

**TOWN OF FRANKFORT, MAINE
PLANNING BOARD**

Shoreland Zoning and Flood Hazard Development Permits

**DECISION REGARDING
CENTRAL MAINE POWER COMPANY'S APPLICATION FOR
ELECTRIC TRANSMISSION LINE WORK**

Procedural Background

Central Maine Power Company (CMP) has submitted shoreland zoning and flood hazard development applications, in a consolidated submission delivered to the Town on August 3, 2009, for the portion of the proposed Maine Power Reliability Program (MPRP) located in Frankfort. CMP submitted a revision to its initial application in March of 2010. The MPRP involves transmission line upgrades in and adjacent to approximately 7.5 miles of transmission line corridor within the Town. Portions of the upgrades will occur within the shoreland zone or areas of special flood hazard. The upgrades proposed in Frankfort as part of the MPRP include:

- Segment 1: expanding the corridor on the south side by widths varying from 100 feet to 248 feet; constructing a new 115 kV transmission line on the north side of the corridor (typical structure will be a two-pole wood H-Frame, 55 feet tall); and constructing a new 345 kV transmission line on the south side of the corridor (typical structure will be a two-pole wood H-Frame, 75 feet tall).
- Segment 3: removing the existing 115 kV transmission line and rebuilding it on the north side of the corridor (typical structure will be a wood single-pole, 75 feet tall); constructing a new 345 kV transmission line on the south side of the corridor (typical structure will be a two-pole wood H-Frame, 75 feet tall); and expanding the corridor to the south near its intersection with Segments 1 and 4 to accomplish a connection with the existing transmission line in Segment 4.
- Segment 4: constructing a new 115 kV transmission line on the north side of the corridor (typical structure will be a two-pole wood H-Frame, 55 feet tall); and expanding the corridor to the south near its intersection with Segments 1 and 4 to accomplish a connection between the existing transmission line in Segment 4 and a new transmission line in Segment 1. (None of Segment 4 is located within either the shoreland zone or areas of special flood hazard.)

The project is further described in the package of applications dated August 2009 and in the revision dated March 2010. These materials specifically identify those portions of the project within the shoreland zone and areas of special flood hazard and thus subject to Planning Board review.

The Town of Frankfort Planning Board considered the applications at a meeting on August 11, 2009, at a public meeting on April 8, 2010 and at a meeting on April 13, 2010. Representatives of CMP presented the applications and answered questions at these meetings.

Findings of Fact

The Planning Board adopts as findings the factual information contained in the applications, including the March 2010 revision, and their accompanying materials and related submissions.

Conclusions of Law

The Planning Board adopts the conclusions contained in the applications, including the March 2010 revision, and their accompanying materials with respect to the shoreland zoning land use standards and approval criteria, and the floodplain management development standards.

CONCLUSION

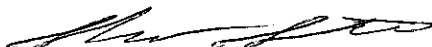
Based on the foregoing, CMP's applications are APPROVED, subject to the following conditions:

1. This permit (which includes Shoreland Zoning and Flood Hazard Development 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 upon obtaining the last of these permits. The date of such submission shall be considered this permit's effective date, the "date of issuance" as that term is used in Section 16(F) of the Shoreland Zoning Ordinance.
2. Notwithstanding the standard language in the Town's Flood Hazard Development Application form stating – "If issued, the permit will expire if no work is commenced within 180 days of issuance." – or any other provision in the Town's ordinances, the Board orders that the term of the Flood Hazard Development Permit run concurrently with the term of Shoreland Zoning Permit established in condition #1 above.

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 this official, written decision of the Planning Board.

All concurring.

DATED: 5-11-10



Chair





