

**TOWN OF DETROIT, MAINE
PLANNING BOARD**

**DECISION REGARDING
CENTRAL MAINE POWER COMPANY'S SHORELAND ZONING APPLICATION
AND FLOOD HAZARD DEVELOPMENT PERMIT FOR MINOR DEVELOPMENT**

**FOR:
ELECTRIC TRANSMISSION LINE WORK OF THE MAINE POWER RELIABILITY
PROGRAM**

Procedural Background

By the above applications dated August 7th, 2009 and August 6th, 2009 respectively, Central Maine Power Company (CMP) submitted for the proposed Maine Power Reliability Program (MPRP) located in Detroit, which involves the work described in the application package dated July 2009.

The Town of Detroit Planning Board considered the applications at its August 18th, 2009 and 12-2-09 meetings. A public hearing was held today as part of this January 14th, 2010 Planning Board meeting. Public notice of this public hearing was mailed to abutters on January 5th, 2010. Notices ran on January 4th and January 11th 2010 in the Rolling Thunder and the Central Maine Morning Sentinel newspapers. Representatives of CMP presented the application and answered questions at this January 14th 2010 public hearing and Planning Board meeting.

Findings of Fact

The Planning Board adopts as findings the factual information contained in the application and its accompanying materials and related submissions.

Conclusions of Law

The Planning Board adopts the conclusions contained in the application and its accompanying materials and related submissions with respect to the land use standards and the approval standards.

CONCLUSION

Based on the foregoing, CMP's applications are APPROVED, subject to the following conditions:

1. These permits shall not take effect until CMP has obtained the following state and federal permits required for this project: Maine PUC Certificate of Public Convenience and Necessity, Maine DEP Site Location of Development Law, Maine DEP Natural Resources Protection Act, and Army Corps of Engineers § 404 Clean Water Act. CMP shall promptly submit copies of

such permits to the Town. The date of the submission of the last of these state and federal permits shall be considered these permit's effective dates and the "Date of the Permits".

2. Conditional on CMP supplying the Town of Detroit copies of the third party construction inspections required by the State of Maine. The first report to be provided after erosion control protection is in place and before ground disturbance.

3. The Planning Board (check one) requires, does not require, that all clearing for construction be done at the time to avoid bird-nesting time. *PER DEP RULES*

4. If no substantial start on construction is made within one year of the date of the SHORELAND ZONING PERMIT, the permit shall expire. Due to the nature and scope of the MPRP project, the Planning Board recognizes that a one-year timeline to begin construction of that portion of the MPRP in the Town of Detroit may not be achievable. Therefore, the Planning Board orders that, to expedite review, if no substantial start has been made within the first year after the effective date of this permit, this permit shall be extended for one additional year, provided that CMP submits a letter to the Planning Board and Code Enforcement Officer at least 30 days prior to the initial expiration of this permit certifying that all information contained in its application and presented to the Planning Board is still materially correct and complete. The FLOOD HAZARD DEVELOPMENT PERMIT FOR MINOR DEVELOPMENT will expire if no work is commenced within 180 days of issuance.

Any person aggrieved by this decision may appeal by filing a written notice of appeal to the Board of Appeals within 30 days of the date of the Planning Board's decision.

All concurring.

DATED: January 14, 2010

Wayne Bospul
Chair
Daniel L. Ready
Ronald S. ...
John B. ...
Cynthia Climo