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**CITY OF BATH
APPLICATION FOR
SITE PLAN APPROVAL OF A
WATERFRONT SETBACK REDUCTION PLAN**

Applicant Name: _____
[Applicant must own the property, or have an option or purchase and sales agreement to buy the property.]

Property Address: _____

Mailing Address: _____

Phone #: _____

Email: _____

Property owner if different:

Name: _____

Address: _____

Phone #: _____

Email: _____

Applicant's interest in property: _____
(owner, option holder, lessee, etc.)

Size of parcel: _____

Map: _____ Lot: _____

Zoning: _____

Proposed use of parcel: _____

Supporting materials (other than the Site Plan) submitted: _____

The undersigned certifies that all information and materials submitted are true and accurate to the best of his/her knowledge, and understands that falsification or misrepresentation of any aspect of the project may cause the review process to be terminated or nullify any approvals granted.

Applicant name (printed or typed): _____

Applicant signature: _____

Telephone number: _____ Date: _____

7.3 SZO Shoreland Zone Overlay District

F. Shoreland Zone Administration

6. Waterfront Setback Reduction Plan

The Waterfront Setback Reduction Plan permits underlying uses while protecting fragile shoreline ecological systems that, if developed, would adversely affect water quality, wildlife and aquatic habitat and biotic systems, or ecological relationships.

a. Applicability

- i. With respect to new developments, the Staff Review Committee has the authority to reduce the Setback requirements in Section 7.3.D.1 regarding waterbody setbacks, but to not less than 75 feet east of Thorne Head, or 150 feet west of Thorne Head. The Staff Review Committee will determine whether a reduction is appropriate in accordance with the following criteria. The burden of proof is with the party requesting the reduction. Adequate information must be provided that will allow the Staff Review Committee to offer findings of fact supporting the conclusion that all applicable criteria have been met.
- ii. The Staff Review Committee may waive the necessity for any of the Minimal Submission Requirements provided the applicant requests the waiver and the Staff Review Committee finds that the criteria in item b below have been met. This Section shall not be applicable to proposed uses in the SZO-RP, which require approval under Section 7.3.F.5.

b. Criteria

- i. The proposed development will not adversely impact the natural features of the landscape, and does not occur within or cause harm to any land that is not suitable for development.
- ii. The proposed development will not adversely affect any water body or its shoreline when the property is located in part or in whole in the water body's watershed. The proposed development will not adversely affect the water quality of Merrymeeting Bay, the Kennebec River, or their tributaries.
- iii. The proposed development activity will not occur within a floodplain.
- iv. The proposed development will satisfy the recommended stormwater quality standards described in Stormwater Management for Maine: Best Management Practices, published by the MEDEP (November 1995), as amended.
- v. The proposed development will not alone or in conjunction with existing activities adversely affect the quality or quantity of groundwater.
- vi. The proposed development will be constructed in accordance with Best Management Practices and will not cause unreasonable soil erosion or a reduction in the land's capacity to hold water so that a dangerous or unhealthy situation results.

vii. The proposed development either will be served by municipal sewer or, where on-site disposal is proposed, designed and constructed in accordance with all applicable local, state, and federal requirements.

viii. The proposed development will not have an adverse effect on the scenic or natural beauty of the area, historic sites, significant wildlife habitat identified by the MEDEP or the City of Bath, or rare and irreplaceable natural areas.

c. Submission Requirements

Where a reduction in required setback is requested, the minimum submission requirements are as follows:

☐ i. A map of slopes greater than 25 percent, wetlands, water courses and water bodies, and significant wildlife habitats; a plan to protect these features.

☐ ii. A written Description of the proposed work, including an explanation of how it will meet the requirements of Section 7.3.

iii. Plans or reports prepared by qualified individuals indicating that:

☐ (a) The proposed development is not located within an area that may affect any historic or prehistoric site, as indicated within the City's Comprehensive Plan. If located within such an area, a report from the Maine Historic Preservation Commission must be submitted indicating that the development will not adversely impact any historic or prehistoric site.

☐ (b) Within the Shoreland Zone, there will be no cutting of vegetation for any purpose other than the principal and accessory structures, driveways, and sewage-disposal areas, or for safety purposes. (Is it necessary for this to come from a qualified professional? Can the applicant make a statement instead?)

☐ (c) The proposed development will not adversely affect any waterbody or groundwater resource. Documentation may include but is not limited to reports from a hydrogeologist, the Maine Department of Environmental Protection, the Maine Department of Marine Resources, or a qualified environmental professional as required by the Review Authority.

☐ iv. A site survey from a surveyor licensed in the state of Maine or other qualified professional indicating that the development will not occur in a flood-hazard area.

☐ v. Evidence supplied by a professional civil engineer licensed in the State of Maine ensuring that the proposed project is planned in accordance with the most up to date version of the Stormwater Management for Maine: Best Management Practices.

☐ vi. An erosion and sedimentation control plan developed by a registered professional civil engineer in accordance with the "Maine Erosion and Sediment Control BMPs Manual for Designers and Engineers," produced by the Maine Department of Environmental Protection, as amended.

☐ vii. Connection to the municipal sewage system or an on-site subsurface wastewater disposal system prepared by a Licensed Site Evaluator.

☐ viii. All existing and proposed restrictions placed on the land to protect important wildlife habitat identified by the MDIFW or rare or irreplaceable habitat identified by the Maine Natural Areas Program must be reviewed by either MDIFW or the Maine Natural Areas Program, with their comments presented in writing to the Review Authority.