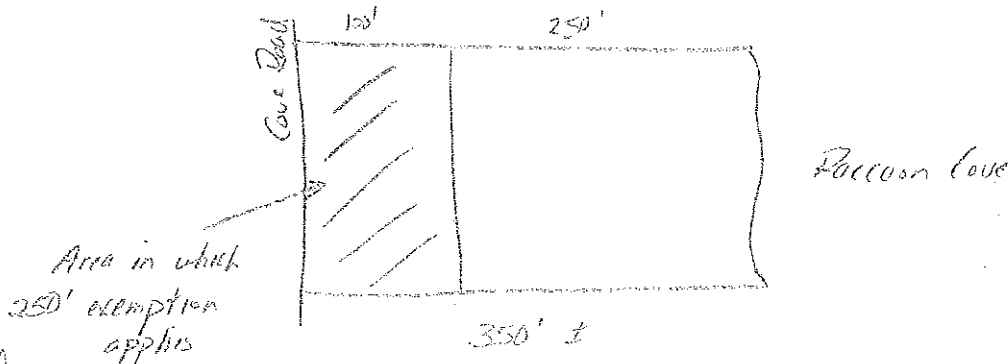
Description of
Issue:

The Scotts own a 3 acre lot in Lamoine on Raccoon Cove. Most of it not
all the lot is wet. Is a permit required to develop lot?

Advice
Given:

The Natural Resources Protection Act (NRPA) regulates activities that occur in
freshwater wetlands. The NRPA exempts minor alterations provided the activity is not
within the shoreland zone and doesn't alter more than 4300 ft² of wetland. Since
your lot is large enough to be partially outside the shoreland zone you would qualify
for the exemption. If you need to fill more than 4300 ft² then a NRPA permit
will be required. I have enclosed a copy of the statute, 38 M.R.S.A. Section 480-Q(17)
has been highlighted. Please call if we can be of further assistance

Sketch:



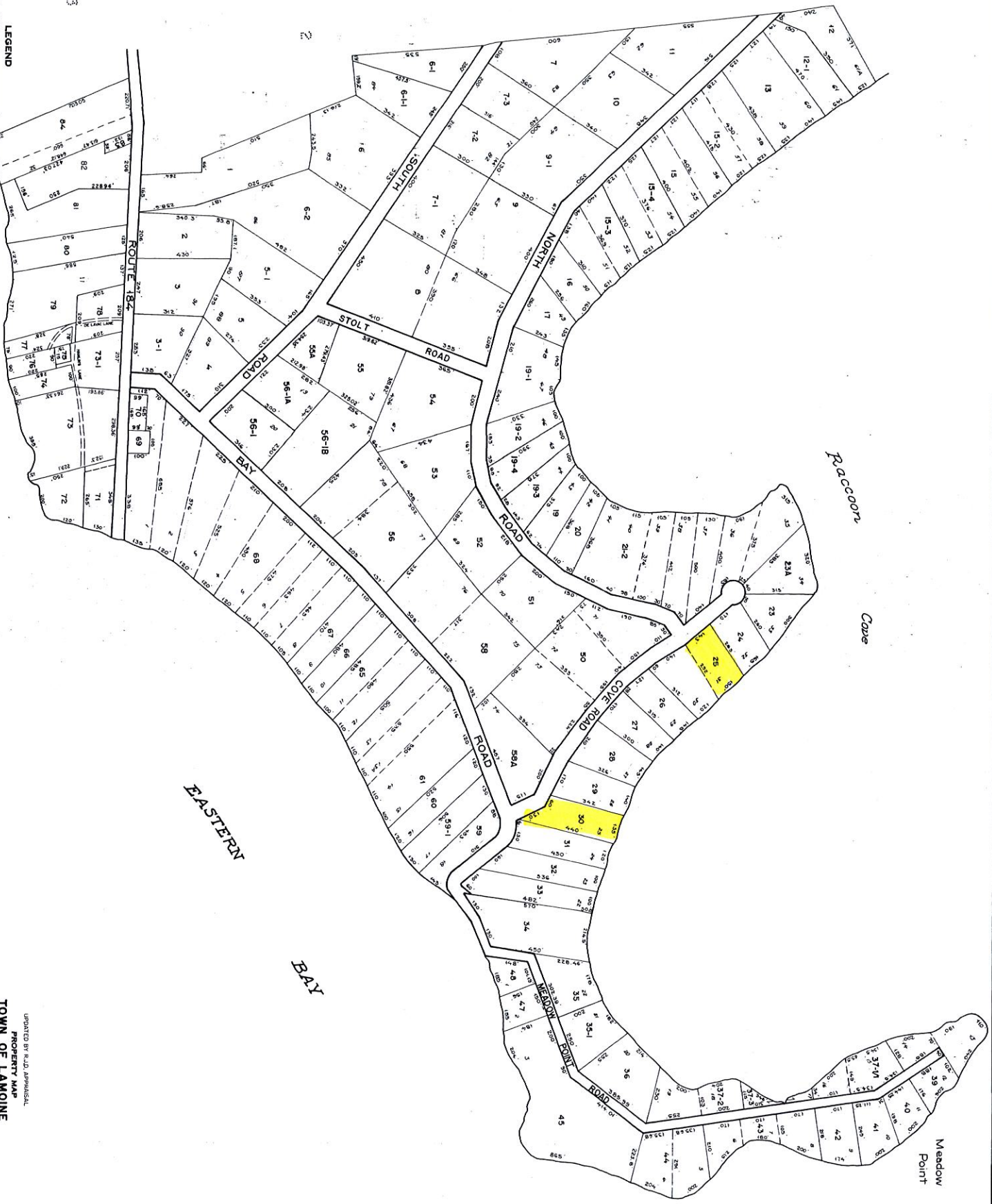
Staff signature: [Signature]

FOR OFFICIAL USE ONLY

Date Rec'd	Date Ass'd	Staff	Date Site Visit	Date Complete	
			<u>5/5/03</u>	<u>5/12/03</u>	
Materials Given:	NRPA	App.	PBR	Site	Other



LEGEND
1 PARCEL NUMBERS
2 ADJACENT MAPS
3 MATCH LINE
4 For Assessment Purposes
5 Not to be used for Conveyances



UPDATED BY S.D. SPENCER
TOWN OF LAMONE
HANDCOCK COUNTY, MAINE
PREPARED BY
JAMES W. SEWALL COMPANY OLD TOWN, MAINE
SCALE 1 INCH = 500 FEET

1. Fall within the 100 year flood plain;
2. Are designated as Resource Protection District; or
3. Are located in a Stream Protection District.

C. Commercial Fisheries/Maritime Activities District

The Commercial Fisheries/Maritime Activities District includes areas where the existing predominant pattern of development is consistent with the allowed uses for this district as indicated in the Table of Land Uses, Section 14, and other areas which are suitable for functionally water-dependent uses. The following factors will be taken into consideration by the Board and Town when making a decision:

1. Shelter from prevailing winds and waves;
2. Slope of the land within 250 feet, horizontal distance, of the normal high-water line;
3. Depth of the water within 150 feet, horizontal distance, of the shoreline;
4. Available support facilities including utilities and transportation facilities;
5. Compatibility with adjacent upland uses;
6. Historic uses, prevailing current uses, and future uses as projected in the Town of Lamoine Comprehensive Plan;
7. Compatibility of uses within the District. The Planning Board may restrict certain functionally water-dependent uses if they are incompatible with the dominant uses projected in the Town of Lamoine Comprehensive Plan.

D. Stream Protection District

The Stream Protection District includes all land areas within seventy-five (75) feet, horizontal distance, of the normal high-water line of a stream, exclusive of those areas within two-hundred and fifty (250) feet, horizontal distance, of the normal high-water line of a great pond, river or saltwater body, or within two hundred and fifty (250) feet horizontal distance of the upland edge of a freshwater or coastal wetland. Where a stream and its associated shoreland area is located within two-hundred and fifty (250) feet horizontal distance of the above water bodies or wetlands, the land area shall be regulated under the terms of the shoreland district associated with that water body or wetland.

E. Resource Protection District

The Resource Protection District includes areas in which development would adversely affect water quality, productive habitat, biological ecosystems, or scenic and natural values. This district shall include the following areas when they occur within the limits of the shoreland zone, exclusive of the Stream Protection District, except areas which are currently developed and areas which meet the criteria for Limited Commercial or Commercial Fisheries/Maritime activities need not be included within the Resource Protection District. The areas within the Resource Protection District are those designated as Resource Protection on the Town of Lamoine Shoreland Zoning Map, as most recently amended, and areas meeting one or more of the following criteria:

1. Areas within 250 feet, horizontal distance, of the upland edge of freshwater wetlands, salt marshes and salt meadows, and wetlands associated with great ponds, which are rated "moderate" or "high" value by the Maine Department of Inland Fisheries and Wildlife (MDIF&W). These shall include any such areas in Lamoine that the Department of Environmental Protection has designated as areas of "significant wildlife habitat."
2. Flood plains defined by the 100 year Flood Plain as designated on the most recent Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Maps, or the flood of record, or, in the absence of these, by soil types identified as recent flood plain soils. This district shall also include 100 year flood plains adjacent to tidal waters as shown on FEMA's Flood Insurance Rate Maps, but shall not include land within the shoreland zone which is shown by a surveyor to be outside the 100 year flood plain.
3. Areas of two (2) or more contiguous acres with sustained slopes of 20% or greater.
4. Areas of two (2) or more contiguous acres supporting wetland vegetation and hydric soils, as determined by a Certified Soil Scientist, which are not part of a freshwater or coastal wetland as defined and which are not surficially connected to a water body during normal spring high water.
5. Land areas subject to severe bank erosion or undercutting and lands adjacent to tidal waters which are subject to severe erosion or mass movement, such as steep coastal bluffs.
6. Other areas which have been recommended for protection in the Town of Lamoine's Comprehensive Plan including wildlife habitats, sites of significant scenic or esthetic value and sites of historic or archeological significance.

Section 14. TABLE OF LAND USES

All land use activities, as indicated in Table 1, Land Uses in the Shoreland Zone, shall conform with all of the applicable land use standards in Section 15. The district designation for a particular site shall be determined from the Official Shoreland Zoning Map.

Key to Table 1:

- yes - Allowed - No permit required but the use must comply with all applicable local & State land use regulations.
- PB - Allowed with permit issued by the Planning Board
- CEO - Allowed with permit issued by the Code Enforcement Officer
- LPI - Allowed with permit issued by the Local Plumbing Inspector
- no - Prohibited

Abbreviations:

- LR - Limited Residential
- LC - Limited Commercial
- CFMA - Commercial Fisheries/Maritime Activities
- SP - Stream Protection
- RP - Resource Protection