



PAUL R. LEPAGE
GOVERNOR

STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
LAND USE PLANNING COMMISSION
191 MAIN STREET
EAST MILLINOCKET, MAINE 04430

WALTER E. WHITCOMB
COMMISSIONER

NICHOLAS D. LIVESAY
EXECUTIVE DIRECTOR

MEMORANDUM

DATE: June 5, 2015
TO: Commission Members
FROM: Debra Kaczowski, Permitting & Compliance *Debra A. Kaczowski*
RE: Administrative Settlement Agreement for Enforcement Case EC 13-18
Richard W. Krause & Janice Pacht, T1 R9 WELS, Piscataquis County, Maine

Attached is a staff recommendation for an Administrative Settlement Agreement for EC 2013-18 with Richard W. Krause & Janice Pacht for violations associated with their property on Ambajejus Lake in T1 R9 WELS Piscataquis County, Maine.

On July 10, 2013, staff conducted a compliance site visit following a citizen complaint. At the time of the site visit, Commission staff observed a new 14 foot by 20 foot deck constructed several feet above an existing deck and extending 8 feet closer to the lake than the existing lakeside deck. The new deck, located 15 feet from the normal high water mark of the lake, was constructed without prior approval and in excess of Commission standards.

On August 21, 2014, staff conducted a follow-up site visit to determine the amount of footprint within 100 feet of Ambajejus Lake and to confirm setbacks and measurements of the structures. At the time of the site visit, staff observed a 19 foot by 10 foot addition to the Studio/Garage located 75 feet from the lake. Staff also observed that in the approximate location of the former 7 foot by 12 foot enclosed porch an approximately 7 foot by 27 foot lakeside deck with a 2 foot by 10 foot side extension located 62 feet from the lake had been constructed onto the existing Studio/Garage. Both expansions to the Studio/Garage were completed without prior approval and in excess of Commission standards. In addition, staff observed plumbing fixtures had been installed in the Studio/Garage and further noted graywater was being discharged directly onto the ground and blackwater was being discharged into the ground in a location where there was no known septic or approved septic system in violation of Commission standards and the Maine Subsurface Wastewater Disposal Rules. Staff further noted graywater was being discharged directly onto the ground from the Guest Cottage. Following review of the Maine Revenue Services Property Tax Records, additional identified violations on the property include construction of a 7 foot by 10 foot woodshed attached to the Main Dwelling and located 50 feet from Ambajejus Lake, a 5 foot by 5 foot deck and a 5 foot by 20 foot deck constructed onto the Studio/Garage and located approximately 70 feet and 75 feet from the lake, respectively. Portions of these decks were located in the approximate location of the prior 5 foot by 18 foot side deck.

In order to resolve the violations, Krause & Pacht have agreed to pay a \$5,500 monetary penalty, removal of the 14 foot by 20 foot lakeside deck constructed onto the Main Dwelling and located 15 feet from the normal high water mark of Ambajejus Lake by September 30, 2015; removal of the 7 foot by 27 foot

lakeside deck with 2 foot by 10 foot side extension constructed onto the studio/garage located 62 feet from the lake, the 5 foot by 5 foot deck and the 5 foot by 20 foot deck constructed onto the Studio/Garage and located 70 feet and 75 feet from the lake respectively, and the 10 foot by 14 foot concrete screenhouse slab located 60 feet from the normal high water mark of lake by October 30, 2015, continue not to use the plumbing and by September 1, 2015, disconnect the water supply and remove all plumbing and plumbing fixtures from the Studio/Garage, continue not to discharge greywater directly on the ground and by September 1, 2014, submit a greywater system plan for the Guest Cottage designed by a licensed site evaluator or a Maine Licensed Professional Engineer, in accordance with the Subsurface Waste Water Disposal Rules

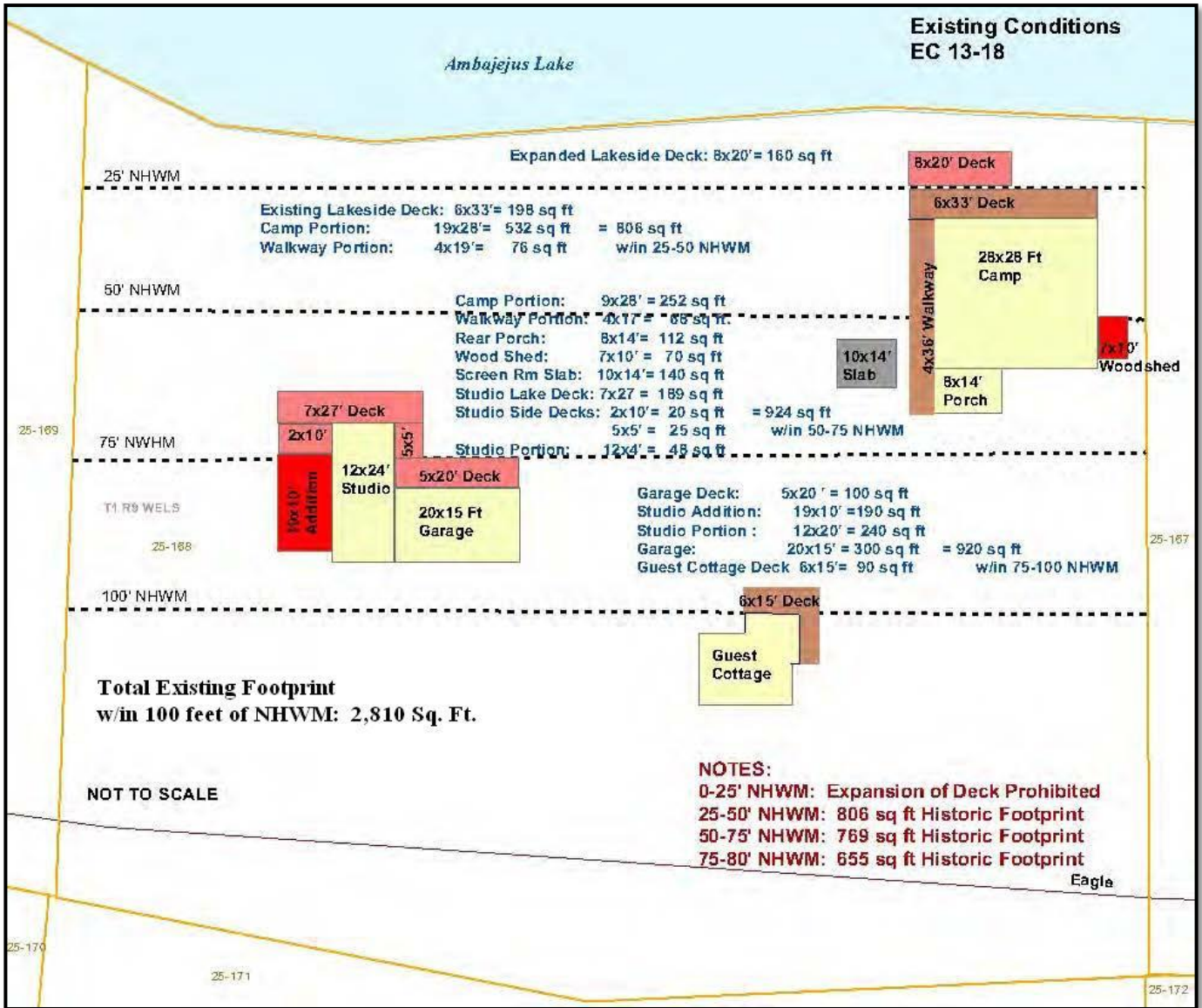
The 7 foot by 10 foot woodshed attached to the Main Dwelling and the 19 foot by 10 foot addition on the Studio/Garage may remain on the property, as depicted on the attached site plan labeled "Addendum A, Krause/Pacht Property Site Plan. Normal maintenance and repair of the existing Main Dwelling & Studio/Garage is allowed; however, should 50% or more of either structure becomes removed, damaged or destroyed, for whatever reason, the structure shall not be repaired or replaced unless such repairs or replacement structure fully complies with the Commission's standards applicable at the time, including waterbody setback requirements, and then only after receiving permit approval from the Commission. Expansion of the Main Dwelling and Studio/Garage, including, but not limited to building additions, additional stories, decks, porches, patios, foundations, outbuildings, and/or any other accessory structures, located within 100 feet of Ambajejus Lake, are all prohibited.

Staff believes that this agreement is in keeping with your Compliance and Enforcement Response Policy and request that you ratify the agreement.

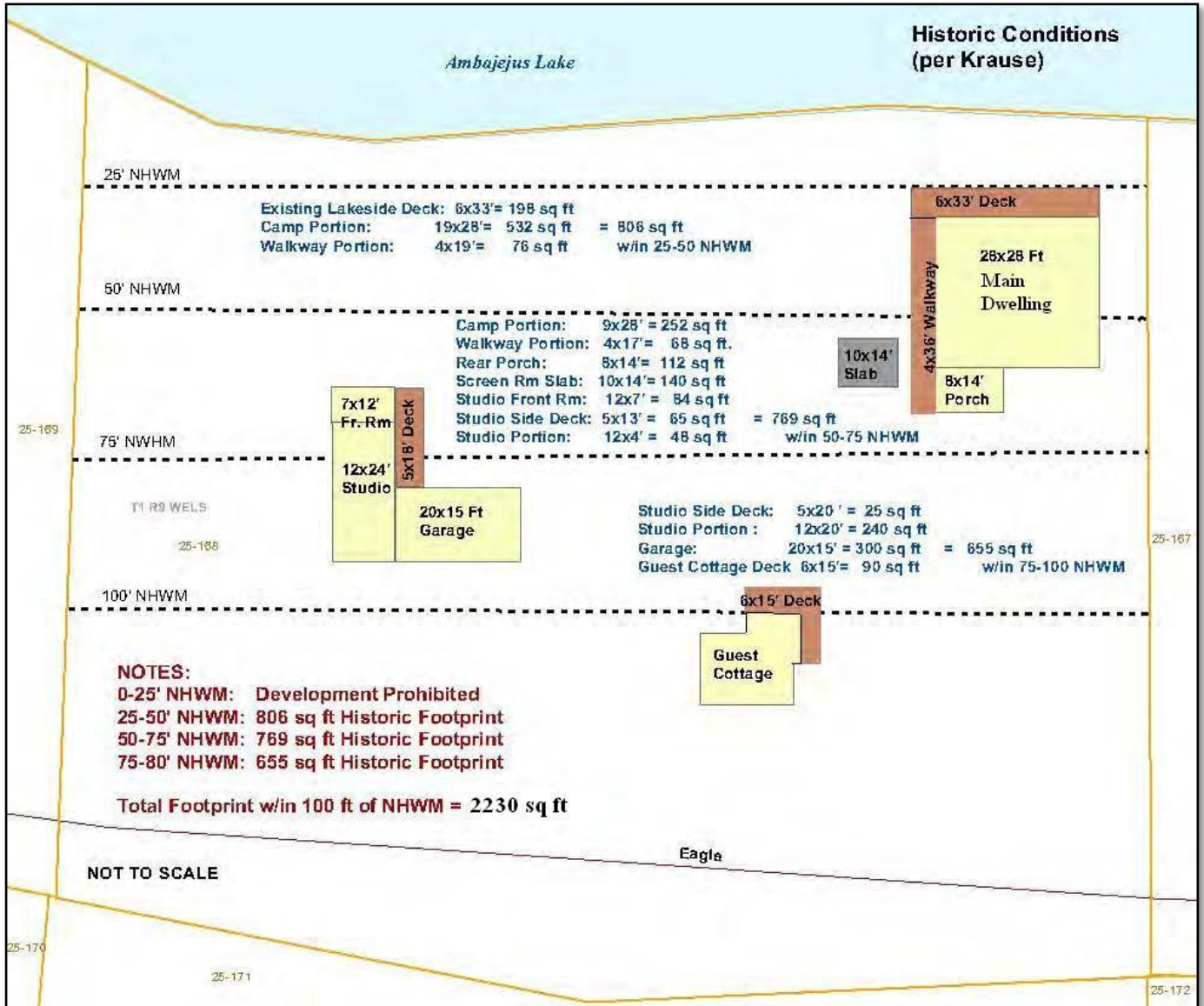
Enclosures: Proposed Settlement Agreement EC 13-18
Enforcement Case EC 13-18 Site Diagram (Existing & Historic)
Location Map
Addendum A, Krause & Pacht Property Site Plan

Xc: EC 13-18/BP 13788 Files

Enforcement Case EC 13-18 Site Diagram (Existing)



Enforcement Case EC 13-18 Site Diagram (Historic)

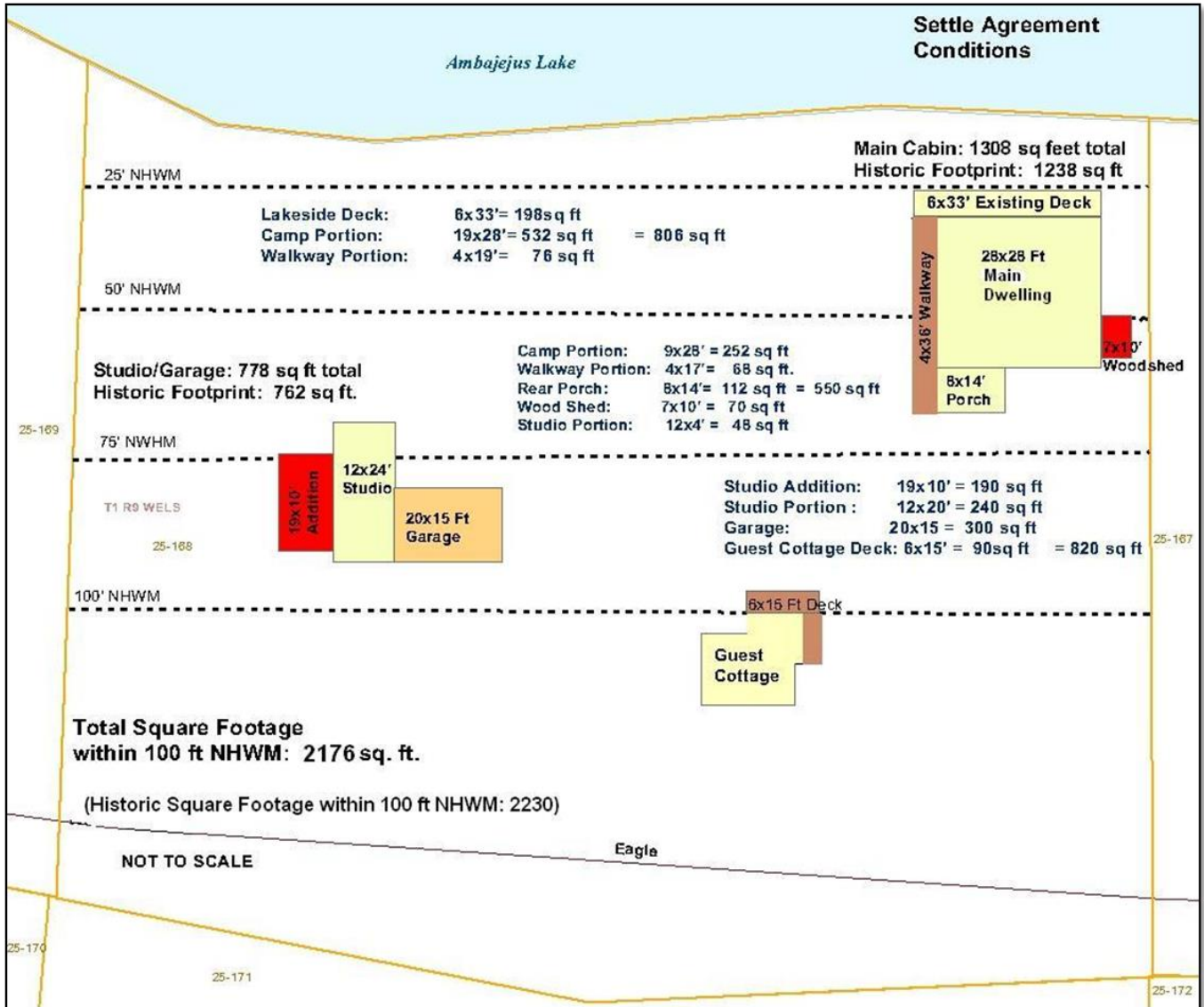


Krause/Pacht Location Map



Addendum A

Krause & Pacht Property Plan (Enforcement Cases EC 13-18)





PAUL R. LEPAGE
GOVERNOR

STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
LAND USE PLANNING COMMISSION
22 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0022

WALTER E. WHITCOMB
COMMISSIONER

NICHOLAS D. LIVESAY
EXECUTIVE DIRECTOR

ADMINISTRATIVE SETTLEMENT AGREEMENT
In the Matter of

Richard W. Krause & Janice Pacht
9 Kimball Drive
Epping, NH 03042

STATE OF MAINE
LAND USE PLANNING COMMISSION
Enforcement Cases EC 2013-18

This Agreement by and among Richard W. Krause & Janice Pacht (hereinafter “Krause & Pacht”) and the Maine Land Use Planning Commission (hereinafter the “Commission”) is entered into pursuant to 12 M.R.S. § 685-C(8) and in accordance with the Commission’s Compliance and Enforcement Response Policy.

Krause & Pacht and the Commission agree as follows:

1. **Commission Authority:** Pursuant to 12 M.R.S., Chapter 206-A, the Commission has regulatory authority over the activities described herein.
2. **Respondents:** Richard W. Krause & Janice Pacht are residents of the Town of Epping, Rockingham County, New Hampshire.
3. **Location:** Krause & Pacht own a 0.70 acre parcel in T1 R9 WELS, Piscataquis County, identified in the Maine Revenue Services’ property records as Lot 21, Plan 06 on Map PI010. The property subject to this agreement is further described in a deed from Katahdin Timberlands, LLC. to Richard W. Krause & Janice Pacht, dated May 1, 2014, and recorded in the Penobscot County Registry of Deeds, Book 2302, Page 233, as Lot DC 168 (formerly Lease Lots A-158 & A-159) as shown on plat plans entitled “Final Survey Plan Ambajejus Lake Lots, Deep Cove and Spencer Cove Series” submitted to the Commission for review (*see AR 13-14*). The property was previously subject to a lease from Great Northern Paper Co. in 1999 to Richard W. Krause. The property abuts Ambajejus Lake with approximately 186 feet of shoreline frontage.

4. **Zoning:** D-RS (Residential Development Subdistrict)

5. **Affected Waterbody:** Ambajejus Lake

The Commission has identified Ambajejus Lake as a resource class 1A, management classes 3 and 5, relatively accessible, relatively developed lake of statewide significance with outstanding cultural and significant fisheries, scenic, shore character, and physical resources.

6. **Background:**

- A. The subject property was historically developed with two pre-Commission dwellings, a 28 foot by 28 foot dwelling (hereinafter “Main Dwelling”) and a 24 foot by 28 foot dwelling (hereinafter “Guest Cottage”). The 28 foot by 28 foot Main Dwelling with an attached 6 foot by 33 foot lakeside deck, a 4 foot by 36 foot side wooden walkway, and an 8 foot by 14 foot enclosed rear porch, is located 25 feet from the normal high water mark of Ambajejus Lake. The 24 foot by 28 foot Guest Cottage with attached 6 foot by 15 foot by 20 by 4 foot L-shaped deck is located 94 feet from the lake. The property

was further historically developed with a pre-Commission 10 foot by 14 foot concrete screen-house slab located 60 feet from the normal high water mark of the lake, and a 12 foot by 24 foot studio with an attached 12 foot by 7 foot enclosed porch, an attached 5 foot by 18 foot side deck, and an attached 20 foot by 15 foot garage located 62 feet from the lake (hereinafter "Studio/Garage"). The Studio Garage was historically on a separate lot that was subsequently combined with another lot to constitute the current subject property.

- B. On October 10, 2007, Building Permit BP 13788 was issued to Richard Krause authorizing the existing 10 foot by 14 foot screen room to be attached to the existing Main Dwelling with a 4 foot by 14 foot expansion between the dwelling and screen-house. The screen room was setback 60 feet from the normal high water mark of Ambajejus Lake. The screen room-house connection was never constructed. Building Permit BP 13788 expired on October 10, 2012.

7. **Description of Activities:**

- A. On July 10, 2013, an inspection of the subject property was conducted by Commission staff following a citizen complaint. At the time of inspection, Commission staff observed an existing 6 foot by 33 foot attached lakeside deck on the Main Dwelling located 25 feet to the normal high water mark of Ambajejus Lake. Staff further observed a new 14 foot by 20 foot deck constructed several feet above the existing deck and extending 8 feet closer to the lake than the existing lakeside deck. The new deck, located 15 feet from the normal high water mark of the lake, was constructed without prior approval and in excess of Commission standards. [Reference: Enforcement Case EC 2013-18, Active]
- B. On November 4, 2013, staff issued a Notice of Violation to Richard Krause for the new 14 foot by 20 foot deck located 15 feet from the normal high water mark of Ambajejus Lake, in violation of the Commission's standards for existing setback lines for nonconforming structures and in violation of the terms and conditions of approval for Building Permit BP 13788. The Notice required the removal of the new deck by December 15, 2013.
- C. On January 13, 2014, a follow-up compliance inspection of the subject property was conducted by Commission staff. At the time of the inspection, staff observed the 14 foot by 20 foot deck constructed 15 feet from the lake was still present.
- D. On January 29, 2014, Commission staff initiated a telephone conversation with Krause explaining the violations and remedial measures needed to bring the property back into compliance. Krause indicated he had received the Notice of Violation but had not removed the newly constructed deck and would need to decide if he intended to do so. Krause informed staff that he would call the following week to discuss further.
- E. On February 5, 2014, staff issued a second Notice of Violation for the construction of the 14 foot by 20 foot deck, requiring the deck be removed by June 15, 2014.
- F. On June 25, 2014, staff conducted a follow-up compliance inspection of the subject property and observed the 14 foot by 20 foot deck located 15 feet from the normal high water mark had not been removed from the property.
- G. On July 1, 2014, Commission staff met with Krause and his son in the East Millinocket Regional Office at which time staff discussed the violation and rules pertaining to nonconforming structures. Staff further discussed options to bring the property back into compliance. Staff also discussed the building permit denial and appeal process should Krause pursue a permit amendment for the deck in its current location. Staff provided Krause with copies of the Commission's variance process Section 10.10; Section 10.11 Nonconforming Uses & Structures; and a Building Permit application.

- H. On August 18, 2014, Krause submitted a Building Permit application to Commission Staff for the unauthorized 14 foot by 20 foot deck constructed on to the Main Dwelling. At that time, staff notified the applicant the permit would be denied and was put on hold at the applicant's request.
- I. On August 21, 2014, Commission staff conducted a site visit of the subject property to determine the amount of footprint within 100 feet of the waterbody and to confirm setbacks and measurements of the structures. At the time of the site visit, staff observed a 19 foot by 10 foot addition to the Studio/Garage located 75 feet from the lake. Staff also observed that in the approximate location of the former 7 foot by 12 foot enclosed porch an approximately 7 foot by 27 foot lakeside deck with a 2 foot by 10 foot side extension located 62 feet from the lake had been constructed onto the existing Studio/Garage. Both expansions to the Studio/Garage were completed without prior written approval and in excess of Commission standards. In addition, staff observed plumbing fixtures had been installed in the Studio/Garage and further noted graywater was being discharged directly onto the ground and blackwater was being discharged into the ground in a location where there was no known septic or approved septic system in violation of Commission standards and the Maine Subsurface Wastewater Disposal Rules. Staff further noted graywater was being discharged directly onto the ground from the Guest Cottage; Review of the Maine Revenue Services Property Tax Records indicates the Guest Cottage historically contained plumbing fixtures.
- J. On October 6, 2014, Commission staff issued a third Notice of Violation that addressed the lakeside deck on the Main Dwelling, as well as the violations observed during the August 21 site visit. The Notice was for the 14 foot by 20 foot lakeside deck constructed onto the Main Dwelling and located 15 feet from the normal high water mark of Ambajejus Lake, the 19 foot by 10 foot addition onto the Studio/Garage located 75 feet from the lake, the 7 foot by 27 foot lakeside deck with a 2 foot by 10 foot side extension constructed onto the Studio/Garage located 62 feet from the lake, the conversion of the Studio/Garage into a third dwelling unit, all without prior approval and in excess of Commission standards and in violation of the terms and conditions of Building Permit BP 13788, and the installation of plumbing in the Studio/Garage and the discharge of greywater onto the ground from the Studio/Garage and Guest Cottage and discharge of blackwater from the Studio/Garage in violation of the Maine Subsurface Wastewater Disposal Rules and Commission rules. Following a review of site drawings from Krause and Pacht and the Maine Revenue Services Property Tax Records, additional identified violations on the property include construction of a 7 foot by 10 foot woodshed attached to the Main Dwelling and located 50 feet from Ambajejus Lake, a 5 foot by 5 foot deck and a 5 foot by 20 foot deck constructed onto the Studio/Garage and located approximately 70 feet and 75 feet from the lake, respectively. Portions of these decks were located in the approximate location of the prior 5 foot by 18 foot side deck.
8. **Violations:** The actions described in paragraph 7, above, resulted in violations of the following section of 12 M.R.S. Chapter 206-A, the following sections of the Commission's Land Use Districts and Standards (Standards), and the following conditions of Building Permit BP 13788:

12 M.R.S. § 685-B(1)(A)

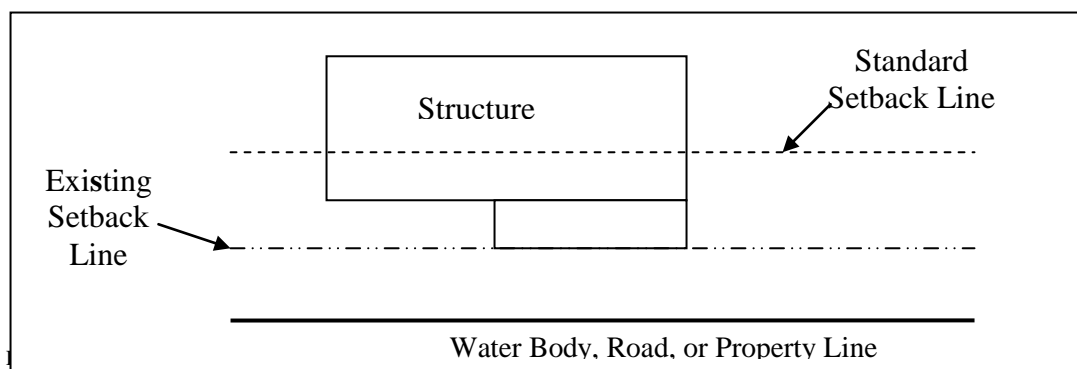
A structure or part thereof may not be erected, changed, converted or wholly or partly altered or enlarged in its use or structural form other than normal maintenance or repair, without a permit issued by the commission.

12 M.R.S. § 685-B(5)

Commission authorization pursuant to this section shall permit only the arrangement and construction set forth in the approval as issued. Change in use, arrangement or construction shall be considered a violation of this chapter and punishable as provided in this chapter.

Chapter 10 Standard, Section 10.11,B,2

Extent of Nonconformance with Respect to Setbacks. Section 10.26,D of these rules establishes minimum setbacks from water bodies, roads and property boundaries. Where legally existing, nonconforming structures do not meet these setbacks, an existing setback line will be established. The existing setback line will run parallel to the water body, road or property boundary at a distance equal to the closest point of the existing structure (including attached decks or porches) to the feature from which the setback is established. This is shown graphically below in Figure 10.11,B-1.



Subject to the other requirements in this section, a nonconforming structure may be expanded up to the existing setback line without being considered to be more nonconforming than the original structure. Expansions between the existing setback line and the water body, road or property boundary will be considered to increase nonconformity, and will not be allowed, except as provided in Section 10.11,B,9

Chapter 10 Standard, Section 10.11,C,1

Expansion. A permit is required for the expansion of a nonconforming structure, except as provided in Section 10.27,P. In addition to meeting permit requirements, expansions must also comply with the following limitations. These limitations do not apply to water dependent uses as defined in Section 10.02.

- a. **Certain Expansions Prohibited.** If any portion of a structure is located within 25 feet, horizontal distance, of the normal high water mark of a water body, expansion of that portion of the structure, which includes an increase in height or an increase in floor area, is prohibited. That portion beyond 25 feet may be expanded provided the size limitations in Section 10.11,C,1,b are met.
- b. **Size of Structures Near Water Bodies Limited.** The maximum size of expansions of nonconforming structures is limited within 100 feet, horizontal distance, of the normal high water mark of bodies of standing water 10 acres or greater in size or flowing waters draining 50 square miles or more.

Legally existing, principal and accessory structures located within the areas described in Section C,1,b,(1) and (2) above may be expanded subject to the other requirements of this section, provided that lot coverage limitations and other applicable land use standards are met. The maximum height of all structures within these areas shall be 25 feet, or existing structure height, whichever is greater.

The maximum combined footprint for all structures within these areas may not exceed the limits in Table 10.11,C-1.

Closest Distance of Expansion from Water Body	Maximum Combined Footprint* for all Structures not Meeting Water Body Setbacks
Greater than 25 and less than 50 feet.	750 square feet.
Between 50 and 75 feet.	1,000 square feet.
Greater than 75 and less than 100 feet (if applicable setback is more than 75 feet).	1,500 square feet.

Table 10.11,C-1. Limitations on size of structures near water bodies.

*Expansions that increase the height of a structure or increase the floor area of a structure, such as the addition of a loft or second story, require permits but are not included in the calculation of the footprint of the structure.

Chapter 10 Standards, Section 10.11,B,7

Conformance with Maine Subsurface Waste Water Disposal Rules. All changes to legally existing non-conforming structures, structures for nonconforming uses or structures on nonconforming lots must comply with the Maine State Subsurface Waste Water Disposal Rules (144A CMR 241), including changes that do not require a permit under this rule.

Chapter 10 Definitions, Section 10.02,52

Dwelling Unit: A structure or any part thereof that is intended for use or is used for human habitation, consisting of a room or group of rooms designed and equipped for use primarily as living quarters, including any minor home occupations, for one family. Accessory structures intended for human habitation that have plumbing are considered separate dwelling units. Dwelling units do not include buildings or parts of buildings used as a hotel, motel, commercial sporting camp, outpost cabin, or other similar facility which is rented or leased on a relatively short term basis. Staff housing in such facilities is not considered to be a dwelling unit. However, the term shall include accommodations utilized by guests for transient occupancy that qualifies as a home occupation.

Chapter 10 Standard, Section 10.11,C,4

Change of Use of a Nonconforming Structure. The use of a nonconforming structure shall not be changed without permit approval.

Chapter 10 Standard, Section 10.26,A,1

Dimensional Requirements. Residential Uses.

The minimum lot size for residential uses is 40,000 square feet per dwelling unit or residential campsite except where each dwelling unit is to use a common or community sewer and not on-site subsurface waste water disposal, the minimum lot size shall be 20,000 square feet per dwelling unit.

Condition #1 of the Conditions of Approval for Building Permit BP 13788

Construction activities authorized under this permit must be substantially started within 2 years and substantially completed within 5 years of the effective date of this permit. If such construction activities are not completed within this time limitation, this permit shall lapse and no activities shall then occur unless and until a new permit has been granted by the Commission.

- Official Record:** This Agreement shall not be effective nor become part of the official record unless and until it is ratified by the Commission.

11. **Conditions:** To resolve the violations described in Paragraph 7 and 8, above, Krause & Pacht jointly and severally agree to:
- A. Within 10 days of signature by all parties hereto, pay a civil penalty of five thousand five hundred fifty dollars (\$5,550). The payment shall be by check or money order made payable to the "Treasurer, State of Maine" c/o Maine Land Use Planning Commission, 22 State House Station, Augusta, Maine 04333-0022.
 - B. By September 30, 2015, remove the 14 foot by 20 foot lakeside deck constructed onto the Main Dwelling and located 15 feet from the normal high water mark of Ambajejus Lake.
 - C. By October 30, 2015 remove the 7 foot by 27 foot lakeside deck with 2 foot by 10 foot side extension constructed onto the studio/garage located 62 feet from the lake, the 5 foot by 5 foot deck and the 5 foot by 20 foot deck constructed onto the Studio/Garage and located 70 feet and 75 feet from the lake respectively, and the 10 foot by 14 foot concrete screenhouse slab. Construction debris must be disposed of in a proper manner, in compliance with applicable state and federal solid waste laws and rules.
 - D. Continue not to use the plumbing and by September 1, 2015, disconnect the water supply and remove all plumbing and plumbing fixtures from the Studio/Garage.
 - E. Continue not to discharge greywater directly on the ground and by September 1, 2015, submit a greywater system plan for the Guest Cottage designed by a licensed site evaluator or a Maine Licensed Professional Engineer, in accordance with the Subsurface Waste Water Disposal Rules, and approval from the local plumbing inspector or the Department of Human Services, Division of Health Engineering or provide documentation that an adequate system exists for the Guest Cottage.
 - F. The 7 foot by 10 foot woodshed attached to the Main Dwelling and the 19 foot by 10 foot addition on the Studio/Garage may remain on the property, as depicted on the attached site plan labeled "Addendum A, Krause/Pacht Property Site Plan. Normal maintenance and repair of the existing Main Dwelling & Studio/Garage is allowed; however, should 50% or more of either structure becomes removed, damaged or destroyed, for whatever reason, the structure shall not be repaired or replaced unless such repairs or replacement structure fully complies with Commission standards applicable at the time of repair and replacement, including, if applicable, waterbody setback requirements, and then, if required, only after receiving permit approval from the Commission. Expansion of the Main Dwelling and Studio/Garage, including, but not limited to building additions, additional stories, decks, porches, patios, foundations, outbuildings, and/or any other accessory structures, located within 100 feet of Ambajejus Lake, are all prohibited except as may otherwise be permitted by applicable laws and regulations as may be amended from time to time. Consistent with the Commission's rules, Krause & Pacht may apply to the Commission for permit approval to replace, relocate, and reconfigure the historically existing 6 foot by 33 foot lakeside deck and 4 foot by 36 foot walkway attached to the Main Dwelling to a single deck of no more than 240 square feet to be located no closer than 31 feet from Ambajejus Lake. This modification, consistent with the Commission's standards, would increase the setback and reduce the square footage of the pre-Commission Main Dwelling and associated decks. Consistent with the Commission's rules, Krause & Pacht may further apply to the Commission for permit approval for the conversion of the Studio/Garage to a bunkhouse having no plumbing provided all applicable Commission standards at that time are satisfied, including but not limited to demonstration that the existing wastewater disposal system serving the property has adequate capacity to accommodate the increase in wastewater generation from a bunkhouse in accordance with the Maine Subsurface Waste

Water Disposal Rules, or make application for any other use or activity permitted by applicable Commission standards

- G. The following actions are to be taken by Krause & Pacht and the Commission to record this Agreement in the Piscataquis County Registry of Deeds: Within 10 days of signature by all parties hereto, Krause & Pacht shall submit to the Commission the recording fee in the amount of forty dollars (\$40.00) to be paid to the Piscataquis County Registry of Deeds, for the recording of this Agreement. Payment must be by check or money order, made payable to the Piscataquis County Registry of Deeds. Upon receipt of payment, staff will record the Agreement in the Piscataquis County Registry of Deeds in a manner that causes it to be properly indexed to the property that is the subject matter hereof. In the event that Krause & Pacht fail to submit the appropriate recording fee, the Commission may record the Agreement in the Piscataquis County Registry of Deeds without waiver of the violation caused by Krause & Pacht's failure to do so.
- H. The following conditions govern the conveyance of the subject property: Krause & Pacht shall not sell, lease, transfer, or otherwise convey the subject property unless full disclosure of the terms of this Agreement is made to the buyer, lessee or recipient. This agreement shall be binding upon Krause & Pacht, their successors and assigns in the subject property or any portion of it. Any person acquiring all or any portion of the subject property shall be subject to this Agreement and bound to comply with the terms hereof as if that person were Krause & Pacht.
- I. The Main Dwelling & Studio/Garage, as shown and where shown on the attached plan, may remain on the property in their current locations, subject to the terms and conditions of this agreement and for only so long as all terms and conditions set forth in paragraphs 11A through 11F of this Agreement are strictly complied with to the satisfaction of the Commission. Failure to comply with any term or condition as specified in this Agreement shall mean that Krause & Pacht, or their successor in title, must remove the 7 foot by 10 foot woodshed attached to the Main Dwelling and the 19 foot by 10 foot addition on the Studio/Garage from the property or relocate it to a site on the property that complies with the Commission's standards, which presently require setbacks of at least 100 feet from the shoreline of Ambajesus Lake, 50 feet from the access road, and 15 feet from any property line, as well as stabilization of all disturbed soil within 90 days following notice of noncompliance by the Commission.
- J. This Agreement shall be binding upon Krause & Pacht and their heirs, successors, and assigns in the property or any portion of it.
12. **Release:** In consideration for, but only upon completion of the actions called for in Paragraph 11, above, in accordance with the terms and conditions of this Agreement, the Commission and the Attorney General shall release their causes of action against Richard W. Krause and Janice Pacht arising from the violations described in Paragraph 7 and 8, above.

IN WITNESS WHEREOF, the parties hereto have executed this Administrative Settlement Agreement.

SIGNATURES FOLLOW

RESPONDENTS

By: _____ Date: _____

Richard W. Krause

STATE OF NEW HAMPSHIRE

County of Rockingham, ss. _____ 2015

Personally appeared the above named Richard W. Krause and acknowledged the foregoing to be his free act and deed.

Before me,

Notary Public

(Type or Print Name as Signed)

My Commission Expires: _____

By: _____ Date: _____

Janice Pacht

STATE OF NEW HAMPSHIRE

County of Rockingham, ss. _____ 2015

Personally appeared the above named Janice Pacht and acknowledged the foregoing to be her free act and deed.

Before me,

Notary Public

(Type or Print Name as Signed)

My Commission Expires: _____

Maine Land Use Planning Commission

By: _____ Date: _____
Nicholas D. Livesay, Director

STATE OF MAINE
County of Kennebec, ss.

Date: _____

Personally appeared the above named Nicholas D. Livesay, in his capacity as Director of the Maine Land Use Planning Commission, and acknowledged the foregoing to be his free act and deed in his said capacity and the free act and deed of the Maine Land Use Planning Commission.

Before me,

Notary Public

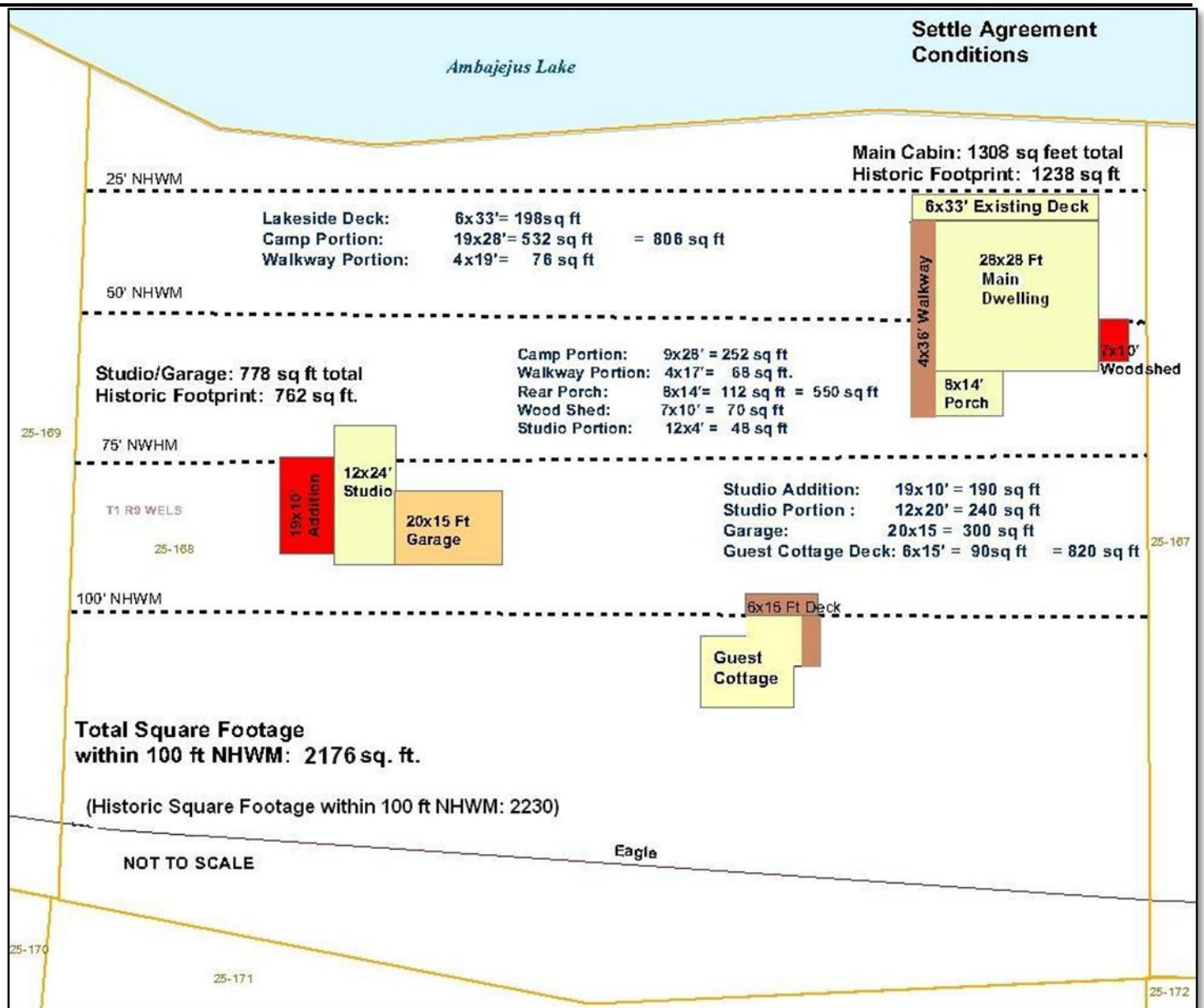
(Type or Print Name as Signed)

My Commission Expires: _____

Office of Attorney General

By: _____ Date: _____
Lauren Parker, AAG

Addendum A Krause & Pacht Property Site Plan (Enforcement Case EC 13-18)



Not to Scale