



**MAINE POWER
RELIABILITY PROGRAM**
A CENTRAL MAINE POWER COMPANY PROGRAM

**WINTERPORT, MAINE
APPLICATION for PERMIT AMENDMENT
to Site Plan Review and
Flood Hazard Development Permits**

Prepared for:

Central Maine Power Company
83 Edison Drive
Augusta, Maine 04336

Prepared by:



TRC Engineers, LLC
400 Southborough Drive
South Portland, ME 04106

February, 2011

Introduction

Central Maine Power (CMP) is requesting an amendment to the Winterport Planning Board's approval of the Site Plan Review and Flood Hazard Development permits for the Company's Maine Power Reliability Program (MPRP). CMP originally submitted its application for a Site Plan Review and Shoreland Zoning permit in April, 2009. That application was approved on June 18, 2009.

On June 9, 2010, CMP submitted a request for amendment to the approval for design changes. The amendment was approved on June 17, 2010, and the minutes of that meeting were approved on September 16, 2010. A Flood Hazard Development Permit was granted to CMP for the MPRP on that same date.

Review of Project Design Approvals

When CMP first submitted its application to the Planning Board in 2009, the Company was not able to expand the existing corridor in places where the company could not acquire property. As a consequence, it was necessary to devise "engineered solutions" to the narrower corridor sections. The engineered solution was to install the two new proposed transmission lines in Segment 1 on steel single poles which would take up less space than the preferred "H-frames" which are like the existing structures. In the design first presented to the Board, the area with steel structures included the corridor approximately 0.3 mile southwest of the Lebanon Road to about 0.4 mile northeast of the Coles Corner Road (a total of about 1.3 miles).

The June 2010 permit amendment accounted for two design changes. First, CMP was able to acquire some abutting properties so that the Segment 1 corridor could be expanded and the single pole structures were no longer necessary. Secondly, Section 254 structures were redesigned. The design approved by the permit amendment expanded the corridor between Lebanon and Coles Corner Roads and north of Coles Corner Road, leaving small areas where the corridor crossed these roads as the only sections that still could not be expanded. Section 254 structures were redesigned as small H-frame structures, and five single poles on Section 2023 were redesigned as the larger H-frames.

Current Design Proposal

CMP has recently acquired right, title or interest in the remaining properties abutting the existing corridor. With these acquisitions, CMP is able to avoid the engineered solution and design the entire Segment 1 corridor without steel single pole structures. Moreover, the additional space in the corridor enables CMP to reuse the existing H-frame structures where before, many of these structures had to be taken down and rebuilt in order to make room for the other transmission lines. While many structure locations are adjusted as a result of the expanded corridor, the net effect of the present design is that:

- there are 18 fewer new structures;
- no new steel single structures with foundations;
- no net change in the impact within any of the floodways within the corridor;
- one double-pole structure within the floodplain east of School House Road has been moved outside the floodplain, reducing impacts there;
- no net change in the impact within any of the shoreland zones; and lastly,
- no additional abutters within 300 feet of the new project boundary.

There are no changes to the original, approved design for Segment 3 in the southwestern part of town. For a visual representation of the proposed changes to the last design (approved under the June 17, 2010 permit amendment), see the enclosed maps dated January 21, 2011, particularly Maps 1-3 (Maps 4-6

show no substantive changes). Appendix A includes maps that show the currently proposed design without the previous design overlay (dated February 9, 2011).

The current construction schedule is for clearing to start in Segment 3 as early as this winter, with construction finishing in Segment 1 in the winter of 2013. At the time of the original application, the timeframes for construction were unknown and, in order to provide CMP with flexibility in scheduling the work, the application proposed structuring the development in two phases. It now appears that phasing of the work will not be necessary, and CMP will be able to comply with the ordinance's requirements for initiation of construction within six months, and substantial completion within two years. Should an extension of the permit be needed, CMP will comply with Article II, Section 2.(I), and request an extension from the Planning Board within the two-year time period.

Applicability of the Winterport Land Use Ordinance

Since the approval of the original project design, Winterport has adopted a revised land use ordinance (approval date June 11, 2009). This application seeks a permit amendment under these standards. As there are no changes to the design within the shoreland zones and fewer impacts within the floodplains, this application only addresses the site plan review standards and submission requirements of the new ordinance (not the shoreland zoning standards or floodplain management standards).

Article II, Section G of the current ordinance reads:

No changes, erasures, modifications, or revisions shall be made in any site plan or subdivision plan after approval has been given by the Planning Board unless the revised plan is first submitted and the Planning board approves any modifications. The Planning Board shall make findings that the revised plan meets the standards set forth in this ordinance.

Since the ordinance specifies that the "modifications" require approval, it is assumed that elements of the design that have not changed do not require another approval.

With regard to submission requirements, Article IV, Section 2.F.(1) reads:

Waiver of submission requirements. The Planning Board may, for good cause shown, upon the written request of an applicant or on its own motion, specifically stating the reasons therefore, waive any of the application requirements set forth in Article IV Section 9. The Planning Board may condition such a waiver on the applicant's compliance with alternative requirements. Good cause may include the Board's finding that particular submissions are inapplicable, unnecessary, or inappropriate for a complete review.

Many of the standards and submission requirements of the current ordinance are the same as those of the previous ordinance, but there are some differences. The attached table lists all the Site Plan Review submission requirements and standards set forth in Article IV Section 9. Where a standard or submission requirement has been met with the original application, the table cites the page in the application where the requirement or standard was addressed. New or revised submission requirements and standards are addressed below.

New and Updated Information

Permitted Use

C.(1)(b) Any proposed use must be a permitted use for each district in which it is proposed.

The proposed upgrade of the electrical transmission system in Winterport is classified as an “other essential service” in Table 3-1 Land Uses in the Shoreland Zone, Article III, Section 14 of the Winterport Land Use Ordinance. According to this table, the proposed use is allowed in all districts, with a permit from the Planning Board.

Ordinance Compliance and Payment of Taxes

C.(1)(c) The proposed development shall not be approved by the Winterport Planning Board as long as the applicant is in violation of this ordinance or of any previously approved subdivision or site plan in the Town of Winterport or is arrears in the payment of any local taxes or assessments.

Appendix H: Letter from Winterport Code Enforcement Officer, and Appendix I: Payment of Taxes, are updated and enclosed.

Natural, Historic, and Aesthetic Features

C. (13). Standards for Natural, Historic and Aesthetic Features.

All plans will demonstrate that the proposed development will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, rare and irreplaceable natural areas, or any public rights for physical or visual access to the shoreline. Such rights of access shall be maintained by means of easements or rights-of-way, or should be included in any reserved open space, with provisions made for continued public access. If the proposed development contains any identified historical or archeological sites, or any areas identified in the Comprehensive Plan or by the Maine Natural Areas Program as rare and irreplaceable natural areas, these areas shall be included as open space, and suitably protected by appropriate covenants and management plans.

During the period 2009-2010 (i.e., since the time that Winterport approved the MPRP application), Central Maine Power completed its investigations of pre-contact archaeological, post-contact archaeological, and historic architectural resources within the MPRP “area of potential effect” (APE) that are listed on, or eligible for, listing on the National Register of Historic Places (NRHP). In 2010, CMP, the Maine Historic Preservation Commission (MHPC), and the U.S. Army Corps of Engineers (COE) signed a Memorandum of Agreement (MOA) to avoid, protect, or mitigate impacts to eligible cultural resources during the construction and maintenance of MPRP. A copy of the MOA is enclosed as Appendix J.

The MHPC has determined that MPRP has the potential to have an adverse effect on two post-contact archaeological sites located in the APE in Winterport. Both sites are historic farmsteads. The provisions of the MOA have been incorporated as conditions of the DEP and COE permits for MPRP. CMP will comply with those provisions. Because the MHPC requires that the location of eligible archaeological sites be kept confidential, we are unable to provide you with specific information about the location of the sites.

Noise

C. (14) Noise. The type, size and location of all machinery or equipment likely to generate appreciable noise at the lot lines.

For electric transmission lines, audible noise (AN) is relative to conductor (wire) size. Central Maine Power (CMP) has selected conductor sizes that under ideal, dry conditions are designed to be noise free; under adverse weather conditions (e.g., very high humidity and storm conditions) these same conductors will emit only a slight crackling sound. Based on the modeling of audible noise done by Dr. William

Bailey of ExPonent® for the MPRP, it was determined that, “The transmission line conductors can give rise to AN, and the levels at the edges of ROWs in fair weather are calculated to be below the noise standard of the MDEP (50 dBA or 45 dBA in quiet areas). Higher levels of AN would occur during foul weather but would be masked by the background noise of rain and wind”, but in each case is anticipated to remain within the levels allowed by the MDEP. The results of the modeling done by Dr. Bailey shows that the upgrade to the transmission lines associated with the MPRP generally would produce modest increases in the levels of AN at the edges of rights-of-way (ROW) and that this noise will dissipate quickly as distance from the edge of the ROW increases.

As the current ordinance does not specify a noise standard, the MDEP standard is effective. This standard has been met, as evidenced by MDEP’s approval of the MPRP.

Outdoor Lighting

C. (15) Outdoor Lighting: The size, location and direction and intensity of illumination of all major outdoor lighting apparatus and signs.

The United States Federal Aviation Administration (FAA) requires that “Any temporary or permanent structure, including all appurtenances, that exceeds and overall height of 200 feet (61m) above ground level (AGL)...should normally be marked and/or lighted. . . . Recommendations on marking and/or lighting structures can vary depending on terrain features, weather patterns, [and] geographic location . . .”¹

CMP is consulting with the FAA on the exact nature of the lighting design, but is proposing a dual lighting system for the three lattice towers nearest the Penobscot River that exceed 200 feet in height. During the day, flashing white lights are proposed, and at night, continuous (i.e., not flashing) red lights will be illuminated. Side lights will be installed at set intervals along the towers. The lattice towers will be lighted at all times, as required by the FAA.

The proposed lighting is designed for aviation safety. Lights will only be installed at 200 feet above ground level and above, and will serve to identify the location of the structures. The lighting is not designed to illuminate the surrounding area in any way, and as a result it will not transmit lighting beyond the property line in a manner that would cause invasive illumination of abutting properties or that would be a hazard or nuisance to motorists on adjacent roadways.

Construction Schedule

C. (31) Construction schedule: A schedule of construction, including anticipated start and completion dates.

Given the scope of the MPRP, the construction schedule must be flexible, and is updated frequently. The current estimation is as follows:

MPRP Clearing and Construction Schedule, as of 01/14/11		
Type and Location of Construction or Clearing	Start	Finish
Segment 3 ROW Clearing (Frankfort, Winterport, Monroe, Dixmont, Troy, Plymouth, Detroit)	winter, 2011	early summer, 2011
Segment 1 ROW Clearing (Orrington, Bucksport, Winterport, Frankfort)	spring, 2011	late fall, 2011

¹ U.S. Department of Transportation, Federal Aviation Administration Advisory Circular No. 70/7460-1K

MPRP Clearing and Construction Schedule, as of 01/14/11		
Type and Location of Construction or Clearing	Start	Finish
Construct New Section 203	early spring, 2011	fall, 2011
Demolish Existing 203	fall, 2011	fall, 2012
Construct 3023 from Detroit SS to 388 Crossing	late fall, 2011	summer, 2012
Construct 388 from Orrington to 203 Crossing (includes 388 and 3023 Lattice Towers)	spring, 2012	fall, 2012
Construct 3023 from Orrington SS to 203 Crossing	fall, 2012	fall, 2012
Construct 254 from Orrington SS to Coopers Mill SS	fall, 2012	winter, 2013

The Code Enforcement Officer, Road Commissioner, Selectmen, Town Manager and abutters will be kept informed of exact dates for the start of clearing and construction. Generally, notification is made at least two weeks in advance of the initiation of construction activities, but as soon as the construction start date is known.

Application Form

**Winterport Planning Board
Site Plan/Subdivision Forms
Form 2 of 9
Application Form for:**

Site Plan **Sketch Plan** **Subdivision Review**

Application # _____

1. Applicant:

Name: Central Maine Power Company
c/o Doug Herling
Address: 83 Edison Drive
Augusta, Maine 04336
Telephone: (207) 626-4006

2. Owner:

Name: Central Maine Power Company
c/o Doug Herling
Address: 83 Edison Drive
Augusta, Maine 04336
Telephone: (207) 626-4006

3. Applicant's/Owner's Representative:

Name: TRC
Address: 400 Southborough Drive
South Portland, Maine 04106
Telephone: (207) 879-1930

4. Location of Proposed Development:

Address: CMP transmission corridors in southwest Winterport and east Winterport
Zoning District: Stream Protection, Limited Residential, Resource Protection
Tax Map and Lot Number: Map R-1/Lot 90; Map R-7/Lot 132; Map R-8/Lot 1; Map R-11/Lot 178 & 194; and Maps R-7, 8, 11 ROW labeled Maine Electric Power Company. Also designated as T01-006.
Registry Book & Page Numbers: Various; see updated Appendix C, below

5. Uses:

Existing Use: Electric transmission
Proposed Use: Electric transmission

6. Landowners within 300 Feet (attach pages if necessary)

Tax Map & Lot: See updated Appendix B, below
Name: See updated Appendix B, below
Mailing Address: See updated Appendix B, below

Certification:

This application and all information submitted herewith are true and correct to the best of our knowledge. If approval is granted, all work prosecuted shall be performed in strict conformance with the approved application, conditions imposed by the Winterport Planning Board and the Winterport Land Use Ordinance. Permission is hereby granted to the Winterport Code Enforcement Officer, or his/her designee, to enter and have access to the subject property at all reasonable and proper times during and immediately upon completion of construction to ensure compliance with the approved application and the Winterport Land Use Ordinance. Failure to grant such access shall result in the immediate issuance of a stop work order.

It is understood that no application shall be deemed pending until and unless it has been certified as complete by the Winterport Planning Board, that the Planning Board shall not conduct a substantive review, a review of the application to determine whether it complies with the standards set forth in the Winterport Land Use Ordinance, until the application has been deemed complete. It is further understood that neither the submission or review of nor public comments about a preapplication sketch plan, nor the conduct of a site inspection shall be construed to be a substantive review of the proposed development.

Date

Date

Signature of Applicant's Agent

Signature of Owner

Request for Waivers

Central Maine Power Company requests the waiver of the submission requirements listed in the table below that are deemed unnecessary, inapplicable, or inappropriate.

SITE PLAN REVIEW APPLICATION REQUIREMENTS, Article IV Section 9		
	Reason for Waiver	Explanation
<p>A. Information required on all developments: Preliminary Information</p> <p>1) Application Form. Evidence of sufficient right, title, or interest in the premises to permit the applicant to undertake the activity or use for which site plan approval has been requested including, but not limited to, a copy of the current deed to the tract being developed and copies of all deed restrictions, easements, rights-of-way or other encumbrances currently affecting the property. A fully executed and signed copy of the application form is required accompanied by together with evidence of right, title and interest in the property. The applicant shall submit one (1) original of all maps and drawings on durable permanent transparency material;</p>	For submission of maps and drawings on transparency, request waiver – submission is inappropriate. Application form, evidence of RTI, and record of project design are included.	A new application form is included with this submission. For evidence of Right, Title and Interest, see original application, p. 9-10 and the updated Appendix D, included. The included maps are sufficient as a record of the project design. Transparencies are more appropriate to lot development.
2) Fees. Evidence of payment of all applicable fees as set forth in Section 8.	Included	Check for \$100 attached.
3) Copies Ten (10) copies of written materials plus ten (10) sets of maps or drawings containing the information required in this section. All written materials shall be organized and bound in a three ring binder.	Included (request waiver of three ring binders)	
4) Covenants and Agreements. Any restrictive covenants or maintenance agreements intended to run with the land, or any portion thereof, or any dwelling unit;	Unnecessary	See the original application, Appendix D
5) Declaration. If a condominium, as defined by the Maine Revised Statutes as amended, is to be created, a copy of the proposed declaration, development rights, special declarant rights, and bylaws of the unit owners' association;	Inapplicable	Not a condominium
6) Farmland. A statement as to whether or not the farmland is registered under the provisions of State law;	Inapplicable	Not registered farmland
7) Standard for Registered Farmland: No permit or site plan approval shall be granted by the Planning Board for any inconsistent development upon	Inapplicable	See original application, p. 8, 01.05.09.03 Neighbors

SITE PLAN REVIEW APPLICATION REQUIREMENTS, Article IV Section 9

	Reason for Waiver	Explanation
or use of land within one hundred fifty feet (150') of farmland properly registered pursuant to the provisions of 7 M.R.S.A 41 et seq., . . .		
8) Location Map. Location map showing the general location of the site and showing the boundaries of all contiguous property under the control of the owner or applicant regardless of whether all or part is being developed at this time;	Included	See maps, Appendix A
9) Names and Seals. The name(s), registration number(s), and seal(s) of the land surveyor, architect, engineer, and/or similar professionals assisting with the preparation of the plan;	Unnecessary	See p. 16, 01.05.09.33 Map Legend of original application
10) Neighbors. The names and addresses of all other property owners within three hundred feet (300') of the property in question and an indication of whether any land within one hundred fifty feet (150') of the proposed development has been registered as farmland pursuant to 7 M.R.S.A § 41 et seq;	Unnecessary	See original application, p. 8, 01.05.09.03 Neighbors
11) Permit. Because of the special expertise of other reviewing authorities, the Planning Board shall require, as part of an application, all applicable permits or approvals from the Maine Department of Environmental Protection, Department of Transportation and the United States Army Corps of Engineers, and may require any other permits or approvals referred to in Section 6(H);	Unnecessary	Copies of the DEP, PUC and Army Corps of Engineers' permits on compact disk were submitted to the Town on August 2, 2010.
12) Performance Guarantees. The form of any proposed performance guarantee;	Unnecessary	Waived for original application; see p. 14, 01.05.09.25 Performance Guarantees
13) Soils. A medium intensity soils survey, unless a high intensity is required by the Planning Board, identifying the soil boundaries and names in the proposed development with soils information superimposed on a plot plan in accord with the USDA Soil Conservation Service National Cooperative Soil Classification;	Unnecessary	Waived for original permit application.
14) Standards for Soils. No activity shall be permitted in any area where the	Unnecessary	Waived for original permit

SITE PLAN REVIEW APPLICATION REQUIREMENTS, Article IV Section 9

	Reason for Waiver	Explanation
soil is rated severe or very severe for the proposed activity according to the County Soil Survey of the U.S.D.A. Soil Conservation Service, unless satisfactory evidence is presented that construction methods will overcome soil inadequacies.		application. See pp. 10-11 of original application, 01.05.09.11 Soils.
15) Survey. Perimeter survey of the parcel made and certified by a registered land surveyor licensed in Maine, relating to reference points, showing true North point, graphic scale, corners of the parcel, the date of the survey and the total acreage;	Inappropriate	Perimeter surveys are appropriate for lot development; the corridor is defined by a set distance from a line; the maps show project boundaries, true North, graphic scale, and date of mapping.
16) Taxes and Assessments. Evidence that the applicant is not in arrears in the payment of any local taxes or assessments;	Included	See updated Appendix I.
17) Technical and Financial Capacity. Evidence of the applicant's technical and financial capacity to complete the site plan as presented, including, but not limited to a list of all construction materials (including estimated quantities and costs), an estimate of all anticipated labor costs and all other projected costs associated with the project, and the applicant's proposed method of meeting such costs;	Unnecessary	See original application, p. 14, 01.05.09.26 Technical and Financial Capacity.
18) Standards for Technical and Financial Capacity. A letter from a bank, or other satisfactory documentation, that demonstrates that the applicant has adequate financial capacity to pay costs associated with the site development to meet the standards set forth in this ordinance.	Unnecessary	See original application, p. 14, 01.05.09.26 Technical and Financial Capacity.
19) Written Permission. Written permission from the owner of the property allowing the Code Enforcement Officer, or his/her designee, to enter and have access to the property at all reasonable proper times during and immediately upon completion of construction to ensure compliance with all applicable standards set forth in this ordinance.	Included	See Application Form.

SITE PLAN REVIEW APPLICATION REQUIREMENTS, Article IV Section 9

	Reason for Waiver	Explanation
B. Information required of all developments: Existing Conditions		
1) Abutting buildings. The location of buildings on abutting properties and within 300 feet of the property line of the proposed developments;	Included	See maps, Appendix A.
2) Buildings. The location of buildings on abutting properties and within 300 feet of the property line of the proposed development;	Included	See maps, Appendix A.
3) Drainage facilities. Location of existing natural drainageways, storm drainage facilities, including dimensions of culverts, pipes, etc., open drainage courses, wetlands, on site and within 300 feet of the site;	Included or unnecessary	Topography, wetlands and floodplains are shown on the maps in Appendix A. Also, see original application, pp. 12-13, 01.05.09.15 Stormwater, Sanitary Waste, Potable Water.
4) Driveways, parking areas. The location and dimensions of existing driveways, parking and loading areas, and walkways on the site;	Included	See maps, Appendix A.
5) Exterior lighting. The location and type of all existing exterior lighting;	Included	See "Outdoor Lighting"
6) Floodplains. The location of any floodplain as shown on the Town's Flood Insurance Rate Maps. The clear identification of any portion of the site subject to storm flooding as indicated by standing water occurring on saturated soils after a heavy rain, or land inundated when a surface water body overflows its bank;	Included	Floodplains and floodways are on the maps, Appendix A.
7) Standards for Floodplains. If it is determined, based on the Federal Emergency Management Agency's Flood Boundary and Floodway Maps and flood Insurance Rate Maps and Information presented by the applicant, that the proposed development, or any part of it, is in a flood-prone area, the site plan shall not be approved until the applicant has obtained any required Flood Hazard Development Permit and until any plat or map to be recorded contains a written condition that principal structures constructed in such an area shall be constructed with their lowest floors, including basements, at least one foot (1')	Unnecessary	A Flood Hazard Development Permit was obtained on September 16, 2010. There is a net reduction in impacts within the floodplain with the new design.

SITE PLAN REVIEW APPLICATION REQUIREMENTS, Article IV Section 9

	Reason for Waiver	Explanation
above the 100-year flood level. The plat or map shall show the 100-year flood elevation.		
8) Intersections. Location of intersecting roads or driveways within three hundred (300) feet of the site;	Included	See maps, Appendix A.
9) Legend. An indication on each map or plat of magnetic north, the date, a graphic map scale, the names and addresses of the record owner and any developer, designer, the names and seals of surveyor or engineer, the proposed name of any development and the address at which the development is located;	Included	See maps, Appendix A.
10) Natural historic and aesthetic features. Location of all existing physical and natural features on the site and within three hundred feet (300') thereof, including streams, brooks, rivers, or other watercourses, and existing woodlands, freshwater and saltwater wetlands, spawning grounds, wildlife habitat, and trees at least twenty-four inches (24") in diameter as measured four and one-half feet (4-½') above grade. When the proposed site is located within two hundred fifty feet (250') horizontal distance of the normal high water mark of any pond, river or salt water body, the location of public points of access to such waters;	Included	See maps, Appendix A.
11) Property lines. The bearings and distance of all property lines of the property to be developed and the source of this information, prepared by a registered land surveyor as a Standard Boundary Survey;	Included	See maps, Appendix A for approximate boundaries of proposed corridor. Boundary surveys are not conducted for linear development.
12) Sewer and water mains. Location and size of any existing sewer and water mains, culverts, and drains on the property to be developed and of any that will serve the development from abutting streets or land;	Inapplicable	See original application, p. 13.
13) Streets. Location, names, and present widths of existing streets and right-of-way within or adjacent to the proposed development;	Included	See maps, Appendix A. Widths can be judged by the graphic scale.

SITE PLAN REVIEW APPLICATION REQUIREMENTS, Article IV Section 9

	Reason for Waiver	Explanation
14) Surface water flow. The direction of existing surface water drainage flow across the site;	Unnecessary	See original application, p. 13, 01.05.09.15 Stormwater, Sanitary Waste, Potable Water.
15) Topography. Topography showing existing contours of five foot (5') intervals for slopes averaging five percent (5%) or greater, and two foot intervals for land of lesser slope with a bench mark clearly designated;	Unnecessary	5-foot intervals waived for original application; maps in Appendix A show 20-foot contours.
16) Utility poles. The location of all existing utility poles.	Included	See maps, Appendix A.
C. Information required of all developments: Proposed development activity.		
1) Compliance with Plans and Ordinances.		
a) All site plans shall conform with the duly adopted comprehensive plan and with any other applicable municipal ordinances. In making this determination, the Planning Board may interpret the plan or ordinances.	Unnecessary	See original application, p. 30, 01.05.11.16 Aesthetic, Cultural and Natural Areas
b) Any proposed use must be a permitted use for each district in which it is proposed.	Included	
c) The proposed development shall not be approved by the Winterport Planning Board as long as the applicant is in violation of this ordinance or of any previously approved subdivision or site plan in the Town of Winterport or is arrears in the payment of any local taxes or assessments.	Included	See updated Appendices H and I.
2) Buildings. The location and dimensions of all proposed building on the site, including heights, footprints and ground floor elevations and the uses of all proposed buildings on the site and proposed use thereof;	Inapplicable	No buildings are proposed.
3) Contours. All proposed contours and proposed finished grade elevations of the entire site and the systems of drainage proposed to be constructed. Contour intervals shall be specified by the Planning	Included	See maps, Appendix A.

SITE PLAN REVIEW APPLICATION REQUIREMENTS, Article IV Section 9

	Reason for Waiver	Explanation
Board.		
4) Dimensional requirements. Location and dimensions of all proposed buildings, structures, streets, easements, driveways, entrances and exits on the lot of the proposed site and within two hundred feet (200') of said lot (see standards for streets, sidewalks and access, Article IV Section 10(C)).	Included	See maps, Appendix A. See also the original application, p. 11, 01.05.09.13 Streets, Sidewalks and Access
5) Driveways and curb cuts. The location and dimensions and materials to be used in the construction of proposed access drives and curb cuts to the lot from public streets (see standard for streets, sidewalks and access, Article IV, Section 10(C) and Section 9(D)(7), Standards for fire protection).	Inapplicable	No driveways or curb cuts are proposed.
6) Incineration. The type, size and location of all incineration devices.	Inapplicable	No incineration devices will be used.
7) Landscaping. All landscaped areas and features (including without limitations fencing, walls and open spaces), and size and type of planted materials.	Inapplicable	No landscaping is proposed. See original application, p. 23, 01.05.11.10 Landscaping.
8) Standards for landscaping: All site plans shall provide for the landscape to be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal and grade changes. And should conform to shoreland zoning standards if applicable.	Inapplicable	No landscaping is proposed. See original application, p. 23, 01.05.11.10 Landscaping.
9) Municipal Services. The impact of the proposed development on the municipal services.	Inapplicable	The proposed development will not utilize any municipal services. See the original application, p. 11, 01.05.09.14 Solid Waste, p. 13, 01.05.09.16-18 (Public Sewer Capacity, Stormwater Disposal Capacity, and Subsurface Wastewater) ; p. 30, 01.05.11.17.02 Fire Protection; p. 31, 01.05.11.21 Other Municipal

SITE PLAN REVIEW APPLICATION REQUIREMENTS, Article IV Section 9

	Reason for Waiver	Explanation
		Services.
10) Standards for Off-Site Improvements. When necessary to serve the needs of the proposed development or to protect the health, safety and general welfare of the community, the Planning Board may require that off-site improvements of streets, sewer, and/or water systems be completed at the developer's expense. . . .	Unnecessary	See the original application, p. 32, 01.05.11.23 Off-Site Improvements.
11) Standards for Other Municipal Services. All site plans shall demonstrate that the proposed development will not cause an unreasonable burden on the Town's ability to deliver other necessary services not otherwise described above, including, but not limited to, police protection, road maintenance and snow removal, and schools.	Inapplicable	See the original application, p. 31, 01.05.11.21 Other Municipal Services.
12) Natural, Historic, and Aesthetic Features. The locations of all natural and historic features to be preserved, the conditions of such preservation and the manner in which same shall be enforced;	Unnecessary	See original application, p. 16, 01.05.09.31 Natural and Historic Features.
13) Standards for Natural, Historic and Aesthetic Features. All plans will demonstrate that the proposed development will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, rare and irreplaceable natural areas, or any public rights for physical or visual access to the shoreline. Such rights of access shall be maintained by means of easements or rights-of-way, or should be included in any reserved open space, with provisions made for continued public access. If the proposed development contains any identified historical or archeological sites, or any areas identified in the Comprehensive Plan or by the Maine Natural Areas Program as rare and irreplaceable natural areas, these areas shall be included as open space, and suitably protected by appropriate covenants and management plans. With respect to subdivisions . . .	Included	Also see the original application, p. 30, 01.05.11.16 Aesthetic, Cultural and Natural Areas. The proposal is not a subdivision, and therefore standards 13(a) through (i) do not apply.
14) Noise. The type, size and location of all machinery or equipment likely to generate appreciable noise at the lot lines;	Included	See "Noise."

SITE PLAN REVIEW APPLICATION REQUIREMENTS, Article IV Section 9

	Reason for Waiver	Explanation
15) Outdoor lighting. The size, location and direction and intensity of illumination of all major outdoor lighting apparatus and signs;	Included	See "Outdoor Lighting."
16) Parking. Location and arrangement of proposed off-street parking and loading areas and their appurtenant drives and maneuvering areas;	Inapplicable	See original application, p. 40, 01.05.12.15 Parking.
17) Public Sewer Capacity: When sanitary waste disposal is to be accomplished by connection to the public sewer, an affidavit from the Sewer District stating that municipal sewer facilities have the capacity to collect and treat the wastewater and approving any plans for extension of or connection to the municipal sewer facilities;	Inapplicable	See original application, p. 13, 01.05.09.16 Public Sewer Capacity.
18) Standards for Public Sewer Capacity	Inapplicable	See original application, p. 13, 01.05.09.16 Public Sewer Capacity.
19) Public Water Capacity: When water is to be supplied by public water supply, an affidavit from the Water District indicating there is adequate supply and pressure and approving and plans for extension of or connection to the public water supply system.	Inapplicable	See original application, p. 13, 01.05.09.21 Public Water Capacity.
20) Standards for Public Water Capacity	Inapplicable	See original application, p. 13, 01.05.09.21 Public Water Capacity.
21) Right-of-way, easements. All proposed right-of-way, easements and other legal restrictions which may affect the premises in question.	Inapplicable	Waived for original application.
22) Signs. Location, front view, dimensions, materials, and size of all proposed signs, together with the material for securing the signs, and all permanent outdoor fixtures.	Inapplicable	See original application, p. 41, 01.05.12.16 Signs.
23) Solid Waste. Methods and locations of waste storage and disposal, together with a written statement from the appropriate municipal official stating that the proposed development will not cause an unreasonable burden on municipal waste disposal services if such	Unnecessary	See original application, p. 11, 01.05.09.14 Solid Waste.

SITE PLAN REVIEW APPLICATION REQUIREMENTS, Article IV Section 9

	Reason for Waiver	Explanation
services are to be utilized.		
24) Standards for Solid Waste: All developments shall demonstrate, in compliance with the following standards, that the proposed development will have adequate and environmental sound means of disposing of the wastes that the proposed development can reasonably be expected to generate.	Unnecessary	See original application, p. 11, 01.05.09.14 Solid Waste.
25) Storm drainage. The location, type and size of all proposed catch basins, storm drainage facilities, streams and watercourses. When stormwater disposal is to be accomplished by connection to the public stormwater disposal system, an affidavit from the Sewer Superintendent or the Code Enforcement Officer stating that municipal stormwater disposal facilities have adequate additional capacity and approving any plans for extension of or connection to the municipal wastewater disposal system.	Included or Unnecessary	See maps, Appendix A for streams and watercourses. No stormwater disposal system is necessary. See original application, p. 13, 01.05.09.15 Stormwater, Sanitary Waste, Potable Water.
26) Maintenance of stormwater, sanitary waste, and potable water systems. Maintenance requirements and responsibilities of existing and proposed stormwater disposal, sanitary waste disposal, and potable water supply systems shall be certified by a licensed civil engineer and approved by the Sewer and Water Districts;	Unnecessary	See original application, Appendix F for maintenance of erosion control measures.
27) Subsurface Wastewater Disposal. When sanitary waste disposal is to be accomplished by subsurface wastewater disposal systems, an on-site investigation report by a site evaluator, certified by the Maine Department of Human Services, and containing the types of soils, locations of test sites, and proposed locations and designs of the most appropriate and suitable subsurface wastewater disposal systems and evidence of the cumulative impact of the proposed systems when considered in conjunction with other subsurface wastewater disposal systems in the vicinity.	Inapplicable	See original application, p. 13, 01.05.09.18 Subsurface Wastewater.

SITE PLAN REVIEW APPLICATION REQUIREMENTS, Article IV Section 9

	Reason for Waiver	Explanation
Standards for Subsurface Wastewater Disposal.	Inapplicable	See original application, p. 13, 01.05.09.18 Subsurface Wastewater.
28) Utilities. Location and dimensions of all proposed utilities and easements, including sanitary sewerage, water, electricity and fire protection systems.	Inapplicable	See original application, p. 14, 01.05.09.23 Utilities.
29) Wastes. The amount and type of any waste materials to be stored outside of roofed buildings, including their physical and chemical properties.	Inapplicable	See the original application, p. 19, 01.05.11.05.02, p. 11, 01.05.09.14 Solid Waste.
30) Legend. An indication on each map or plat of magnetic north, a graphic map scale, the names and addresses of the record owner and any developer, the name and seal of surveyor or engineer, the proposed name of any development and the address at which the development is located.	Included	See maps, Appendix A.
31) Construction schedule. A schedule of construction, including anticipated start and completion dates.	Included	See "Construction Schedule."
32) Water Supply. Information on the type of water supply proposed, if it is other than a connection to the public water supply system.	Inapplicable	See original application, p. 18, 01.05.11.04 Municipal Water Supply.
33) Standards for Water Supply.	Inapplicable	See original application, p. 18, 01.05.11.04 Municipal Water Supply.
D. Additional Proposed Plan Information required of major developments		
1) Air Emissions. Specifications on any air emissions to be generated by the proposed development.	Inapplicable	See original application, p. 27, 01.05.11.13 Air Quality.
2) Standards for Air Emissions.	Inapplicable	See original application, p. 27, 01.05.11.13 Air Quality.

SITE PLAN REVIEW APPLICATION REQUIREMENTS, Article IV Section 9

	Reason for Waiver	Explanation
3) Construction drawings. Construction drawings for streets, sanitary sewers, water supply storm drainage systems and structures, designed and prepared by a design professional registered in the State of Maine.	Unnecessary	There are no streets, sanitary sewers, water supply or storm drainage systems or structures proposed.
4) Dedication of public areas. Written offers of dedication or conveyance to the municipality, in a form satisfactory to the Town Attorney, of all land included in the streets, highways, easements, parks, or other open space dedicated for public use, and copies of agreements or other documents showing the manner in which spaces, title to which is reserved by the developer, are to be maintained.	Inapplicable	No public areas are proposed to be dedicated.
5) Environmental assessment. An assessment of the impact of the development on wetlands, streams, ponds, flood plains, archaeological resources and significant wildlife habitats, including review letters from appropriate State Officials, Environmental assessments shall in conducted in compliance with ASTM (American Society of Testing materials) E 1527.	Unnecessary	See the original application, p. 43, 01.05.12.20 Archaeological Sites. The Maine DEP and the Army Corps of Engineers have assessed the impacts on significant wildlife habitat, wetlands, streams, ponds, and flood plains and found that the proposal meets state and federal standards. See the permits from these authorities.
6) Erosion and Sedimentation. A soil erosion and sedimentation control plan prepared by a qualified licensed professional.	Unnecessary	See original application, Appendix F.
7) Standards for Erosion and Sedimentation. All site plans shall demonstrate that the proposed development will not cause unreasonable soil erosion or a reduction in the land's capacity to hold water so that a dangerous or unhealthy condition results and further that the following standards will be met during construction and after completion.	Unnecessary	See original application, Appendix F.
8) Fire Protection. A plan showing the number, design, location, and adequacy of proposed fire hydrants, dry hydrants or fire ponds, as well	Unnecessary	See original application, p. 30, 01.05.11.17.01 Fire Protection.

SITE PLAN REVIEW APPLICATION REQUIREMENTS, Article IV Section 9

	Reason for Waiver	Explanation
as the proposed access to the site for firefighting equipment and other emergency vehicles, together with a written statement from the Fire Chief approving said plan and indicating that the Fire Department is able to provide fire protection services to the development. And, if required by the Planning Board, the results of a water pressure test demonstrating the sufficiency of water pressure for firefighting purposes.		
9) Standards for Fire Protection		
a) No subdivision which has access to a public water supply shall be developed such that any building lot is more than five hundred feet (500') from a fire hydrant;	<i>Inapplicable</i>	<i>The proposal is not a subdivision.</i>
b) All site plans shall demonstrate that the proposed development will not cause an unreasonable burden on the Town's ability to safely deliver fire protection services.	<i>Unnecessary</i>	<i>See original application, p. 30, 01.05.11.17.02.</i>
c) Driveways longer than 100' must meet the standards established and published by the Fire Chief.	<i>Inapplicable</i>	<i>The proposal does not include any driveways.</i>
10) Groundwater. A statement of the quantity of groundwater to be extracted by the development, expressed as the annual total, the maximum monthly rate and the maximum daily rate, and when total groundwater or spring water extraction shall exceed one thousand (1,000) gallons per day, a groundwater extraction impact assessment prepared by a licensed professional engineer, (see standards for groundwater, Article IV, Section 10(A);	<i>Inapplicable</i>	See original application, p. 13, 01.05.09.20 Groundwater
11) Hydrogeologic Assessment. A hydrogeologic assessment will be required when any development that will not be served by the public sewer and that will contain five (5) or more lots, dwelling units or rental units, or that will generate a daily average of five hundred (500) gallons of wastewater in any two (2)-month period . . .	<i>Inapplicable</i>	The proposed development will not be served by public sewer, nor will it contain 5 or more lots, dwelling units or rental units, and will not generate a daily average of five hundred (500) gallons of wastewater in any two (2)-month

SITE PLAN REVIEW APPLICATION REQUIREMENTS, Article IV Section 9

	Reason for Waiver	Explanation
		period.
12) Planting plan. A planting plan and schedule keyed to the site and indicating the general species and sizes of trees, shrubs, and other plants to be planted on the site.	Inapplicable	No landscaping is proposed. See original application, p. 23, 01.05.11.10 Landscaping.
13) Public use areas. The location of any pedestrian ways, lots, easements, open spaces and other areas to be reserved for or dedicated to public use and/or ownership. . . .	Inapplicable	No public areas are proposed to be dedicated.
14) Storm water plan. A storm water drainage and erosion control program showing:	Unnecessary	See the original application, Appendix F for the erosion and sedimentation control plan.
15) Street, Sidewalks and Access. The location and names of existing streets and sidewalks and the location, proposed names, and design details of proposed streets, sidewalks and other means of access . . .	Inapplicable	See the original application, p. 18, 01.05.11.02 Streets, Sidewalks and Access
16) Traffic Impact. An estimate of the amount and type of vehicular traffic to be generated on a daily basis and at peak hours and, for all developments of ten (10) or more lots, dwelling units or rental units, for all developments expected to generate more than one hundred (100) vehicle trips per day, and for all development deemed by the Planning Board, because of special circumstances to require it. . . .	Inapplicable	See the original application, p. 14, 01.05.09.24 Traffic Impact
17) Utilities. Location and design of all existing and proposed utilities such as gas, electricity, cable television and telephone.	Included	The proposal does not include the <i>use</i> of any utilities. Proposed transmission utility structures are shown on the maps in Appendix A.

**Maps Showing Change in
Previously Approved Design**

**Appendix A: Updated Maps and Cross Sections
for Segment 1**

Appendix D: Status of Right, Title or Interest

**Appendix H: Letter from Winterport
Code Enforcement Officer**

Appendix I: Payment of Taxes

**Appendix J: Memorandum of Agreement Among
the Army Corps of Engineers, the Maine State
Historic Preservation Officer, and the Advisory
Council on Historic Preservation Regarding
Central Maine Power Company's Maine Power
Reliability Program**