

**§959-A. Requirements for granting permits**

**1. Permits.** The commission shall grant permits for uses allowed under this chapter upon a showing by the applicant that the soils are suitable for the proposed use and that it will be in compliance with all applicable performance standards and requirements established under this chapter. The commission shall also find that the proposed use will not involve any unreasonable:

- A. Degradation of air and water quality; [PL 1979, c. 459, §1 (NEW).]
- B. Harmful alteration of wetlands; [PL 1979, c. 459, §1 (NEW).]
- C. Increase in erosion or sedimentation; [PL 1979, c. 459, §1 (NEW).]
- D. Danger of increased flood damage; [PL 1979, c. 459, §1 (NEW).]
- E. Obstruction of flood flow; [PL 1979, c. 459, §1 (NEW).]
- F. Damage to fish and wildlife habitat; [PL 1979, c. 459, §1 (NEW).]
- G. Despoliation of the scenic, rural and open space character of the corridor; [PL 1979, c. 459, §1 (NEW).]
- H. Overcrowding; [PL 1979, c. 459, §1 (NEW).]
- I. Excessive noise; [PL 1979, c. 459, §1 (NEW).]
- J. Obstructions to navigation; or [PL 1979, c. 459, §1 (NEW).]
- K. Interference with the educational, scenic, scientific, historic or archaeological values of those areas designated and approved for inclusion within the Resource Protection District. [PL 1979, c. 459, §1 (NEW).]

The burden of proof shall be upon the applicant to show entitlement to a permit under this section, but if the applicant makes the requisite showing, a permit shall be issued by the commission. [PL 1979, c. 459, §1 (NEW).]

**SECTION HISTORY**

PL 1979, c. 459, §1 (NEW).

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