

TOWN OF MONROE, MAINE PLANNING BOARD

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

Procedural Background

Central Maine Power Company (CMP) has submitted a consolidated Site Plan and Shoreland Zoning permit application for the portion of the proposed Maine Power Reliability Program (MPRP) located in Monroe.

The part of the program located in Monroe involves work in the two existing transmission line corridors that traverse the Town.

In the eastern area of Monroe, from Frankfort, through a section of Winterport, and into Dixmont:

- Rebuilding the existing Section 203 115 kV electrical transmission line. This transmission line, which currently runs on approximately 45 feet tall H-frame structures on the south side of the corridor, will be moved to the north side of the corridor and placed on single-pole structures that are typically 75 feet above ground.
- Installing a new 345 kV transmission line, to be known as Section 3023. This new transmission line will run on H-frame structures that are typically 75 feet above ground, and will be located on the south side of the existing corridor.

In the southern area of Monroe, from Frankfort into Swanville :

- Installing Section 254, a new 115 kV transmission line. This new line will run on H-frame wood structures which will typically be 55 feet above ground and will be located on the northern side of the corridor.

Additional clearing in some portions of the existing corridor is planned. CMP will not need to acquire additional lands for this purpose; the portion of the MPRP in Monroe will be built entirely on land that CMP already owns.

The transmission line upgrades are further described in the application package dated June 2010.

The Town of Monroe Planning Board has considered the application. Representatives of CMP presented the application and answered questions from members of the Planning Board.

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 has reviewed the conclusions contained in the consolidated application and its accompanying materials and related submissions with respect to the review and approval standards contained in the Shoreland Zoning Ordinance.

CONCLUSION

Based on the foregoing, CMP's application is APPROVED, subject to the following conditions:

1. This permit 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, and the date of such submission shall be considered this permit's effective date, the date of the permit, and the date of "issuance" as used in Article IV, Section 5(P)(6) and Article V, Section 4(H) of the Zoning Ordinances.
2. If no substantial start in construction is made within one year of the date of issuance, this permit shall expire. Due to the nature and scope of the MPRP project, the Board recognizes that a one-year timeline to begin construction of that portion of the MPRP in the Town of Monroe may not be achievable. Therefore, the 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 (consistent with the expiration time frame contained in Section 16 (F) of the town's Shoreland Zoning Ordinance), provided that CMP submits a letter to the Select and Planning Board at least 30 days prior to the initial expiration of this permit certifying that all information contained in its application and presented to the Board is still materially correct and complete.
3. This permit is approved on the basis of information provided by the applicant, in the record, regarding ownership of the properties and boundary locations. The applicant has the burden of ensuring the legal right to use the property and the approval of this permit in no way relieves the applicant of this burden. Nor does this permit approval constitute a resolution in favor of the applicant of any issues regarding the property boundaries, ownership or similar title issues.
4. The Planning Board approves the Transmission Line Construction proposal submitted by CMP as described in the application presented and dated May 17, 2010, including all depictions on the accompanying plan and other attachments. Except the extent that the Board has expressly indicated its decision that certain depictions may be revised by the applicant without further review and approval by the Board, any changes to the plan and attachments must receive prior approval by the Board, including but not limited to changes in proposed locations of structures, corridor access roads, crossings or standards for construction.
5. This permit is approved on the basis that herbicides to be used will require all Material Safety Data Sheets submitted to the Planning Board prior to application of any herbicides. All abutters to the transmission corridor shall have the option to enter into a vegetation management agreement with CMP, eliminating herbicide application. Additionally, all licenses of applicators and ratios of mixtures can be checked on an ongoing basis.

6. All criteria submitted for permitting to local, state and federal agencies will be followed and adhered to. These include, but are not limited to audible noise levels outside the corridor (both during and after construction), electromagnetic field levels, environmental guidelines and maintenance activities.
7. Work hours for transmission line upgrade will be Monday thru Friday, 7:00 AM to 5:00 PM. Saturday work shall be performed by prior notice. No work shall be performed on any legal state holidays.
8. This permit is contingent upon receiving permit fee associated with this project. This fee shall be determined by the Town of Monroe.

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: 8/5/10

Reutiller
Acting Chair

Lynn Biebel

Maureen E. Kander

Abey C.W. Urey