

Town of Pownal, Maine
Planning Board

NOTICE OF DECISION

for a Site Plan Application, Shoreland Zoning and Floodplain
Permit

To: Rick Paquette
TRC
41M Southborough Dr.
30, Portland, ME 04106

Date: 17, June 2010

This letter is to inform you that the Pownal Planning Board has acted on your preliminary
 final application for a site plan as follows:

Findings of Fact

1. The owner of the property is Central Maine Power.
2. The property is located at Allen Rd., in the RA zoning district, identified as Assessor's Map 3, Lot 83, and contains _____ (acres, sq. ft.).
3. The applicant is CMP, who has demonstrated a legal interest in the property by providing ~~a copy of a~~ Copies of deeds (deed, option, purchase and sales agreement, letter of authorization from the owner).
4. Notice of the proceedings was published in the local newspaper. Yes. No. Date 2/8/10 - Tim
2/2/10 and
RECO
and Note
5. The applicant proposes Surowic Substation Expansion and
Transmission Line Construction & Rebuild as part of it
Maine Power Reliability Program
6. The application was determined to be complete on 16, June 2010 (date).
7. A public hearing was held on 17, Feb. 2010 (date). And other public hearing(s) on _____ (date).
8. A site visit was conducted on 6, Feb. 2010
9. Application fee was paid on: 2, Feb. 2010 (date)

Conclusions

In light of these facts, with consideration given to the following attachments, the Board reaches the following conclusions:

Attachments: _____

Exhibit A: _____

Exhibit B: _____

Exhibit C: _____

Exhibit D: _____

Exhibit E: _____

Exhibit F: _____

Exhibit G: _____

Section V. CRITERIA AND STANDARDS

The application shall not be approved unless the Planning Board determines that the applicant has met all of the standards of Section V. The Planning Board may waive or vary standards and criteria as they may apply to a specific site plan application. Findings of the Planning Board follow:

A.1 **Landscaping** - The site plan sufficiently follows the criteria for preserving the natural landscape and buffering next to adjacent properties where applicable.

Yes No Not Applicable
Conditions: See conclusions

Motion: _____

A.2 **Buffers** - The site plan meets the applicable criteria for shielding adverse impacts onto adjacent properties.

Yes No Not Applicable
Conditions: See conclusions

Motion: _____

A.3 **Environmental Considerations** - The site plan meets the applicable criteria for the design and layout of buildings and their relation to natural features; minimizes adverse impacts from soil erosion and sedimentation; promotes preservation of trees; protection of water, soil and animal life; maintains safe and sanitary site conditions during construction.

Yes No Not Applicable
Conditions: _____

Motion: _____

A.4 **Vehicular Access** - Vehicular and pedestrian traffic conditions of the site plan meet neighborhood limits and meets the driveway and access criteria of Section A.4.b.

Yes No Not Applicable
Conditions: _____

Motion: _____

A.5 **Parking and Circulation** - The layout and design of vehicular and pedestrian circulation is safe and convenient; does not detract from buildings and neighboring properties; and meets the criteria, as applicable, for parking, pedestrian linkages and loading areas.

Yes No Not Applicable
Conditions: _____

Motion: _____

A.6 **Lighting** - The site plan meets the criteria, as applicable, for minimization of glare and other standards.

Yes [] No [] Not Applicable

Conditions: _____

Motion: _____

A.7 **Signs** - Signs do not detract from buildings, structures and surrounding properties; are not hazards to vehicles or pedestrians; and meet the sign specifications of the Zoning Ordinance.

[] Yes [] No Not Applicable

Conditions: _____

Motion: _____

A.8 **Utilities** - On-site utilities are adequate, safe and meet, as applicable, the criteria of Section A.8..

Yes [] No [] Not Applicable

Conditions: _____

Motion: _____

A.9 **Industrial and Commercial Environmental Performance Standards** - The site plan results in a nuisance-free performance and meets the criteria, as applicable, for air pollution control, noise control, vibration, heat and fumes, and fire and explosive hazards.

[] Yes [] No [] Not Applicable

Conditions: See conditions _____

Motion: _____

Decision

The Planning Board hereby [] approves approves with conditions [] denies your (preliminary) final site plan review, dated this 6/16/10 day of _____, 2001.

If approved:

Further Conditions of approval: See attached

1. _____

2. _____

3. _____

The Codes Enforcement Officer is now authorized to grant you the necessary land use and/or building permits. It is your responsibility to apply for these permits.

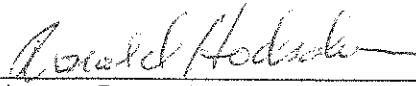
If denied:

Reasons for Denial:

1. _____
2. _____
3. _____

If denied, you may:

1. Want to consider the reasons for the denial and in doing so, you may choose to submit a new application in which substantive changes to the proposal have been made that adequately address the reason(s) for the denial.
2. Appeal to the Superior Court within thirty (30) days of this decision in accordance with the Maine Rules of Civil Procedure, Rule 80B.

 _____ (Date) 6-7-10
Chairman, Pownal Planning Board

NOTE BENE:

Approved Site Plans. The Pownal Site Plan Review Ordinance provides the following requirements:

- IV.A.3. One copy of the approved site plan shall be included in the application for a building permit. The Planning Board interprets an approved plan to be one signed and dated by the Planning Board.
- IV.B. The Planning Board may require the applicant to show financial capacity to complete the development as approved and may require the posting, prior to final approval of any plan, of a bond or escrow agreement, in such amount as is approved by the Board as being reasonably necessary to ensure completion of all improvements required as conditions of approval of such plan, in such form as approved by the Board.
- IV.C. The applicant must comply with all State and Federal requirements and receive all relevant approvals before any development activities may begin.
- V.C. The approval of a site plan shall become void if substantial construction is not commenced within one (1) year of the date of such approval unless such time limit is extended by the Board.
- VII. The Building Inspector shall issue a building permit if he/she determines that the application complies with the plan approved by the Board. Permit enforcement procedures of the Pownal Building Code shall be followed. Failure to comply with any conditions of the Site Plan review, subsequent to approval of the plan, shall be construed to be a violation of this ordinance and shall be the grounds for revoking the approval, initiating legal proceedings to enjoin construction or any specific activity violating the conditions of approval, or applying a fine of not more than \$500 for each day that the violation continues to exist after official notification by the Planning Board.

16, June 2010

Pownal Planning Board
Notice of Decision, Conditions of Approval
for Site Plan, Floodplain Permit and Shoreland Zoning Permit Applications,
Maine Power Reliability Program, Central Maine Power

1. Subject to approval by Board of Appeals for Special Exception.
2. Subject to Central Maine Power acquiring all necessary state and federal permits.
3. Alignment of temporary 345 kV transmission line adjusted to avoid clearing of trees on western side of Allen Rd. (see CMP file letter of 5/6/10)
4. A vegetative buffer between Allen Rd. and the substation installed per plans prepared by Terrance J. DeWan 7 Associates, Yarmouth.
(see CMP file letter of 5/6/10)
5. Central Maine Power will provide Pownal of notification and identification of planned herbicide application and post dated signs at public crossings and easements. (see CMP file letter of 6/3/10)
6. The six aging reactors will be replaced as soon as possible, or within 18 months from the date of Site Plan Approval. (see CMP file letter 4/21/10)
7. After installation of new reactors a baseline sound test will be conducted and sound tests conducted yearly thereafter.