

**TOWN OF PROSPECT, 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 shoreland zoning application, delivered to the Town on January 29, 2010, for the portion of the proposed Maine Power Reliability Program (MPRP) located in Prospect. The MPRP involves transmission line upgrades in approximately five miles of transmission line corridor within the Town. Portions of the upgrades will occur within the shoreland zone.

The upgrades proposed in Prospect as part of the MPRP include removing the existing 115 kV transmission line, Section 86, which now operates on two-pole wood structures, and reconstructing the line within the same corridor on taller single-pole wood structures.

The project is further described in the application materials dated February 2010.

The Town of Prospect Planning Board considered the application at Planning Board meetings on February 11, 2010 and March 11, 2010. Notice of the March 11 public meeting was mailed to abutters, published in the newspaper, and posted. A representative of CMP presented the application and answered questions at both meetings.

Findings of Fact

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

Conclusions of Law

The Planning Board adopts the conclusions contained in the application and accompanying materials with respect to the shoreland zoning land use standards and approval criteria.

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 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. As provided in the Shoreland Zoning Ordinance, if no substantial start 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 make such a substantial start on the portion of the MPRP in the Town of Prospect may not be achievable. Therefore, and for ease of administration of this permit, notwithstanding any conflicting (earlier or later) expiration dates in Prospect's ordinances (including Section 16(F) of the Shoreland Zoning Ordinance), the Board orders that, to expedite review, if no substantial start has been made within the first year after the date of issuance of this permit, this permit shall be extended for one additional year, provided that CMP submits a letter to the Code Enforcement Officer at least 30 days prior to the expiration of this permit certifying that all information contained in its Shoreland Zoning application and presented to the Board is still materially correct and complete. The Board orders that the permit shall be extended a second time, again for one additional year, provided that CMP again provides the same certification to the Code Enforcement Officer at least 30 days prior to the expiration of the permit.
3. Once CMP makes a substantial start, CMP shall have one additional year to complete the project, at which time the permit shall expire. Due to the nature and scope of the MPRP project, the Board recognizes that this timeline to complete the portion of the MPRP in the Town of Prospect may not be achievable. Therefore, and for ease of administration of the permit contained herein, notwithstanding any conflicting (earlier or later) expiration dates in Prospect's ordinances (including Section 16(F) of the Shoreland Zoning Ordinance), the Board orders that, to expedite review, if the project is not complete within the one additional year after the substantial start, this permit shall be extended for a second year after the substantial start, provided that CMP submits a letter to the Code Enforcement Officer at least 30 days prior to the expiration of this permit certifying that all information contained in its Shoreland Zoning application and presented to the Board is still materially correct and complete.

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: 3-11-10
Paul Carlson
Chair

Blair Wentz (Sec.)

Clara R Drew SB

Richard Hanuman

Kathleen M. Jenkins
