

**NOTIFICATION OF EXEMPT CLUSTERED SUBDIVISION
WITH CONSERVATION EASEMENT
Pursuant to 38 M.R.S.A. Section 488(5)**

This form shall be used to notify the department of the Developer's intent to use the exemption set forth at 38 M.R.S.A. 488(5)F, the Low-Density Exemption for subdivisions under the Site Location of Development Law, 38 M.R.S.A. Section 481 et seq., and to request that the Department become a party to the required conservation easement.

(Please type or print)

Name of Developer: _____

Address: _____

Telephone/E-mail address: _____

Name of Contact or Agent: _____

Telephone/E-mail address: _____

Name of Common Lot Owner: _____

Address: _____

Telephone/E-mail address: _____

Name of Contact or Agent: _____

Telephone/E-mail address: _____

Name of Conservation Easement Holder: _____

Address: _____

Telephone/E-mail address: _____

Name of Contact or Agent: _____

Telephone/E-mail address: _____

Name of Project: _____

Location of Project/Street address: _____

Municipality or Township: _____ County: _____

Please give the name of any person previously contacted at DEP: _____

1. Describe the project details including total area of project parcel, area of developable land as defined at 38 M.R.S.A. section 488 (F) , total area to be developed, total area to be placed under conservation easement, number of lots to be created.

2. Attach as Exhibit #1 a copy of the proposed conservation easement. The Department has drafted suggested language that may be used.
3. Attach as Exhibit #2 the appropriate U.S.G.S. topographic map or other map of similar detail (clean photocopies are acceptable). Indicate the location of your project on the map. Please give the quadrangle name and map scale.
4. Attach as Exhibit #3 a copy of the proposed plot plan of the subdivision showing acreage of all developed areas, individual lots , areas subject to shoreland zoning and areas to be covered by conservation easements. The plan shall also delineate and indicate the total acreage of all “developable land” as defined at 38 M.R.S.A. Section 488 (5), and all significant wildlife habitat that is mapped or that qualifies for mapping under section 480-B (10). The plan shall be done at a minimum scale of 1”=100’ on 24”x 36” sheet.
5. Attach as Exhibit #4 a complete copy of the deed or other documented evidence of your title to the property sufficient to convey the easement.
6. Attach as Exhibit #5 a statement from the proposed holder of the easement indicating their reason for wishing to protect the property to be covered by the easement and stating their intention to accept the proposed easement. If other than a governmental body, the proposed holder must submit proof of their status as a qualified holder.
7. Attach as Exhibit #6 a soil erosion and sedimentation control plan with evidence that it has been approved by the municipality in which the subdivision is located or by the soil and water conservation district for the county in which the subdivision is located.
8. Is the developable land in the parcel which is not subject to the conservation easement located wholly or in part in the watershed of any lake or pond classified GPA under section 465-A?

_____ YES _____ NO

If Yes, attach Exhibit #7 a phosphorus control plan consistent with the standards for phosphorus control as adopted by the Board of Environmental Protection. If utilizing buffers, also attach a copy of draft deed restrictions that will be used to protect the buffers in perpetuity. The Department has suggested language.

9. Is the nonpreserved developable land in the parcel located wholly or partly within the shoreland zone of a lake or pond classified GPA under Section 465-A?

_____ YES _____ NO

"I certify under penalty of law that I have personally examined the information submitted in this document and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the information is true, accurate, and complete. I authorize the Department to enter the property that is the subject of this application, at reasonable hours, including buildings, structures or conveyances on the property, to determine the accuracy of any information provided herein. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

By signing below, as the applicant (or authorized agent), you certify that the information contained in this application and attached drawings and exhibits is complete and accurate to the best of your knowledge and attest that the proposed subdivision has been designed to meet all applicable standards as required by 38 M.R.S.A. Section 488(5).

_____ DATE: _____
SIGNATURE OF APPLICANT

PRINT OR TYPED NAME

TITLE

(If signature is other than developer attach letter of agent authorization signed by developer)

IF FOUND ACCEPTABLE YOU WILL BE NOTIFIED TO SUBMIT AN ORIGINAL OF THE EASEMENT, EXECUTED BY THE GRANTOR AND THE HOLDER, TO THE DEPARTMENT FOR THE COMMISSIONER'S SIGNATURE.

You will also be required to send a copy of the signed easement to the Registry where they will stamp it with the Book and Page Number. You are then responsible for making a copy of that stamped easement and sending it to the Department for our records.