



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

**WINTERPORT, MAINE
SITE PLAN REVIEW AND SHORELAND
ZONING PERMIT APPLICATION**

Segment 1:

*Sections 3023 & 254 Transmission Line Construction
Section 388 Transmission Line Relocation*

and

Segment 3:

*Sections 3023 Transmission Line Construction
Section 203 Transmission Line Relocation*

Prepared for:

Central Maine Power Company
83 Edison Drive
Augusta, Maine 04336

Prepared by:



TRC Engineers, LLC
249 Western Avenue
Augusta, Maine 04330

April, 2009

**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 Mary Smith
Address: 83 Edison Drive
Augusta, Maine 04336
Telephone: (207) 626-4006

2. Owner:

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

3. Applicant's/Owner's Representative:

Name: TRC
c/o Alison Truesdale
Address: 400 Southborough Drive
South Portland, Maine 04106
Telephone: (207) 879-1930 x 135

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 application Appendix C

5. Uses:

Existing Use: Electric transmission
Proposed Use: Electric transmission

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

Tax Map & Lot: See application, Appendix B

Name: See application, Appendix B

Mailing Address: See application, Appendix B

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.

April 2, 2009
Date

Date

Alicia Truesdell
Signature of Applicant TRC

Signature of Owner

Introduction

The project described in these application materials is located, in part, within the Shoreland Zone, triggering the need for a Shoreland Zoning Permit. (Winterport Land Use Ordinance (the “Ordinance”), § 01.03.01.) Site Plan Review for the project also is required by the Ordinance. (Ordinance, § 01.05.02.01.) These application materials address both the Site Plan Review and Shoreland Zoning Permit standards.

Following the description of the project, these application materials are divided into four parts, each of which corresponds to, and is organized in accordance with, a relevant portion of the Ordinance:

Part A: 01.05.09 Site Plan Review Application Components, page 8

Part B: 01.05.11 General Review Standards, page 18

Part C: 01.05.12 Shoreland Standards, page 33

Part D: 01.08 Standard Conditions, page 44

Maine Power Reliability Program Description

The Maine Power Reliability Program (MPRP) is a project by Central Maine Power Company (CMP) to upgrade Maine’s bulk power system. The vast majority of Maine’s bulk power transmission system was placed into service in the early 1970s and is now reaching the limits of its ability to meet the growing electrical demand of Maine customers. Since the last major transmission infrastructure was completed more than 30 years ago, the patterns of both available generation and customer load have shifted significantly. For example, population has become more concentrated in the southern part of the state, while the generation needed to serve that load is now more distant and dispersed. When these pattern changes are combined with the increasing peak demand, the current transmission infrastructure in Maine will, in very few years, become inadequate. In addition, the reliability and security standards mandated by law and administered by the North American Electric Reliability Corporation (NERC), the Northeast Power Coordinating Council, Inc. (NPCC), and ISO New England (ISO-NE) have changed significantly in recent years. Central Maine Power Company must upgrade its bulk power system with this proposed project in order to meet the mandatory standards and to provide reliable electric service to Maine customers into the future.

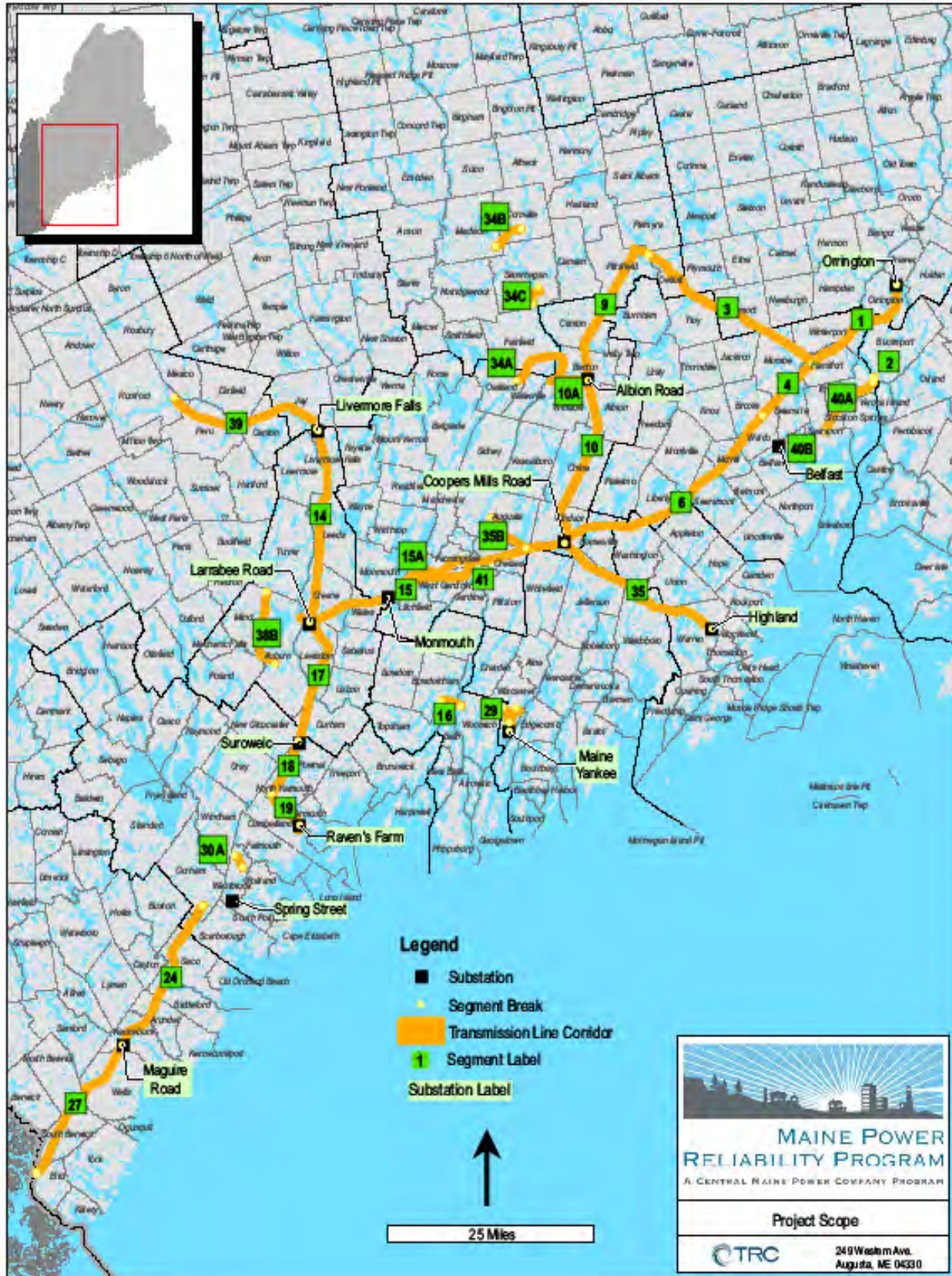
CMP's 345 kV transmission system was built and put into service in 1971. Since then, power consumption has more than doubled. In recent years, both CMP and ISO-NE have identified certain reliability issues with the 345 kV system that need to be assessed and addressed.

In January of 2007, the MPRP began a comprehensive needs assessment of CMP’s bulk power transmission system. The study included a 10-year forecast to evaluate the system in Maine, including a review of system reliability and performance under various system conditions and operating scenarios, as well as a needs assessment to ensure a reliable transmission system in the most cost-effective manner possible. The study identified a number of significant reliability issues with Maine’s bulk transmission system, including insufficient 345 kV transmission

capacity, insufficient 115/345 kV transformation capacity, and insufficient transmission support and/or infrastructure in all regions served by CMP.

After completing the needs assessment, the MPRP team went to work to study possible solutions. This included both transmission and non-transmission alternatives, before designating its preferred solution.

CMP ultimately selected a primarily transmission-based solution (a small geographic area known as the South Portland loop will be addressed through non-transmission alternatives), based on a number of factors, including electrical performance, cost effectiveness, impacts to landowners, and the effect on Maine's environment under various forecasts of future conditions. The proposed solution consists of a network of 345 kV and 115 kV transmission lines and associated substations throughout CMP's service territory where particular needs were identified. The proposed transmission solution ranges from Eliot in the south, Rumford in the west, Warren and Searsport in the east, and Orrington and Pittsfield to the north. In all, MPRP will encompass nearly 80 Maine towns, and will require approvals from the Maine Public Utilities Commission, the Maine Department of Environmental Protection, the Army Corps of Engineers, and numerous municipalities.



The Project Within Winterport

There are currently two transmission corridors within Winterport. These corridors are part of what CMP refers to as Segment 1 and Segment 3. Segment 3 runs from Pittsfield to Frankfort; Segment 1 runs from Frankfort to Orrington (see the Project Overview Map, Appendix A). Both the existing and proposed use of the corridor fall within the definition of Essential Services under Section 01.12.02.

Segment 3

Existing Conditions

A short section of Segment 3 (about one third of a mile) crosses from Monroe, through Winterport, and into Frankfort at Stream Road/Goshen Road just southwest of Haley Road. Currently, Section 203, a 115 kV line, runs along the corridor on wooden, two-pole structures that are typically 45 feet tall. While the right-of-way is 218 feet wide, only about 150 feet of it is cleared. There are no shoreland zones within this right-of-way. The existing right-of-way covers 10 acres.

Proposed Construction

As part of the Maine Power Reliability Program, CMP proposes to clear the existing right-of-way in order to make room to install a new 345 kV line, Section 3023. A band of trees along the northeast side of the corridor approximately 68 feet wide will be cleared. It will also be necessary to construct temporary accessways within the corridor in order for construction crews to access the pole locations. These accessways will be removed once construction is complete, disturbed soil will be mulched, and the natural vegetation will be allowed to reestablish itself.

CMP proposes to relocate Section 203 approximately 93 feet to the northeast, within the existing corridor, on 75-foot tall, wooden single-pole structures. The new line, Section 3023, will be carried on double wooden poles (H-frames) approximately 75 feet tall where Section 203 is located now. See cross section N5-3-2, and Map 7 in Appendix A. Acquisition of new land is not necessary to accommodate this upgrade to Segment 3, thus no expansion of the right-of-way is proposed for Segment 3 in Winterport.

Segment 1

Existing Conditions

Segment 1 is a major corridor crossing Winterport from Marsh Stream just east of Elderberry Lane, to the Penobscot River north of Oak Point. The entire Segment 1 corridor within Winterport is about 4.4 miles. Currently, Section 388 runs through the corridor on 75-foot wooden H-frame structures until the line is within 1.3 miles of the Penobscot River. At this point, Section 388 is carried on steel lattice structures that are typically 140 feet tall. The lattice tower on the bank of the Penobscot River is approximately 300 feet tall.

The existing right-of-way is 270 feet wide for about 3 miles, measured from Marsh Stream. About 170 feet is cleared for the transmission line. About ¼ mile from where the corridor crosses North Main Street, then northeast to the Penobscot River, the existing right-of-way

widens to 500 feet, of which 170 feet on the north side is cleared. The existing right-of-way covers 182 acres.

Proposed Construction – Overview

Two transmission lines are proposed to be constructed within the Segment 1 corridor: a new 115 kV line (Section 254), and a new 345 kV line (Section 3023). Through approximately 3¼ miles of the corridor, both of the new lines will be carried primarily on double-pole, wooden H-frame structures like the existing ones for Section 388. Section 388 will have to be rebuilt in some areas (as described below) in order to accommodate the two new lines.

The existing right-of-way will have to be widened in some areas. CMP's design preference for 345 kV transmission structures is to use 75-foot H-frames in order to control costs to ratepayers (by avoiding the use of steel structures) and to maintain a reliable transmission system (by using sturdy structures). Furthermore, structures of all types require a certain amount of clearance around them to allow for safe operation; this includes ensuring that the conductors (wires) do not come too close to one another, or to the gas pipeline that runs through the right-of-way. The required space is not always available within the existing right-of-way, necessitating the acquisition of land or easements from abutting landowners.

Given these constraints, CMP is proposing to widen its right-of-way in Winterport in the 0.9-mile section of corridor as measured northeast from Marsh Stream (see Maps 1 and 2 and cross sections N5-1-4-ENG-OPT and N5-1-5-ENG-OPT, Appendix A), and in a 1-mile section of the corridor between Coles Corner Road and North Main Street (see Maps 3 and 4, and cross sections N5-1-7-ENG-OPT and N5-1-8-ENG-OPT, Appendix A). CMP proposes to expand the right-of-way by a total of 31 acres.

Some clearing of vegetation will be required within the proposed corridor to accommodate the project and to ensure that the project meets federal reliability and safety standards. The amount of clearing will be limited to that which is necessary for development of the proposed project, and will require the removal of trees and saplings that are capable of growing tall enough to interfere with the transmission lines (so-called “capable species”) and, in some instances, the occasional removal of mature “danger” trees. Danger trees are those that are large enough and positioned in such a manner that they could fall into the conductor, thereby posing a severe reliability risk. However, the removal of danger trees is a relatively infrequent activity. Removal of trees for utility line construction is performed using traditional forest harvesting equipment.

Non-capable species are allowed to grow to ensure that the corridor is vegetated, which prevents erosion and provides wildlife habitat. No grubbing (i.e., stump removal) will take place. In Winterport, all trees in the right-of-way will be cleared, with the exception of the 500-foot wide portion of the corridor where a band of trees approximately 130 feet wide on the southeast side will be kept intact. Over a short period of time (general months), the newly cleared portion of the right-of-way will resemble the early-successional habitat type that occurs in the existing right-of-way.

Existing accessways will be used by construction crews to the extent possible, but new, temporary accessways will need to be built in some areas. These will be removed after construction is complete, and the native shrubs will be allowed to regenerate.

Map 1, Cross section N5-1-4-ENG-OPT

This area covers approximately 1/3-mile from Marsh Stream to the northeast. Sections 254 and 3023 will be constructed on either side of the existing Section 388, on wooden H-frames typically 75 feet high (like the structures that are there now). A strip of land varying between 100 and 248 feet wide is being purchased from abutters, making the corridor 518 feet wide at Marsh Stream, and narrowing to 370 feet. The extra land is necessary in order to be able to place the Section 3023 H-frames at a safe distance from Section 388 and the cable and natural gas lines in this area. Three Section 3023 structures will be 248 feet to the southeast from the existing line, and 85 feet from the edge of the proposed right-of-way.

A 100-foot strip on the northwest side of the corridor, and up to 185 feet on the southeast side will be cleared of trees to accommodate the three lines.

Maps 1 and 2, Cross section N5-1-5-ENG-OPT

Over the next 1/2 mile, the proposed corridor is 370 feet wide, requiring the purchase of an additional 100-foot strip from abutters. Here, the H-frames will be 100 feet from each other and 85 feet from the edge of the right-of-way. The newly acquired 100-foot strip will be cleared of trees, as well as another strip of trees approximately 75 feet wide on the northwest side of the existing corridor.

Maps 2 and 3, Cross section N5-1-6-ENG-OPT

From 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 corridor is not being widened, but will remain at its current width of 270 feet. In this area, the 75-foot wooden H-frames will be replaced with single-pole, 125-foot steel structures for Sections 254 and 388, because the single-pole structures require a narrower safety zone.

Section 388 will be moved from the existing H-frame structures to new steel poles 75 feet to the northwest. Another line of steel poles will carry Section 254 50 feet further to the northwest. This will put Section 254 60 feet from the edge of the right-of-way. The existing H-frames will be removed and replaced with new H-frames to carry Section 3023, 85 feet from the other edge of the right-of-way. A narrow strip of trees within the existing corridor will be cleared.

Map 3, Cross section N5-1-7-ENG-OPT

Beyond Coles Corner Road, the 370-foot wide section of corridor will widen again to 437 feet for 0.2 mile. A 165-foot strip of land will be purchased from abutters on the southeast side in this section of the corridor.

The transmission structures will revert to H-frames again, with approximately 167 feet between sections 388 and 3023 in order to leave a sufficient safety zone around the natural gas line. Both sections 254 and 3023 will be 85 feet from the edge of the right-of-way.

Trees on either side of the corridor will be cleared: a strip 100 feet wide on the northwest side, and 167 feet wide on the southeast.

Maps 3 and 4, Cross section N5-1-8-ENG-OPT

In this area, the proposed corridor narrows again to 370 feet for 0.8 mile, requiring the purchase of a strip of land 100 feet wide. All three sections will be carried on H-frames 100 feet apart and 85 feet from the edge of the right-of-way. All trees within the existing and expanded areas of the corridor will be cleared.

Maps 4 and 5, Cross section N5-1-9-ENG-OPT

The existing 500-foot wide portion of the corridor runs from about 0.2 mile southwest of North Main Street to the Penobscot River, and will not have to be widened. Section 388 is already carried on steel lattice towers, typically 140 feet high, from 0.2 miles west of North Main Street to the Penobscot River. CMP is proposing to use the Section 388 conductor on the towers on the northwest side of the corridor for Section 254, and to run new conductor for Section 388 on new H-frames constructed 100 feet to the southeast. Another set of wooden H-frames will be constructed another 100 feet to the southeast to carry Section 3023. A 200-foot strip of trees on the south side will be cleared, leaving the 3023 H-frames and the 254 towers each 85 feet from either side of the right-of-way.

Map 6, Cross section N5-1-10-ENG-OPT

About ¼ mile from the Penobscot River, two sets of steel lattice towers will be used in place of the H-frames for sections 388 and 3023. The inland set of towers will be the same height as the existing lattice tower (about 140 feet), and the towers nearest the shore of the Penobscot River will be approximately 360 feet tall (the existing tower in this area is 300 feet tall). Section 388 will be moved from the towers on the north side to the center towers. Section 254 will be run on the existing towers, and Section 3023 will be run on the towers on the south side of the corridor. Raising the transmission lines on these towers allows the lines to cross the Penobscot River at a safe height.

PART A:

01.05.09 Site Plan Review Application Components

01.05.09.01 Form

A completed application on a form prescribed by the Planning Board;

01.05.09.02 Fees

All applicable fees as set forth in section 01.05.08 except technical assistance fees, which fees shall be paid no later than fifteen (15) days after the application has been deemed complete;

A fee of \$100 was paid to the Town of Winterport on January 27, 2009.

01.05.09.03 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 MRSA § 41 et seq;¹

See Appendix B, Abutters within 300 Feet.

01.05.09.04 Site Map

A map of the site with reference to surrounding areas, existing street locations and the Assessor's map and lot numbers.

See Maps 1-7 , Appendix A, page 49.

01.05.09.05 Owners and Applicants

The name(s) and address(es) of the owner(s), the site plan applicant(s) and any duly authorized representative(s) thereof;

Owner and Applicant:

Central Maine Power Company
c/o Mary Smith
83 Edison Drive
Augusta, ME 04336
Phone: (207) 626-9547
Fax: (207) 626-4006
Email: Mary.Smith@cmpco.com

Engineer:

Steve Walker
POWER Engineers

¹ Note that 7 M.R.S.A. §§ 41 et seq. have been repealed and replaced by sections 51 through 59.

302 US Route 1 Suite 2A
Freeport, ME 04032
Phone: (207) 869-1200
Fax: (207) 869-1299
Email: swalker@powereng.com

Agent:

Alison Truesdale
TRC
400 Southborough Drive
South Portland, ME 04106
Phone: (207) 879-1930 ext. 135
Fax: (207) 879-9293
Email: atruesdale@trcsolutions.com

See Appendix C for the Agent's Authorization Letter.

01.05.09.06 Title

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;

Central Maine Power's existing right-of-way along Segment 3 in Winterport has been owned in fee since 1930. The Segment 1 corridor is also owned in fee, and was acquired over the course of two years in 1969 and 1970. In addition, CMP has acquired fee interest or options to acquire rights to land abutting the existing right-of-way where expansion of the corridor is proposed. (See Appendix C.)

In general, Central Maine Power Company strives to minimize expansions of the number of new transmission corridors and expansions of existing corridors in order to reduce the need to acquire land from abutting property owners. However, this is not always possible, especially where new transmission lines need to be built and the existing corridor is not wide enough to safely accommodate the new line. In these cases, as in Winterport, CMP will make every effort to acquire right, title, or interest in land abutting the existing corridor at fair market value, either through fee acquisition or easement. In many cases, CMP will negotiate options to buy fee interest or easements in advance of permitting.

In instances where CMP and a landowner are not able to agree on the value of the property, and the PUC has issued a Certificate of Public Convenience and Necessity for the project, CMP will be required to apply to the PUC pursuant to 35-A M.R.S.A. §3136 to receive approval to take the land by eminent domain and compensate the landowner at fair market value. CMP's statutory eminent domain authority, combined with its ownership of the existing corridor, recent fee acquisitions and options for future acquisitions, constitutes adequate right, title, or interest to construct the project in Winterport.

Appendix D lists the book and page numbers of CMP's deeds to its existing right-of-way. This appendix also identifies the landowners in Winterport from whom CMP has acquired land or options, along with the map and lot numbers of the parcels, and the legal interest CMP has acquired.

01.05.09.07 Dimensions, District, High Water, Flood Elevation

A map of the area showing lot line dimensions, the normal high water line, and the hundred (100) year flood elevation, if applicable.

See Maps 1-7 , Appendix A.

01.05.09.08 Structures

Location of all existing and 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 Maps 1-7 , Appendix A.

01.05.09.09 Setbacks

All setbacks from bodies of water.

See Maps 1-7 , Appendix A and 01.05.12.12.01, page 40.

01.05.09.10 Natural Features

Location of all existing physical and natural features on the site and within two hundred feet (200') thereof, including streams, brooks, rivers or other watercourses, and existing woodlands, potential 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 (4-1/2') above grade.

See Maps 1-7 , Appendix A.

01.05.09.11 Soils

A medium intensity soils survey, unless a high intensity survey is required by the Planning Board, identifying the soils' 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;

The applicant has analyzed the Soil Survey Geographic Database compiled by the United States Department of Agriculture – Natural Resources Conservation Service, for the soils within the transmission line corridor and determined that those soils will accommodate the proposed MPRP construction activities. The sizes of the area impacted by the structures are estimated to be 30,

40, 65, and 250 square feet per pole or leg of a tower, depending on the structure. Because these areas are too small to map the soils with any accuracy, and because minor changes in the exact location of structures may need to be made on the spot as construction proceeds, the applicant requests waiver of any obligation to conduct a further soil survey under Section 01.05.09.11. If foundations for specific poles need to be constructed, borings will be conducted to verify the suitability of the soils.

01.05.09.12 Topography

Topography showing existing and proposed contours of five foot (5') intervals for slopes averaging five percent (5%) or greater, and at two (2) foot intervals for land of lesser slope, with a bench mark clearly designated.

Detailed maps showing the project location are attached at Appendix A. These maps include topographical information, although at a different scale than contemplated by this standard. Due to the nature of the proposed project, CMP believes the maps in Appendix A provide the information necessary for a thorough review of this project and therefore request waiver of this standard.

01.05.09.13 Streets, Sidewalks and Access

No streets or sidewalks are proposed. Proposed temporary accessways are shown on Maps 1-7 , Appendix A.

01.05.09.14 Solid Waste

Methods and locations of solid 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 solid waste disposal services if such services are to be utilized.

Once the project is constructed there will be no waste generated by the site. CMP anticipates that solid waste generated from the proposed project area will be limited to minimal land clearing and construction debris. This debris is inert, non-hazardous material that will be handled in accordance with the Maine State Solid Waste Management and Recycling Law (38 M.R.S.A. § 2101 et seq.).

The existing Segment 3, Section 203 H-frame structures, associated crossarms, and hardware will be removed in the process of rebuilding the line along the project corridor. Removed poles and crossarms will either be donated to private entities or shipped to an approved special waste landfill for disposal. CMP requires recipients of surplus treated wood to sign a Pole Transfer Agreement, in which they agree to utilize the treated wood beneficially in accordance with Maine Regulations Chapter 418 (Beneficial Reuse), as well as other applicable federal, state, and local laws. This Agreement also obliges recipients to accept full responsibility for the use and proper disposal of these treated wood items. In this way, CMP alerts treated wood recipients of management requirements so that this material is utilized in a way that does not adversely affect any natural resources.

Fourteen H-frames will be removed along Segment 1 in Winterport, so there will be some wastes generated in this regard.

Wood cut and cleared from the MPRP right-of-way will be limited to capable species, i.e., tree species that grow tall enough that they are capable of growing into the safety zone beneath conductors (wires). All merchantable wood will be hauled off and sold for lumber or firewood. All other woody material will be managed in compliance with the Maine Slash Law (12 M.R.S.A. § 9331-9336). All other wood waste generated in the process of land clearing will be shipped off-site to be used as fuel at an appropriate licensed boiler, provided to a licensed chip processing plant, or donated to a facility to be utilized in the production of erosion control mulch.

Construction will generate other construction debris. Waste electrical system and construction process components such as scraps of cable, cable spools, and ceramic insulators will be generated. Most of these materials will be recycled or reused. Construction equipment will generate small amounts of waste plastic containers for oils and lubricants, broken filters and belts, and damaged tires. Construction and managerial staff will generate some waste such as paper, bottles, cans, plastics, and food scraps. All of these materials will be recycled or shipped to a licensed landfill, transfer station, or incinerator. Please refer to the table below.

| MATERIAL | DISPOSITION |
|------------------------------------|---------------------------------------------------------------------------------------------------------|
| Wood (timber, slash, stumps, etc.) | Chipped on site or hauled off site to boiler, chip plant, or mulch production facility |
| Treated wood (poles, crossarms) | Donated or landfilled in licensed special waste landfill |
| Galvanized Steel | Maine Metals Recycling (Auburn) |
| Porcelain Insulators | Commercial Paving Recycling Corporation, Scarborough (CPRC), crushed and used as road sub-base material |
| Food waste, plastics, common trash | Shipped to licensed MSW landfill, transfer station, or incinerator |
| Redeemable drink containers | Redeemed for recycling |
| Ferrous Metals | Maine Metals Recycling |
| Wooden Cable Spools & Pallets | Stuart C. Irby Company (Waterville) for reuse |
| Wooden Insulator Crates | Shipped to licensed MSW landfill, transfer station, or incinerator |
| Paper | Recycled thru FCR Goodman (various Maine locations) |
| Scrap Cable | Maine Metals Recycling |
| Aluminum | Maine Metals Recycling |
| Concrete Debris | CPRC for use in road sub-base |

01.05.09.15 Stormwater, Sanitary Waste, Potable Water

Location, size, design, capacity, and maintenance requirements and responsibilities of existing and proposed stormwater disposal, sanitary waste disposal, and potable water supply systems,

including detailed plans for any connections between proposed systems and existing private or public systems, all of which shall be certified by a licensed civil engineer.

With the exception of the base of the support structures and any structure foundations, there is no increase in impervious surface area associated with the transmission line. Therefore, there will be no significant storm water run-off generated from the project. In addition, there will be no sanitary waste created on site, and no potable water supply developed. See 01.05.09.27 Erosion and Sedimentation, page 14 for information on CMP's erosion and sedimentation control plan.

01.05.09.16 Public Sewer Capacity

Not applicable.

01.05.09.17 Stormwater Disposal Capacity

Not applicable.

01.05.09.18 Subsurface Wastewater

Not applicable.

01.05.09.19 Hydrogeologic Assessment

Not applicable.

01.05 09.20 Groundwater

Not applicable.

01.05.09.21 Public Water Capacity

Not applicable.

01.05.09.22 Fire Protection

Not applicable.

01.05.09.23 Utilities

Location and design of all existing and proposed utilities such as gas, electricity, cable television and telephone, including the size and elevation of underground utilities;

See cross-sections N5-1-4-ENG-OPT through N5-1-10-ENG-OPT, Appendix A, for the approximate locations of the gas pipeline and the cable line. These utilities are not owned by CMP, and they are not part of the proposed project.

01.05.09.24 Traffic Impact

Not applicable.

01.05.09.25 Performance Guarantees

The form of any proposed performance guarantee;

The upgrades proposed by CMP do not include any of the types of improvements for which a performance guarantee is required (monuments, street signs, streets, sidewalks, water supply facilities, sewage disposal facilities, stormwater drainage facilities, utilities). Further, as stated below, CMP has the financial capacity to complete this project (see Appendix E: Energy East Annual Report).

01.05.09.26 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;

CMP is a subsidiary of Energy East Corporation (“Energy East”), a public holding company (symbol: EAS). On December 31, 2007 Energy East had book equity capital of \$3.2 billion and assets of \$11.9 billion on a consolidated basis. On May 28, 2008, Energy East Corporation and its subsidiaries had a debt and equity market capitalization of approximately \$8 billion. On December 31, 2007 CMP had a book equity capital of \$754 million and assets of \$1,950 million. CMP has built and maintains several thousand miles of transmission lines in Maine. CMP has adequate financial resources to develop this project and upgrade the transmission lines in Winterport. A copy of Energy East’s 2007 Annual Report is attached as Appendix E.

01.05.09.27 Erosion and Sedimentation

A soil erosion and sedimentation control plan prepared by a qualified professional;

With the exception of the immediate area around the base of the support structures there is no increase in impervious surface area associated with the transmission line. The amount of ground disturbance associated with this project will be limited to the immediate vicinity of the tower placements and the creation of new accessways so that vehicles and equipment can access the

tower locations. While there will be clearing associated with the existing and acquired land within the transmission right-of-way, the stumps of trees will not be grubbed, and therefore there will be no significant soil disturbance associated with clearing. Any disturbed soils will be quickly stabilized to prevent or minimize erosion and sedimentation issue.

CMP has developed a standard manual, “Environmental Guidelines for Construction and Maintenance Activities on Transmission line and Substation Projects”, which it uses as a routine part of all transmission and substation projects. (A copy of the manual is attached as Appendix F.) This manual contains erosion and sedimentation control requirements, standards, and methods that will be used to protect soil and water resources during construction of the various MPRP components. The manual is largely based on the Maine Department of Environmental Protection’s (DEP) Maine Erosion and Sediment Control BMPs, dated March 2003, and DEP’s Chapter 500 Stormwater Management Rules, and contains specific Best Management Practices appropriate for electric transmission line and substation construction. These guidelines will be followed in the construction of transmission lines.

01.05.09.28 Taxes and Assessments

Evidence that the applicant is not in arrears in the payment of any local taxes or assessments;

[The Town likely has a standard practice it follows to help applicants make this showing. If the Town does not, a letter from the assessor or clerk should work.]

01.05.09.29 Flooding

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;

For Segment 1, aside from the floodplains associated with Marsh Stream and the Penobscot River, there is one tributary to Marsh Stream and three tributaries to the Penobscot that are subject to flooding where the project area crosses these streams. See Maps 1-6, Appendix A.

For Segment 3, there is a floodplain associated with a tributary to Marsh Stream at the west end of the right-of-way within Winterport. See Map 7, Appendix A.

01.05.09.30 Reserved Areas

The locations and legal descriptions of all areas existing and proposed to be dedicated to or reserved for public use, open space or recreation areas, the conditions of such dedication or reservation, and the manner in which same shall be enforced;

Not applicable.

01.05.09.31 Natural and Historic 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;

Following consultation with the Maine Historic Preservation Commission (MHPC) CMP has conducted extensive investigations of potential pre-historic archaeological, historic archaeological and historic architectural surveys along the project corridor. Survey reports have been submitted to the MHPC. See 01.05.11.16 Aesthetic, Cultural and Natural Areas, page 29, below.

01.05.09.32 Survey (for subdivisions)

Not applicable.

01.05.09.33 Map 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 subdivider, designer, surveyor or engineer, the names of all adjoining property owners, the proposed name of any subdivision and the name of the municipality in which the development is located;

The maps provided in Appendix A show magnetic north, the date, and a graphic scale. The addresses of the record owner and engineer are listed on Form 2 of the Winterport Planning Board's Site Plan/Subdivision forms, page i, and at 01.05.09.05 Owners and Applicants, page 8. The names of adjoining property owners are provided in Appendix B.

01.05.09.34 Covenants and Agreements

Any restrictive covenants or maintenance agreements intended to run with the land, or any portion thereof, or any dwelling unit;

No restrictive covenants or maintenance agreements are intended to run with the land.

01.05.09.35 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;

Not applicable.

01.05.09.36 Access to Water

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; and

There are no public access points to the Penobscot River in the vicinity of the transmission corridor.

01.05.09.37 Inspection

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 and proper times during and immediately upon completion of construction to ensure compliance with all applicable standards set forth in this ordinance.

See the signed application Form 2, page i.

01.05.09.38 Mining

Not applicable.

01.05.09.39 Permits

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 and the United States Army Corps of Engineers, and may require any other permits or approvals referred to in Section 01.05.04.07;

Central Maine Power is currently in the process of obtaining permits and approvals from the Army Corps of Engineers, the Maine Public Utility Commission, and the Maine Department of Environmental Protection. The Applicant requests that approval of this permit application be conditioned upon obtaining all appropriate state and federal permit approvals.

01.05.09.40 Legal Documents

Written evidence that the Board of Selectmen and Town Attorney are satisfied with the sufficiency of all legal documents, including proposed deeds, covenants, easements, and restrictions, associated with the development.

There are no proposed deeds, covenants, easements, or restrictions associated with the project.

01.05.09.41 Subdivisions

Not applicable.

01.05.09.42 Signature

The signature(s) of the owner(s) or lessee(s) of the property or the signature(s) of the applicants, if not the owner(s) or lessee(s), certifying that the information in the application is complete and correct. If the person signing the application is not the owner or lessee of the property, then that person shall submit a letter of authorization from the owner or lessee. See Agent Authorization Letter, Appendix C, and Certification Form.

PART B:

01.05.11 General Review Standards

As explained in this part of the application materials, CMP's proposed transmission line upgrades comply with the General Review Standards contained in the Ordinance.

01.05.11.01 Permitted Uses

Any proposed use must be a permitted use for each district in which it is proposed.

The MPRP project in Winterport passes through Limited Residential, Stream Protection, and Resource Protection districts along the Segment 1 corridor (there are no shoreland zones within the Segment 3 right-of-way). Essential Services are a permitted use in these districts, with Planning Board approval. In the Stream Protection and Resource Protection districts, further restrictions apply under Section 01.05.12.19 Water Quality (see page 42 of these application materials).

01.05.11.02 Streets, Sidewalks and Access

Not applicable.

01.05.11.03 Water Supply

Not applicable.

01.05.11.04 Municipal Water Supply

Not applicable.

01.05.11.05 Groundwater

All site plans shall demonstrate that the proposed development shall not, alone or in conjunction with existing activities, adversely affect the quality or quantity of ground water or of body or course of water, and that the development shall comply with the following standards:

No groundwater will be extracted as part of the project. To minimize spill potential during construction, no fueling or maintenance of vehicles will be performed within 100 feet of wetlands, streams or other sensitive natural resources.

After construction, the electrical transmission line corridor is maintained to encourage the growth of scrub-shrub vegetation. Trees within the corridor that are capable of growing up into the conductors ("capable species") must be removed for safety and reliability reasons. CMP uses a selective herbicide program to treat an area once every four years to maintain an early successional stage of growth. Herbicide is selectively applied (using a backpack applicator) to

capable species to prevent growth (or re-growth of a cut plant) of individual plants. No broadcast application is used, and CMP does not use herbicides within 25 feet of any waterbody or wetland with standing water. Crew forepersons are certified by the Maine Pesticide Control Board. All herbicides are EPA registered. Furthermore, the Maine Power Reliability Program will not go forward without first having obtained a Site Location of Development permit from the Maine Department of Environmental Protection, ensuring that the selective use of herbicides within the transmission line corridor will not impose a threat to groundwater quality.

01.05.11.05.01

No activity shall locate, store, discharge, or permit the discharge of any treated, untreated, or inadequately treated liquid, gaseous, or solid materials of such nature, quantity, obnoxious, toxicity, or temperature that run off, seep, percolate, or wash into surface or ground waters so as to contaminate, pollute, or harm such waters or objectionable shore deposits, floating or submerged debris, oil or scum, color, odor, taste, or unsightliness to be harmful to human, animal, plant or aquatic life.

See response to 01.05.11.05 above. No liquid, gaseous or solid materials which could contaminate, pollute or harm surface or groundwater will be stored on the site.

01.05.11.05.02

All above ground storage facilities for fuel chemicals, chemical or industrial wastes, and biodegradable raw materials shall be located on impervious pavement and shall be completely enclosed by an impervious dike which shall be high enough to contain the total volume of liquid kept within the storage area, plus the rain falling into this storage area during a 25-year storm, so that such liquid shall not be able to spill onto or seep into the ground surrounding the paved storage area. Storage tanks for home heating oil and diesel fuel, not exceeding 275 gallons in size, are exempted from this requirement.

See responses to 01.05.11.05 and 01.05.11.05.01 above. There will be no above ground storage areas, exposed machinery installation, service areas, truck loading areas, utility buildings, or other similar structures associated with the project.

01.05.11.05.03

All below ground tanks must meet the standards of the Maine Department of Environmental Protection.

Not applicable.

01.05.11.05.04

No development shall increase any contaminant concentration in the groundwater to more than one-half (½) of the Primary Drinking Water Standards. No development shall increase any contaminant concentration in the groundwater to more than the Secondary Drinking Water Standards.

See responses to 01.05.11.05, 01.05.11.05.01, and 01.05.11.05.02 above. Groundwater will not be contaminated by the construction.

01.05.11.05.05

If existing groundwater quality already exceeds the primary standards, and the development is to be served by on-site groundwater supplies, the applicant shall demonstrate how water quality will be improved or treated.

Not applicable.

01.05.11.05.06

If existing groundwater quality already exceeds the secondary standards, the development shall not cause the concentration of the parameters in question to exceed 150% of the ambient concentration.

Not applicable.

01.05.11.05.07

Subsurface wastewater disposal systems and drinking water wells shall be constructed as shown on the map submitted with the hydrogeologic assessment of groundwater impacts, if one has been required. If construction standards for drinking water wells are recommended in the assessment, those standards shall be included as a note on the Final Plan and as restrictions in the deeds to the affected lots.

Not applicable.

01.05.11.05.08

The Board shall require specific sized lots where completion of the following formula indicates such lot sizes or densities are necessary in order to meet the standards above.

Not applicable.

01.05.11.05.09

The quantity of water to be taken from groundwater sources will not lower the groundwater table at the property lines by more than two feet (2') or to the detriment of any existing groundwater, cause salt water intrusion to any existing well, cause undesirable changes in groundwater flow patterns, or cause unacceptable ground subsidence, based on the conditions of a drought with a probability of occurrence of once in ten (10) years.

Not applicable.

01.05.11.05.10

The proposed development shall not cause water pollution or other diminution of the quality of the groundwater supply from which the water is to be extracted.

Not applicable.

01.05.11.05.11

The proposed development shall not be within the defined aquifer recharge area of a public water supply, unless notice is given to the operator thereof and the Board has considered any information supplied by the operator and finds that no adverse affect on a public water supply will result.

Notice of the project has been provided to Steve Lane, Superintendant of the Winterport Water District. His letter stating that there will be no adverse affect from the MPRP project on the public water supply is attached as Appendix G.

01.05.11.05.12

Nothing in this procedure nor any decision by the Planning Board shall be deemed to create groundwater rights other than those rights which the applicant may have under Maine law.

01.05.11.05.13

The proposed development shall not otherwise cause undue water pollution, taking into consideration at least the following factors:

01.05.11.05.13.01

The elevation of the land above sea level and its relation to the flood plains;

Construction and maintenance of the proposed transmission lines will not cause or increase flooding or cause a flood hazard to any neighboring structures. Furthermore, the project will not affect runoff-infiltration relationships.

01.05.11.05.13.02

The nature of the soils and subsoils and their ability to adequately support waste disposal;

There will be no wastewater disposal associated with the project in Winterport.

01.05.11.05.13.03

The slope of the land and its effect on effluents;

There will be no effluent from the project.

01.05.11.05.13.04

The availability of streams for disposal of effluents;

There will be no effluent from the project.

01.05.11.05.13.05

Any applicable state and local health and water resource rules and regulations.

Water resources are regulated under the federal Clean Water Act, Maine Natural Resources Protection Act, and Maine Site Location of Development Law. CMP will be applying for permits under all three regulatory programs. The impact of the location and character of the proposed upgrades on public health or safety also may be considered by the Department of Environmental Protection as part of the Site Location of Development permitting process. The Maine Public Utilities Commission also considers public health issues in its review of the project.

01.05.11.06 Stormwater Management

All site plans shall demonstrate that the proposed development shall provide for adequate stormwater management in compliance with the following standards:

01.05.11.06.01

All new construction and development, whether or not served by a stormwater collection and transportation system, shall be designed to reflect or resemble, as nearly as possible, natural runoff conditions in terms of volume velocity and location of runoff. If runoff after development would exceed by ten percent (10%) predevelopment runoff conditions, the off site impact must be evaluated in terms of potential soil erosion and sedimentation, drainage capacity, land use and land cover characteristics. Appropriate methods of reducing off site impact shall be employed. Stormwater management evaluations and designs shall be based on a 24 hour, 25 year recurrence interval storm.

With the exception of the immediate area around the base of the support structures, there is no increase in impervious surface area associated with the transmission line. Therefore, there will be no significant storm water run-off generated from the project.

01.05.11.07 Municipal Sewer Facilities

Not applicable.

01.05.11.08 Sewage Disposal

Not applicable.

01.05.11.09 Soils

No activity shall be permitted in any area where the 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.

Based on the applicants' analysis of the Soil Survey Geographic Database compiled by the United States Department of Agriculture – Natural Resources Conservation Service, soils within the transmission line corridor will accommodate the proposed MPRP construction activities. Soil constraints within the transmission line corridor will be managed and mitigated through implementation of erosion and sediment control measures, proper site and project design, and special construction procedures. If foundations for specific poles need to be constructed, borings will be conducted to verify the suitability of the soils.

01.05.11.10 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.

Some clearing of vegetation will be required within the proposed corridor to accommodate the project and ensure that the project meets federal reliability and safety standards. The amount of clearing will be limited to that which is necessary for development of the project, and will require the removal of trees and saplings that are capable of growing tall enough to interfere with the transmission lines (so-called “capable species”) and, in some instances, the occasional removal of mature “danger” trees. Danger trees are those that are large enough and positioned in such a manner that they could fall into the conductor, thereby posing a severe reliability risk. However, the removal of danger trees is a relatively infrequent occurrence.

Removal of trees for utility line construction is performed using traditional forest harvesting equipment. Other vegetation is only removed to create temporary accessways so that construction crews can access the sites where poles or towers will be erected. Otherwise, non-capable species are allowed to remain to ensure that the corridor is vegetated, which prevents erosion and provides wildlife habitat. No grubbing (i.e., stump removal) will take place.

Existing accessways will be utilized to the extent possible, unless there are significant vernal pools within them, in which case, they will be rerouted to preserve the pool. Stumps will not be grubbed, so there will be no soil disturbance associated with the project, and no grade changes. After construction, the temporary accessways are removed, and the natural shrub-scrub vegetation is allowed to regenerate.

See the maps in Appendix A and the sections related to specific Shoreland Zoning standards, starting on page 33, for more detailed information.

01.05.11.11 Erosion

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.

CMP has developed a standard manual, “Environmental Guidelines for Construction and Maintenance Activities on Transmission Line and Substation Projects”, which it uses as a routine part of all transmission and substation projects. (A copy of the manual is attached in Appendix F.) This manual contains erosion and sedimentation control requirements, standards, and methods that will be used to protect soil and water resources during construction of the various MPRP components. The manual is largely based on the Maine Department of Environmental Protection’s (DEP) Maine Erosion and Sediment Control BMPs, dated March 2003, and DEP’s Chapter 500, and contains specific Best Management Practices appropriate for electric transmission line and substation construction. These guidelines will be followed in the construction of transmission lines.

With the exception of the immediate area around the base of the support structures, there is no permanent increase in impervious surface area associated with the transmission line. The amount of ground disturbance associated with this project will be limited to the immediate vicinity of the pole placements. Where it will be necessary and unavoidable for accessways to be built in order for construction vehicles to get to the site of a new structure, these accessways will be impervious, but temporary. After construction, the accessways are removed.

Restoration activities following construction are designed to restore site contours to pre-construction conditions and to ensure that areas disturbed during construction will grow back with native vegetation.

01.05.11.11.01

Stripping of vegetation, regrading or other development shall be done in such a way as to minimize erosion;

See 01.05.11.10. Cutting of vegetation will be minimized and limited to capable species. Native scrub and shrub species are left intact wherever possible, and after construction, are encouraged to regenerate.

01.05.11.11.02

Development shall preserve salient natural features, keep cut and fill operations to a minimum and ensure conformity with topography so as to create the least erosion potential and adequately handle the volume and velocity of surface water runoff;

See 01.05.11.06 and 01.05.11.10.

01.05.11.11.03

The top of a cut or the bottom of a fill section shall not be closer than ten feet (10') to an adjoining property, unless otherwise specified in this ordinance, and no cut or fill shall exceed a 3 to 1 slope;

Not applicable; there will be no permanent cut and fill associated with the project. In unusual instances, it may be necessary to cut and fill in order to build a temporary accessway. However, these accessways are removed after construction, and the area restored to its original grade.

01.05.11.11.04

The development shall not unreasonably increase the rate or volume of surface water runoff from the proposed site;

See 01.05.11.06.01.

01.05.11.11.05

Whenever feasible, natural vegetation shall be retained, protected and supplemented;

See 01.05.11.10.

01.05.11.11.06

The disturbed area and the duration of exposure shall be kept to a practical minimum;

See 01.05.11.11.

01.05.11.11.07

Disturbed soils shall be stabilized as quickly as practicable;

See 01.05.11.11.

01.05.11.11.08

Dust control methods shall be employed during dry conditions;

As a matter of course, CMP uses calcium chloride on gravel accessways in order to control dust.
See 01.08.02.01, page 44.

01.05.11.11.09

Temporary vegetation or mulching shall be used to protect exposed critical areas during development;

“Temporary nonstructural measures such as hay or straw mulch should be spread on exposed soils within 100-feet of water resources within 48 hours of initial soil disturbance, or before any predicted storm event.” (*Environmental Guidelines for Construction and Maintenance Activities on Transmission Line And Substation Projects*, Appendix F, page 19.)

01.05.11.11.10

The permanent vegetation and mechanical erosion control measures shall be installed as soon as practicable on the site, but in no event later than six (6) months after completion of construction;

“In many cases a site can and should be restored within hours of when the soil disturbance occurred. Often getting the equipment to a site that needs to be restored only creates more disturbed area to restore. It is important to “restore as you go” to reduce the equipment travel on temporary access roads.” (See *Environmental Guidelines for Construction and Maintenance Activities on Transmission Line And Substation Projects*, Appendix F, page 25.)

“All temporary crossings must be stabilized within seven (7) days of its removal, unless specified otherwise.” (See *Environmental Guidelines for Construction and Maintenance Activities on Transmission Line And Substation Projects*, Appendix F, page 6.)

01.05.11.11.11

Until the disturbed area is stabilized, sediment in the runoff water shall be trapped by the use of debris basins, sediment basins, silt traps or other acceptable methods;

See *Environmental Guidelines for Construction and Maintenance Activities on Transmission Line And Substation Projects*, Appendix F, pages 5 and 13-18. In general, CMP uses appropriately sized filter strips as a sediment filter whenever there is a possibility of soil being washed into water resources. Where appropriate, a silt fence, hay bale barrier or erosion control mix berm will also be used, in addition to the filter strip.

01.05.11.11.12

Whenever sedimentation is caused by stripping vegetation, regrading or other development, it shall be the responsibility of the developer causing such sedimentation to remove it from all adjoining surfaces, drainage systems and water courses and to repair any damage at his expense as quickly as possible;

The stated goal of the practices described in *Environmental Guidelines for Construction and Maintenance Activities on Transmission Line And Substation Projects* is to prevent sedimentation. In any case, restoration procedures are covered on pages 25-26 of the *Guidelines* and promote a “restore as you go” approach where the site is restored immediately after construction is completed in any particular area.

01.05.11.11.13

It is the responsibility of any person doing any act on or across a communal stream, watercourse or swale or upon the floodway or right-of-way thereof to maintain as nearly as possible in its present state the stream, watercourse, swale, floodway or right-of-way during the duration of such activity and to return it to its original or equal condition after such activity is completed; and

See *Environmental Guidelines for Construction and Maintenance Activities on Transmission Line And Substation Projects*, Appendix F, pages 7-11 (Installation of Crossings). The preferred

method for crossing waterways is bridges, as these cause the least amount of disturbance to the bed and banks. Restoration of the site will take place as soon as possible after construction is complete in the area.

01.05.11.11.14

Maintenance of drainage facilities or water courses originating and completely on private property is the responsibility of the owner to the point of open discharge at the property line or at a communal watercourse within the property.

There is no increase in stormwater runoff expected as a result of the MPRP project due to the minimal amount of impervious surface area planned. Furthermore, drainageways and watercourses will be maintained in their original condition to the extent possible, and otherwise restored to their original condition as soon as possible.

01.05.11.12 Flood Permit

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') above the 100-year flood level.

Not applicable – the structures will not have floors or basements.

01.05.11.13 Air Quality

All site plans shall demonstrate that the proposed development will not result in undue air pollution and that it will comply with the following standards:

01.05.11.13.01

No emission of dust, ash, smoke or other particulate matter or gasses and chemicals shall be allowed which can cause damage to human or animal health or safety, vegetation, or property by reason of concentration or toxicity, which can cause soiling beyond the property boundaries, or which fail to meet or cannot meet the standards set by the Maine Department of Environmental Protection.

CMP uses a selective herbicide program to treat an area once every four years to maintain an early successional stage of growth. Herbicide is selectively applied (using a backpack applicator) to capable species to prevent growth (or re-growth of a cut plant) of individual plants. No broadcast application is used, and CMP does not use herbicides within 25 feet of any waterbody or wetland with standing water. Crew forepersons are certified by the Maine Pesticide Control Board, and all herbicides are EPA registered. The selective use of herbicides within the transmission line corridor does not impose a threat to air quality.

Dust is controlled by the use of calcium chloride (see 01.05.11.11.08, page 25 above.) There will be no emissions that cause damage to human or animal health or safety, vegetation, or property.

01.05.11.14 Refuse Disposal

All site plans shall demonstrate, in compliance with the following standards, that the proposed development will have adequate and environmentally sound means of disposing of the solid and liquid wastes that the proposed development can reasonably be expected to generate.

See the response to section 01.05.09.14 Solid Waste, page 11.

01.05.11.14.01

The applicant shall demonstrate by means of an affidavit from an appropriate official that the proposed development will not cause an unreasonable burden on the Town's ability to dispose of solid or liquid wastes if Town services are to be utilized. Each plan shall demonstrate that all solid and liquid wastes reasonably expected to be generated by the proposed development will be disposed of in a timely manner and in accordance with applicable Federal and State laws and local ordinances. Such wastes shall not be kept on site for unreasonable lengths of time.

Town waste disposal facilities will not be utilized in the construction of the project.

01.05.11.14.02

Each plan shall demonstrate that all solid and liquid wastes reasonably expected to be generated by the proposed development will be disposed of in a timely manner and in accordance with applicable Federal and State laws and local ordinances. Such wastes shall not be kept on site for unreasonable lengths of time.

See the responses to sections 01.05.11.05.02, page 19, and 01.05.09.14 Solid Waste, page 11.

01.05.11.14.03

If Town waste disposal services are not to be utilized or if, because of the amount or types of waste to be generated, Town waste disposal services cannot be utilized, a plan will demonstrate that the developer has adequately provided for the efficient and environmentally sound disposal of all solid and liquid wastes reasonably expected to be generated by the proposed development.

See the response to section 01.05.09.14 Solid Waste, page 11.

01.05.11.14.04

Each plan shall demonstrate that all solid and liquid wastes reasonably expected to be generated by the proposed development will, during such times as they are kept on site, be stored in a safe, sanitary and environmentally sound manner and in such a way as not to pollute the site or adjoining land, air or water.

See the responses to sections 01.05.11.05.02, page 19, and 01.05.09.14 Solid Waste, page 11.

01.05.11.15 Wildlife Habitat

All site plans will demonstrate that the proposed development will not have an undue adverse effect on significant spawning grounds or wildlife habitat identified by the Department of Inland Fisheries and Wildlife or the Town of Winterport.

Negative impacts to wildlife, scenery, and unique critical areas are minimized through the use of the existing service corridor, which has been in place for quite some time, and through careful planning and construction methods. Given the existing landscape characteristics of the site, construction and maintenance of the project is not expected to create conditions that are not already common to the area. It is fully anticipated that local wildlife populations will adapt and respond to any additional alterations much as they already do to ongoing land uses within the vicinity of the proposed project. Therefore, impacts to wildlife are expected to be minimal to non-existent.

Within the two transmission corridors in Winterport, the Department of Inland Fisheries and Wildlife has not identified any significant spawning grounds. Areas that qualify as significant wildlife habitat include Marsh Stream and a vernal pool within the corridor for Segment 1.

Creeper and Brook Floater (species of freshwater mussels) have been discovered in or adjacent to Marsh Stream. The Brook Floater is ranked as endangered or "vulnerable to extirpation or extinction" throughout its range and within the state. The Creeper is ranked by the state as a species of "special concern." See Map 1, Appendix A. No transmission structures will be located in Marsh Stream. Furthermore, these animals are apparently surviving in the stream where the riparian area has already been impacted due to the location of Stream Road. All new and existing structures will be located on the upland side of the road from the stream, and so there are no anticipated impacts to these species.

TRC personnel have mapped vernal pools within the rights-of-way and determined which of these are classified as "significant" under the Natural Resource Protection Act. There is one significant vernal pool within the Segment 1 corridor. Map 1 shows the location of this 450 square foot pool, just east of where the pipeline easement crosses CMP's right-of-way. There is no proposed construction that will impact this vernal pool. Accessways are sited so as to avoid it and no poles will be located within it. The closest proposed pole is 118 feet away, and the closest accessway is about 90 feet away. Before any construction activities begin, significant vernal pools such as this one will be flagged and brought to the attention of crews so that they will be avoided.

01.05.11.16 Aesthetic, Cultural and Natural Areas

All site plans will demonstrate that the proposed development will not have an undue adverse effect on the scenic or natural beauty of the_____ 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 Critical 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:

The MPRP project will not have an undue adverse effect on Winterport's scenic or natural beauty, historic sites, rare or irreplaceable natural areas, or on physical or visual access to the shoreline. There are no public rights for physical or visual access to the shoreline over CMP's right-of-way. The Winterport Comprehensive Plan does not specifically identify rare and irreplaceable natural areas. The Maine Natural Areas Program has identified one species of freshwater mussel that is endangered and one that is listed as a species of special concern, but the project will not impact the habitat for these mussels. See 01.05.11.15 Wildlife Habitat, page 29.

Historical or archaeological resources within Winterport – if any – are not identified here, pursuant to 27 M.R.S.A. §377. Central Maine Power has conducted Phase 0 and Phase 1 pre-historic and historic archaeological investigations, as well as Architectural Surveys and Finding of Effect assessments for the MPRP Area of Potential Effect as determined by the Maine Historic Preservation Commission (MHPC). The investigation and survey results have been presented in report form to the MHPC for review and approval. Following the recommendation of the State Historic Preservation Officer (SHPO), Phase II investigations will be undertaken as warranted.

01.05.11.16.01 through 01.05.11.16.06

Sections 01.05.11.16.01-06 do not apply because the project is not a subdivision.

01.05.11.17 Fire Protection

01.05.11.17.01

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 without the written approval of the Winterport Fire Chief.

The project will not utilize public water supplies.

01.05.11.17.02

All site plans shall demonstrate that the proposed development will not cause an unreasonable burden on the Town's ability to deliver fire protection services.

The site will not require access by public safety vehicles. CMP maintains access points and ways suitable for routine and urgent maintenance by its own vehicles.

01.05.11.18 Comprehensive Plan

All site plans shall demonstrate that the proposed development conforms with a duly adopted comprehensive plan and with any other applicable municipal ordinances. In making this determination, the Planning Board may interpret the plan or ordinances.

Maps 1-7 demonstrate that the MPRP project conforms to the Winterport Comprehensive Plan, dated 1992.

01.05.11.19 Financial and Technical Capacity

All site plans shall demonstrate that the applicant has adequate financial and technical capacity to meet the standards set forth in this ordinance.

CMP is a subsidiary of Energy East Corporation (“Energy East”), a public holding company (symbol: EAS). On December 31, 2007 Energy East had book equity capital of \$3.2 billion and assets of \$11.9 billion on a consolidated basis. On May 28, 2008, Energy East Corporation and its subsidiaries had a debt and equity market capitalization of approximately \$8 billion. On December 31, 2007 CMP had a book equity capital of \$754 million and assets of \$1,950 million. CMP has built and maintains several thousand miles of transmission lines in Maine. CMP has adequate financial resources to develop the approximately 4.7 miles of transmission line in Winterport. A copy of Energy East’s 2007 Annual Report is attached as Appendix E.

01.05.11.20 Farmland

No permit or site plan approval shall be granted by the Planning Board for any inconsistent development upon or use of land within one hundred fifty feet (150') of farmland properly registered pursuant to the provisions of M.R.S.A 41 et seq., provided, however, that this section shall not apply to any lot or parcel of land which, together with any adjoining lot or parcel in the same ownership, was one acre or less in the area as of January 1, 1988. This paragraph shall be construed and the requirements hereof varied in accordance with the definitions and procedures set forth in 7 M.R.S.A 41 et seq.

There is one lot within 150 feet of the Segment 3 corridor that is registered as farmland pursuant to the provisions of 7 M.R.S.A §§ 51 et seq.² (see the table on page 8). The essential services for which the transmission corridor will be used are not inconsistent with agricultural uses. (See 7 M.R.S.A. § 52(5) (defining the term “inconsistent development or use”). In fact, CMP has agreements with farmers in other towns that allow them to use land within transmission corridors for agricultural purposes.

01.05.11.21 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.

² Note that 7 M.R.S.A. §§ 41 et seq. have been repealed and replaced by sections 51 through 59.

The MPRP project will not utilize any municipal services.

01.05.11.22 Violations

Plan 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 in arrears in the payment of any local taxes or assessments.

See Appendix H and Appendix I.

01.05.11.23 Off-Site Improvements

Where necessary to serve the needs of the proposed subdivision 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. Existing unpaved streets shall, whenever necessary, reasonable, and practical be widened and improved to the standards required by this ordinance. Utilities shall be designed and built or improved to the standards of this ordinance.

The proposed improvements are not a subdivision and will not impact the health, safety or general welfare of the community. CMP does not believe any off-site improvements are warranted.

PART C:

01.05.12 Shoreland Standards

Section 01.05.12 of the Ordinance contains the Shoreland Standards. These standards are contained within the Site Plan Review portion of the Ordinance and apply both to projects requiring Site Plan Review and a Shoreland Zoning Permit. As is explained below, CMP's project complies with these standards.

Description of the Project Within the Shoreland Zone

The Segment 1 corridor runs through three shoreland zones within Winterport: the Limited Residential District at Marsh Stream, the Stream Protection District at a tributary to Marsh Stream, and the Resource Protection District at the Penobscot River. There are no shoreland zones within the Segment 3 corridor. Essential Services are an allowed use within the Limited Residential, Stream Protection, and Resource Protection districts, with Planning Board approval. The following is a description of the proposed project within these districts.

Limited Residential District

There are no structures, existing or proposed, within the Limited Residential District at Marsh Stream. There will be clearing within the shoreland zone on the upland side of Stream Road in order to allow crews to run new transmission lines over Marsh Stream. Crews will use an existing accessway to install Section 254 on the northwest side of the right-of-way. A new temporary, long-term accessway³ will be created off Stream Road to enable the installation of Section 3023 on the southeast side of the right-of-way. See Map 1. No new structures will be placed in this district.

Stream Protection District

A small area of the Stream Protection District associated with a tributary to Marsh Stream (approximately 810 square feet) is within the existing right-of-way. This area will be cleared in order to allow for the installation of Section 254, and maintained thereafter as shrub-scrub habitat. See Map 1.

Resource Protection District

Currently, there is one 300-foot lattice tower for Section 388 within the Resource Protection District along the Penobscot River, with an accessway leading to it. CMP is proposing to place two 360-foot towers to the south of the existing tower, within the Resource Protection District. A strip of trees approximately 200 feet wide will be cleared in order to install the two towers, move Section 388 to the middle tower, and install Section 3023 on the south tower. The middle tower will be approximately 168 feet from the high water mark of the Penobscot River at its

³ Long-term temporary accessways are paths that may be in place for more than one growing season. These accessways are removed after all construction is complete, and so are still considered temporary.

closest point; the Section 3023 tower will be approximately 210 feet from the river at its closest point.

There will be an estimated 1,000 square feet of ground disturbed per tower (250 square feet per leg, and a total of 2,000 square feet for two new towers) in order to construct the tower foundations. CMP is proposing to extend the existing accessway for the north tower, adding about 81 feet to reach the site of the middle tower, and about 164 feet to the site of the south tower. Once construction is complete, the area will be maintained as shrub-scrub habitat. See Map 6.

Notwithstanding and in addition to any other provisions of this ordinance, before granting site plan approval for any land use activity situated entirely or partially within two hundred-fifty feet (250') of the normal high water line of any river or-saltwater body, within two hundred fifty feet (250') of the upland edge of a coastal or freshwater wetland, or within seventy-five feet (75') of the high water line of a stream, as such terms are defined in 38 M.R.S.A.435 et seq., the Planning Board must find that the proposed plan will comply with such of the following standards as are applicable:

01.05.12.01 Agriculture

All site plans shall demonstrate that any agricultural activities in shoreland areas shall comply with the following:

Not applicable.

01.05.12.02 Timber Harvesting

All site plans shall demonstrate that timber harvesting operations proposed in a shoreland area shall comply with the following minimum requirements:

Not applicable.

01.05.12.03 Clearing of Vegetation for Development

All site plans shall demonstrate that clearing of vegetation for purposes of development shall be accomplished in accordance with the following:

01.05.12.03.01

In any Resource Protection District the clearing of vegetation shall be limited to that which is necessary for uses expressly authorized in that district.

No clearing beyond that which is necessary will be done in the Resource Protection District. Essential Services are an authorized use within the Resource Protection District adjacent to the Penobscot River. All MPRP transmission line corridors will be continuously vegetated with herbaceous plants and shrubs, but restrictions on the clearing and maintenance within buffers will allow a greater density of vegetation to remain along streams and rivers and will avoid disturbance to the greatest extent possible. Buffers bordering streams and rivers will be protected and maintained by selective clearing during construction and selective cutting of capable vegetation during maintenance and operation of the transmission line. All tree species

capable of growing into the conductor safety zone must be removed from the proposed buffers during construction, operation, and maintenance. In the Resource Protection District adjacent to the Penobscot River, there will be a strip of vegetation approximately 200 feet wide cleared from the existing right-of-way in order to allow for the construction of the transmission lines. Once construction is complete, the cleared area is maintained as shrub-scrub habitat. A strip of treed land approximately 130 feet wide will remain on the south side of the right-of-way.

01.05.12.03.02

Except in areas as described in Section 01.05.12.03.01 above, and except to allow for the development of permitted uses, within a strip of land extending seventy-five feet (75'), horizontal distance, from any water body, tributary stream, or the upland edge of a wetland, a buffer strip of vegetation shall be preserved as follows:

The exception referenced in 01.05.12.03.01 above applies. The only clearing proposed as part of this project is to allow for the development of this permitted use.

01.05.12.03.03

At distances greater than seventy-five feet (75'), horizontal distance, from the normal high water line of any water body, tributary stream, or the upland edge of a wetland, except to allow for the development of permitted uses, there shall be permitted on any lot, in any ten (10) year period, selective cutting of not more than forty percent (40%) of the volume of trees four inches (4") or more in diameter, measured four and one-half feet (4 ½') above ground level. Tree removal in conjunction with the development of permitted uses shall be included in the forty percent (40%) calculation. For the purposes of these standards volume may be considered to be equivalent to basal area. In no event shall cleared openings for development, including but not limited to, principal and accessory structures, driveways and sewage disposal areas, exceed in the aggregate, twenty-five percent (25%) of the lot area of ten thousand (10,000) square feet, whichever is greater, including land previously developed. This provision shall not apply to the General Development, Commercial Fisheries or Maritime Activities Districts.

Essential services are a permitted use in each of the shoreland zoning districts. As noted above, the only clearing proposed as part of this project is to allow for the development of this permitted use.

01.05.12.03.04

Cleared openings legally in existence on the effective date of this ordinance may be maintained, but shall not be enlarged, except as permitted by this ordinance.

As explained above, the clearing conducted in conjunction with the project will only be what is necessary to safely construct, operate and maintain the transmission lines.

01.05.12.03.05

Fields which have reverted to primarily shrubs, trees, or other woody vegetation shall be regulated under the provisions of this section.

Not applicable.

01.05.12.04 Erosion and Sedimentation Control

All site plans shall demonstrate that filling, grading, excavation or other similar activities which result in unstabilized soil conditions in a shoreland area and which require a permit shall be conducted in accordance with the following:

1.05.12.04.01

All activities which involve filling, grading, excavation or other similar activities which result in unstabilized soil conditions and which require a permit shall require a written soil erosion and sedimentation control plan. The plan shall be submitted to the permitting authority for approval and shall include, where applicable, provisions for:

- Mulching and revegetation of disturbed soil.
- Temporary runoff control features such as hay bales, silt fencing or diversion ditches.
- Permanent stabilization structures such as retaining walls or riprap.

See CMP's *Environmental Guidelines for Construction and Maintenance Activities on Transmission line and Substation Projects* (Appendix F). This manual contains erosion and sedimentation control requirements, standards, and methods that will be used to protect soil and water resources during construction of the various MPRP components. The manual was developed in consultation with the Maine Department of Environmental Protection (DEP), is largely based on DEP's *Maine Erosion and Sediment Control BMPs* (dated March 2003) and DEP's Chapter 500, and contains specific Best Management Practices appropriate for electric transmission line and substation construction. All MPRP construction must adhere to these guidelines, and the work will be inspected by third parties.

01.05.12.04.02

In order to create the least potential for erosion, development shall be designed to fit with the topography and soils of the site. Areas of steep slopes where high cuts and fills may be required shall be avoided wherever possible, and natural contours shall be followed as closely as possible.

The MPRP has been designed in order to avoid the placement of structures on steep slopes to the degree possible, balancing the needs of transmission line engineering and safety. The *Environmental Guidelines for Construction and Maintenance Activities on Transmission line and Substation Projects* states that:

“[i]n all cases, CMP and its contractors will attempt to avoid and minimize impacts to sensitive natural areas. As a result of this procedure, wetland and stream crossings, steep slopes, unstable soils, and other sensitive natural areas will be avoided and adverse impacts minimized whenever practicable.”⁴

⁴ *Environmental Guidelines for Construction and Maintenance Activities on Transmission line and Substation Projects*, Appendix F, p. 4.

Furthermore, the natural grade of a construction site will be restored and permanently stabilized once construction is complete.

01.05.12.04.03

Erosion and sedimentation control measures shall apply to all aspects of the proposed project involving land disturbance, and shall be in operation during all stages of the activity. The amount of exposed soil at every phase of construction shall be minimized to reduce the potential for erosion.

See CMP's *Environmental Guidelines for Construction and Maintenance Activities on Transmission line and Substation Projects* (Appendix F), which it uses as a routine part of all transmission and substation projects. In general, erosion control measures are installed prior to the initiation of construction, and disturbed areas are restored as quickly as possible as construction proceeds (see the response to 01.05.12.04.04 below).

01.05.12.04.04

Any exposed ground area shall be temporarily or permanently stabilized within one (1) week from the time it was last actively worked, by use of riprap, sod, seed, and mulch, or other effective measures. In all cases permanent stabilization shall occur within nine (9) months of the initial date of exposure. In addition:

- Where mulch is used, it shall be applied at a rate of at least one (1) bale per five hundred (500) square feet and shall be maintained until a catch of vegetation is established.
- Anchoring the mulch with netting, peg and twine or other suitable method may be required to maintain the mulch cover.
- Additional measures shall be taken where necessary in order to avoid siltation into the water. Such measures may include the use of staked hay bales and/or silt fences.

See CMP's *Environmental Guidelines for Construction and Maintenance Activities on Transmission line and Substation Projects* (Appendix F), which it uses as a routine part of all transmission and substation projects. It is CMP's standard practice to install erosion and sedimentation control devices before construction activities begin. Consistent with these guidelines, erosion control devices are generally installed prior to any ground disturbance activities taking place.

For example, sediment barriers (i.e., silt fences and/or hay bales) will be installed between high value wetlands and waterbodies and proposed construction areas. Temporary water bars will also be installed across steep slopes to divert run-off from disturbed soils into vegetated upland areas away from protected resources. As a general rule, erosion control measures are installed before proposed ground-disturbing activities are performed within 100 feet of all water resources and other sensitive natural resources that could be impacted by erosion and sedimentation. Exceptions to this rule include situations where exposed soils would not have the opportunity to migrate into sensitive natural resources. These types of situations generally occur when: (1) soils are only exposed for a relatively short amount of time (several hours); (2) when there is a sizeable vegetated buffer (greater than 100 feet and located on a gentle slope) located between a small area of exposed soil and a sensitive natural resource; or (3) when areas of exposed soil slope away from resources. These situations must be reviewed and approved by project

environmental personnel. Nonstructural measures such as mulching are taken within 48 hours of soil disturbance.⁵

01.05.12.04.05

Natural and man-made drainage ways and drainage outlets shall be protected from erosion from water flowing through them. Drainageways shall be designed and constructed in order to carry water from a twenty five (25) year storm or greater, and shall be stabilized with vegetation or lined with rip-rap.

See CMP's "*Environmental Guidelines for Construction and Maintenance Activities on Transmission line and Substation Projects*" (Appendix F), which it uses as a routine part of all transmission and substation projects. "Permanent culverts and bridges will be used only where long-term, continued, and frequent access is required (such as substation access roads)."⁶ "Permanent culverts will be sized to have a diameter of at least 3 times the cross-sectional area of the stream channel or will be designed to accommodate 25-year frequency flows."⁷ "Road fill at the upstream (headwall) and downstream (out-fall) ends of culverts will be armored with either rock rip rap or logs to protect the road fill from being eroded by the action of water or road traffic. This material will be installed up to the level of anticipated high water. In areas where the streambed appears highly erodible, the streambed at the outlet end of the culvert will be lined with riprap to prevent erosion and potential stream bed scour."⁸

01.05.12.05 Mineral Exploration and Extraction

Not applicable

01.05.12.06 Piers, Docks, Wharves, Bridges and Other Structures and Uses Extending Over or Beyond the Normal High Water Line of a Water Body or Within a Wetland

Not applicable

01.05.12.07 Lot Standards

Not applicable

⁵ *Environmental Guidelines for and Maintenance Activities on Transmission line and Substation Projects*, Appendix F, p. 19.

⁶ *Environmental Guidelines*, p. 6.

⁷ *Environmental Guidelines*, p. 8.

⁸ *Environmental Guidelines*, p. 9.

01.05.12.08 Roads, Driveways and Drainage Systems

All site plans for development including roads shall demonstrate that such roads and driveways and drainage systems, culverts and related features shall comply with the following:

There will be no new permanent roads or driveways associated with the project, other than CMP-maintained access points and ways suitable for routine and urgent maintenance by its own vehicles. Temporary accessways will be established for use during the construction phase (see Maps 1-7, Appendix A). This will be an ongoing process as access will be established to areas undergoing immediate construction. Determinations surrounding the exact nature of the construction of these temporary accessways will be made by the contractor in consultation with an environmental representative. All access paths are temporary and will be removed once construction is complete.

Temporary “long-term” accessways will be established for general access to the corridor for construction vehicles. These temporary accessways may be in place for more than one growing season, but will be removed once all aspects of construction in that area are complete.

Access to individual pole sites, either for removal or installation, will be over temporary accessways which will be in place for no more than one growing season. Areas where soils have been disturbed will then be mulched with hay. Vegetation will be allowed to reestablish itself once the temporary accessways have been removed.

01.05.12.09 Septic Waste Disposal

All site plans for shoreland areas shall demonstrate that all septic waste disposal systems shall be installed in conformance with the State of Maine Subsurface Wastewater Disposal Rules.

Not applicable

01.05.12.10 Soils

All land uses shall be located on soils in or upon which the proposed uses or structures can be established or maintained without causing adverse environmental impacts, including severe erosion, mass soil movement, improper drainage, and water pollution, whether during or after construction. Proposed uses requiring subsurface waste disposal, and commercial or industrial development and other similar intensive land uses, shall require a soils report based on an on-site investigation and be prepared by state-certified professionals. Certified persons may include Maine Certified Soil Scientists, Maine Registered Professional Engineers, Maine State Certified Geologists and other persons who have training and experience in the recognition and evaluation of soil properties. The report shall be based upon the analysis of the characteristics of the soil and surrounding land and water areas, maximum ground water elevation, presence of ledge, drainage conditions, and other pertinent data which the evaluator deems appropriate. The soils report shall include recommendations for a proposed use to counteract soil limitations where they exist.

As part of their Site Location of Development application to the Maine Department of Environmental Protection, CMP completed an analysis of soils within the proposed MPRP transmission corridor. The design of the transmission line and structures is done by registered professional engineers. In general, though, the amount of soil disturbance required for the project is very low and not “intensive.”

01.05.12.11 Seasonal Conversion

Not applicable

01.05.12.12 Principal and Accessory Structures

01.05.12.12.01

All new principal and accessory structures shall be set back at least seventy-five feet (75') from the normal high water line of any water bodies, tributary streams, or the upland edge of a wetland, except that in the General Development District the setback from the normal high water line shall be at least twenty-five feet (25'), and in the Commercial Fisheries and Maritime Activities Districts there shall be no minimum setback. However, the water body or wetland setback provision shall neither apply to structures which require direct access to the water as an operational necessity, such as piers, docks and retaining walls, nor to other functionally water-dependent uses.

The existing and proposed corridor is located within three shoreland zones: a Limited Residential District at Marsh Stream, a Stream Protection District at a tributary to Marsh Stream, and a Resource Protection District at the Penobscot River. In the vicinity of Marsh Stream, the transmission towers will be over 343 feet from the upland edge of the wetland associated with Marsh Stream, and over 178 feet from the tributary. In the vicinity of the Penobscot River, the proposed lattice towers will be at least 168 feet from the river and its associated wetlands.

01.05.12.13 Campgrounds

Not applicable

01.05.12.14 Private Campsites

Not applicable

01.05.12.15 Parking Areas

Not applicable

01.05.12.16 Signs

There will be no signage associated with the project.

01.05.12.18 Essential Services

All site plans shall demonstrate that essential services shall be installed in compliance with the following:

01.05.12.18.01

Where feasible, the installation of essential services shall be limited to existing public ways and existing service corridors.

A guiding principle in the design of the MPRP transmission line upgrades has been to utilize the existing transmission line corridors to the maximum extent possible. Only where existing corridors cannot accommodate the proposed upgrades while meeting safety and reliability standards is CMP seeking to widen the existing corridors. Creating an entirely new corridor is a last resort. As a result, the vast majority of the transmission line upgrades proposed as part of the MPRP are located within or immediately adjacent to existing corridors. Co-location of the transmission line upgrades, as opposed to the creation of new corridors, has multiple benefits, including the minimization of impacts to communities, individual property owners, and the environment.

In Segment 3 in Winterport, the new 345 kV line will be located entirely within the existing transmission right-of-way. To allow for the safe and reliable operation of this new line, some clearing within this right-of-way will be required, but CMP will not need to acquire any additional property to accommodate the upgrade.

In Segment 1 in Winterport, it is not feasible to locate two new lines (Sections 254 and 3023) on H-frames within CMP's existing right-of-way. The right-of-way is not wide enough to allow for the safe and reliable operation of these new lines. In the right-of-way near Marsh Stream, the presence of the gas pipeline requires the acquisition of additional land in order to meet safety and reliability standards. As a result, CMP will have to widen its right-of-way through the acquisition by 100-167 feet in some areas. Some additional clearing within the expanded right-of-way also will be required.

01.05.12.18.02

The installation of essential services is not permitted in a Resource Protection or Stream Protection District, except to provide services to a permitted use within said district, or except where the applicant demonstrates that no reasonable alternative exists. Where permitted, such structures and facilities shall be located so as to minimize any adverse impacts on surrounding uses and resources, including visual impacts.

The Segment 1 corridor along which Sections 254 and 3023 transmission lines will run crosses a Resource Protection District at the Penobscot River and a Limited Residential District at Marsh Stream. To the greatest extent practicable, CMP has sited each individual H-frame or lattice

tower structure so as to avoid – and where unavoidable to minimize – adverse impacts on surrounding uses and resources.

As part of the required federal and state permitting process for the MPRP, CMP has conducted a Transmission Alternatives Assessment, evaluating a variety of transmission options within the affected service territory, to identify the optimal transmission solution. In addition, a Non-transmission Alternative Report evaluated the opportunities for substituting non-transmission alternatives for the chosen transmission solutions.

CMP has considered these studies, along with other factors such as impacts on the environment, abutters, and customers' electric rates and concluded that, with the exception of one of the areas identified in the studies (the South Portland Loop), the proposed transmission upgrades represent the solution with the greatest benefits and lowest, statewide direct and indirect impacts. In Winterport, due to the fact that the existing corridor crosses the Resource Protection District and the lattice towers cannot be sited in a manner that allows the entire district to be spanned, two towers will be located within the Resource Protection District. There are no reasonable alternatives for locating these structures outside this district.

The amount of ground disturbance associated with the planned structures will be limited to the immediate vicinity of the towers, and since the project is co-located with the existing transmission line corridor which contains structures of a similar bulk and style, locating structures within the Resource Protection District causes the least overall impact. (See the sections related to specific Shoreland Zone Districts starting on page 33 for more detailed information.)

01.05.12.19 Water Quality

No activity shall deposit on or into the ground or discharge to the waters of the State any pollutant that, by itself or in combination with other activities or substances, will impair designated uses or the water classification of the water body.

As noted above, CMP uses a selective herbicide program to treat an area once every four years to maintain an early successional stage of growth. Herbicide is selectively applied (using a backpack applicator) to capable species to prevent growth (or re-growth of a cut plant) of individual plants. No broadcast application is used, and CMP does not use herbicides within 25 feet of any waterbody or wetland with standing water. Applicators of herbicides are certified by the Maine Pesticide Control Board. The selective use of herbicides within the transmission line corridor does not pose a threat to groundwater quality.

To minimize spill potential during construction, no fueling or maintenance of vehicles will be performed within 100 feet of wetlands, streams or other sensitive natural resources.

No activity associated with the project will impair designated uses or the water classification of any water body.

01.05.12.20 Archaeological Sites

Any proposed land use activity involving structural development or soil disturbance on or adjacent to sites listed on, or eligible to be listed on, the National Register of Historic Places as determined by the permitting authority shall be submitted by the applicant to the Maine Historic Preservation Commission for review and comment, at least twenty (20) days prior to action being taken by the permitting authority. The permitting authority shall consider comments received from the Commission prior to rendering a decision on the application.

CMP must obtain a Site Location of Development permit before initiating construction for MPRP. A condition of this permit is that CMP receive letters of no effect from the Maine Historic Preservation Commission (MHPC) verifying that significant historic and archaeological sites will not be adversely affected by the project.

CMP has consulted extensively with the MHPC regarding investigation of potential pre-historic archaeological, historic archaeological, and historic architectural resources associated with the MPRP. Survey reports have been submitted to the MHPC for review and approval, but are confidential, pursuant to 27 M.R.S.A. §377. Following the recommendation of the State Historic Preservation Officer (SHPO), Phase II investigations will be undertaken as warranted.

PART D:

01.08 Standard Conditions

All land use activities allowed by this ordinance, regardless of whether any permit or approval is required therefor, shall be conducted only in compliance with the following conditions:

01.08.01 Performance Guarantees

No activity or construction shall be commenced until the applicant has provided the Town with performance guarantees sufficient to ensure the installation of improvements required by the Town.

There are no Town-required improvements triggering the need for a performance guarantee associated with this project. (See 01.05.09.25 Performance Guarantees, page 14.)

01.08.02 Site Conditions

01.08.02.01

During construction, the site shall be maintained and left each day in a safe and sanitary manner, and any condition which could lead to personal injury or property damage shall be immediately corrected by the developer upon an order by the Code Enforcement Officer or other authorized personnel. The developer shall make provision for disposal of oil and grease from equipment, and the site area should be regularly sprayed to control dust from construction activity.

CMP will comply with this condition.

01.08.02.02

Developed areas shall be cleared of all stumps, limbs, rubbish, brush, weeds, dead and dying trees, roots and debris. and excess or scrap building materials shall be removed or destroyed immediately upon the request of and to the satisfaction of the Code Enforcement Officer.

See the response to section 01.05.09.14 Solid Waste.

01.08.02.03

No change shall be made in the elevation or contour of any lot or site by the removal of earth to another lot or site other than as shown on an approved site plan. Minimal changes in elevations or contours necessitated by field conditions may be made only after approval by the Code Enforcement Office. All the changes necessitated by field conditions shall be shown on the final plan and indicated as a change from the preliminary, or if final approval has been granted, the changes shall be shown on the as-built plans.

CMP will comply with this condition.

01.08.03 Acceptance Not Implied

The approval by the Planning Board of any plan shall not be deemed to constitute or be evidence of any acceptance by the Town of any street, easement or other open space shown on such plan. When a park, playground, or other recreation area shall have been shown on the plan to be dedicated to the Town, approval of the plan shall not constitute an acceptance by the Town of such areas. The Planning Board shall require the plan to contain appropriate notes to this effect. The Planning Board may also require the filing of a written agreement between the applicant and the Municipal Officers covering future deed and title, dedication, and provision for the cost of grading, development, equipment, and maintenance of any such dedicated area.

Not applicable.

01.08.04 Sale of Lots

Not applicable.

01.08.05 Public Utilities

No public utility, water district, sanitary district or any utility company of any kind shall serve any development for which a final plan has not been approved by the Planning Board. No public utility, water district, sanitary district or any utility company of any kind may install services to any new structure in the shoreland zone unless written authorization attesting to the validity and currency of all local permits required under this and any previous ordinance has been issued by the Code Enforcement Office. Following the installation of any service, the company or district shall notify the Code Enforcement Officer in writing that the installation has been completed.

Not applicable.

01.08.06 Maintenance

The developer shall be required to maintain all improvements and provide for snow removal on streets and sidewalks until acceptance of the improvements by the Town.

Not applicable.

01.08.07 Modifications

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. In the event that a plan is recorded without complying with this requirement, it shall be considered null and void, and the Planning Board shall institute proceedings to have the plan stricken from the records of the Registry of Deeds.

However, if at any time before the construction of any required improvements it is demonstrated to the satisfaction of the Municipal Engineer or appointed engineer that

unforeseen conditions make it necessary or preferable to modify the location or design of such required improvements. the Municipal Engineer or appointed engineer may, upon approval of the Planning Board, authorize modifications provided these modifications are within the spirit and intern of the Planning Board's approval and do not extend to the waiver or substantial alteration of the function of any improvements required by the Planning Board.

CMP will comply with this condition.

01.08.08 Inspection

01.08.08.01

By undertaking an activity allowed by this ordinance, an owner implicitly grants to the Code Enforcement Officer, or his/her designee, the right to enter and have access to the premises at which the activity is taking place at all reasonable and proper times during and immediately upon the completion of construction, to ensure compliance with all applicable standards set forth in this ordinance.

CMP will comply with this condition.

01.08.08.02

At least five (5) days prior to commencing each major phase of construction of required improvements, the developer or builder shall notify the Code Enforcement Officer in writing of the time when he/she proposes to commence construction of such improvements, so that the Municipal Officers can cause inspection to be made to ensure that all municipal specifications and requirements shall be met during the construction of required improvements and to ensure the satisfactory completion of improvements and utilities required by the Planning Board.

CMP will comply with this condition.

01.08.09 Time Frames for Completion

01.08.09.01 Planning Board Approvals

Activities or uses of which approval of the Planning Board is required shall be commenced within six (6) months and, except for activities which are by their nature ongoing, shall be substantially completed with twenty-four (24) months of the approval unless the Planning Board, within the time originally allotted, extends the time for completion by up to twelve (12) months. Any extension shall be granted only upon a finding by the Planning Board that the developer has made progress toward completion or that progress has hampered by reasons beyond the control of the developer and that any required performance guarantees have been updated accordingly and revised to provide for increased costs. Failure of the developer to abide by the time requirements of this paragraph shall render the approval null and void and require the developer to reapply for Planning Board approval before the activity or use may proceed further. Upon determining that a development's approval has expired under paragraph, the Planning Board shall have a notice to that effect placed on the Waldo County Registry of Deeds.

01.08.09.02 Phased Development

01.08.09.02.01 Permissive

Notwithstanding the requirements of Section 01.08.09.01, the Planning Board, at the time of granting final approval to a plan, upon the written request of an applicant, may permit the development to be completed in two (2) or more phases, subject to such conditions as the Planning Board deems necessary to ensure orderly development and to protect the public health, safety and welfare.

CMP requests that the Planning Board approve the development of the MPRP project in Winterport in two phases, one for clearing activities, and the second for removal of existing structures and construction activities. Because of the logistical complexity in planning the deactivation of existing transmission lines in order to allow the construction of new lines, it is difficult to predict when construction will begin in Winterport. Adding to the difficulty of predicting when construction will begin is the uncertainty of when key State and federal approvals, upon which approval of this permit may be conditioned, will be issued for the MPRP. Because of the size of the overall MPRP project, CMP must begin the municipal permitting process while it simultaneously is working to obtain approvals from the Maine Department of Environmental Protection, Maine Public Utilities Commission, and US Army Corps of Engineers.

The following proposal is designed to allow Central Maine Power the necessary flexibility to adjust the date when construction begins, within a defined window, without requiring the granting of an extension by the Winterport Planning Board.

Phase One will consist of clearing activities within either of the segment corridors. CMP proposes that Phase One will begin within twenty-four (24) months of the day the last of the following four required approvals for the MPRP is signed: the Maine Department of Environmental Protection Site Location of Development Permit, the Maine Department of Environmental Protection Natural Resources Protection Act Permit, the US Army Corps of Engineers Section 404 Permit, or the Maine Public Utilities Commission Certificate of Public Convenience and Necessity. Within twelve (12) months of the commencement of clearing activities, Phase Two construction activities shall begin. Phase Two shall last no more than twenty-four (24) months. Thus, construction will be complete within twenty-four months of being commenced. Should any of the four required federal or State approvals listed in this paragraph, or any approval issued by the Planning Board, be appealed, the Phase One and Phase Two deadlines shall be tolled during the appeal.

01.08.09.02.02 Mandatory

Notwithstanding the requirements of Section 15.08.09.01, if the head of any municipal or quasi-municipal department notified of a proposed development informs the Planning Board that his or her department or district does not have adequate facilities to service the development, or if the superintendent of schools indicates that there is less than twenty percent (20%) excess classroom capacity existing in the schools which will serve the development, considering previously approved but not built developments, the Planning Board may require the project to be completed in two (2) or more phases, subject to such conditions as the Planning Board

deems necessary in order to allow the orderly planning, financing and provision of public services to the development and to prevent classroom overcrowding. The Planning Board shall not, under the terms of this paragraph, require the completion of a development over a period longer than three (3) years.

Not applicable – the project will not require the use of Town facilities or schools.

01.08.09.03 Permits

Activities or uses for which a permit from the Code Enforcement Officer is required shall be commenced within six (6) months and, except for activities and uses which are by their nature ongoing, shall be substantially completed within twelve (12) months of the issuance of the permit. Failure of the applicant to abide by the time requirements of this paragraph shall render the permit null and void and require the applicant to obtain a new permit before the activity or use may proceed further.

Not applicable – Essential Services require a permit from the Planning Board, not the Code Enforcement Officer.

01.08.10 Transferability

No approval granted by the Planning Board shall be transferable to any other person or entity until and unless the Planning Board finds, upon the written request of the proposed transferee, that:

- the proposed transferee has adequate technical and financial capacity to complete the development as initially approved;
- sufficient performance guarantees have been provided by the proposed transferee to ensure all required improvements will be completed as initially approved.

CMP will comply with this condition.

Appendix A: Maps and Cross Sections

Appendix B: Abutters within 300 Feet

Abutters within 300 Feet of Project Area

| Segment # | Map/Lot | Owner Name 1 | Owner Name 2 | Mailing Address 1 | Mailing Town | State | Zip Code | Registered Farmland? |
|-----------|----------|----------------|----------------------|------------------------|--------------|-------|----------|----------------------|
| 3 | R1-89 | Hill | John | 255 East Main Street | Monroe | ME | 04951 | yes |
| 3 | R1-91 | Mario | Tribuzio | P.O. Box 667 | Monroe | ME | 04951 | |
| 3 | R1-93 | Edward | Wood | 71 Haley Rd. | Winterport | ME | 04496 | |
| 1 | R10-406 | James | Foley | 54 Airport Road | Winterport | ME | 04496 | |
| 1 | R10-425 | Scott | Basso | 1313 N Main Street | Winterport | ME | 04496 | |
| 1 | R10-426 | Clyde | Souder | PO Box 171 | Winterport | ME | 04496 | |
| 1 | R11-153 | David | Verrill | 1106 North Main Street | Winterport | ME | 04496 | |
| 1 | R11-163 | David | Bates | 1134 North Main Street | Winterport | ME | 04496 | |
| 1 | R11-165 | Lucille | Lipsolm | 1156 North Main Street | Winterport | ME | 04496 | |
| 1 | R11-167 | Robert | Treat | PO Box 340 | Winterport | ME | 04496 | |
| 1 | R11-173 | James | Holmes | 1260 North Main Street | Winterport | ME | 04496 | |
| 1 | R11-177 | Steven | Forrest | 442 Main Road South | Hampden | ME | 04444 | |
| 1 | R11-179 | David | Gould | 1290 North Main Street | Winterport | ME | 04496 | |
| 1 | R11-181 | Mandy | Worden | 264 Central Street | Bucksport | ME | 04416 | |
| 1 | R11-185 | Wallace | Cook | 16 Souder Station Lane | Winterport | ME | 04496 | |
| 1 | R11-193 | Dale | Kenney | 1303 North Main Street | Winterport | ME | 04496 | |
| 1 | R11-195 | Diane | Hersey | 1267 North Main Street | Winterport | ME | 04496 | |
| 1 | R11-197 | Michael | McDade | 43 Cottage Street | Bangor | ME | 04401 | |
| 1 | R11-203 | Frank | Foley | 299 Union Street | Bangor | ME | 04401 | |
| 1 | R11-59 | Bradley | Simpson | 26 Souder Station Lane | Winterport | ME | 04496 | |
| 1 | R11-59.1 | Trent | Souder | PO Box 257 | Winterport | ME | 04496 | |
| 1 | R11-61 | Jeffrey | Nelson | 129 Main Road South | Hampden | ME | 04444 | |
| 1 | R11-63 | James Chaisson | c/o Michael Charette | 673 Old Harbour Road | Woodford | VT | 05201 | |
| 1 | R11-71 | Larry | Young | 37 Staples Road | Winterport | ME | 04496 | |
| 1 | R11-74 | Michael | Lynch | 21 Staples Road | Winterport | ME | 04496 | |

| Segment # | Map/Lot | Owner Name 1 | Owner Name 2 | Mailing Address 1 | Mailing Town | State | Zip Code | Registered Farmland? |
|-----------|---------|--------------|---------------------------|-----------------------|--------------|-------|------------|----------------------|
| 1 | R11-75 | Gladys | Lynch | 23 Staples Road | Winterport | ME | 04496 | |
| 1 | R11-76 | Richard | Lynch | 19 Staples Road | Winterport | ME | 04496 | |
| 1 | R11-77 | Samuel | Butler | PO Box 152 | Winterport | ME | 04496 | |
| 1 | R11-79 | Sherman | Knightly | 9 Staples Road | Winterport | ME | 04496 | |
| 1 | R11-81 | Edward | Ford | 5 Staples Road | Winterport | ME | 04496 | |
| 1 | R11-83 | Vaughn | Thibodeau | 119 Coles Corner Road | Winterport | ME | 04496 | |
| 1 | R7-111 | Bryan | Lewis | 7 Alderwood Drive | Winterport | ME | 04496 | |
| 1 | R7-115 | Lionel | Bargeron | 15 Alderwood Drive | Winterport | ME | 04496 | |
| 1 | R7-118 | William | Beaumont | PO Box 295 | Winterport | ME | 04496 | |
| 1 | R7-119 | Edgar Jr. | Beaumont | 338 Lebanon Road | Winterport | ME | 04496 | |
| 1 | R7-121 | Edgar III | Beaumont | PO Box 30 | Winterport | ME | 04496 | |
| 1 | R7-125 | Charleen | Hand | 245 Buck Street | Bangor | ME | 04401 | |
| 1 | R7-131 | Arthur | Corey | PO Box 401 | Winterport | ME | 04496 | |
| 1 | R7-135 | Bernard | Ginn | 54 Perkins Road | Winterport | ME | 04496 | |
| 1 | R7-159 | Richard | Coulter | 337 Lebanon Road | Winterport | ME | 04496 | |
| 1 | R7-163 | | Winterport Baptist Church | PO Box 90 | Winterport | ME | 04496 | |
| 1 | R7-165 | Frances | Thibodeau | 119 Coles Corner Road | Winterport | ME | 04496 | |
| 1 | R7-19 | Stella | Doyon | 156 Stream Road | Winterport | ME | 04496 | |
| 1 | R7-21 | Steven | Doyon | 152 Stream Road | Winterport | ME | 04496 | |
| 1 | R7-53 | Albert | Faust | 107 Stream Road | Winterport | ME | 04496 | |
| 1 | R7-55 | Michael | Martin | 127 Stream Road | Winterport | ME | 04496-0581 | |
| 1 | R7-57 | Gail | Hasey | 9 Elderberry Lane | Winterport | ME | 04496 | |
| 1 | R8-4 | Steven | Clisham | 6 Schoolhouse Road | Winterport | ME | 04496 | |
| 1 | R8-6 | Mary | Clisham | 6 Schoolhouse Road | Winterport | ME | 04496 | |
| 1 | R8-8 | Daniel | Harnish | 385 Lebanon Road | Winterport | ME | 04496 | |
| 1 | R8-10 | Harland | Lavway | 366 Lebanon Road | Winterport | ME | 04496 | |

Appendix C: Agent Authorization Letter

Appendix C: Agent Authorization Letter



Central Maine Power

August 15, 2008

Bureau of Land & Water Quality
Division of Land Resource Regulation
Maine Department of Environmental Protection
17 State House Station
Augusta, ME 04333-0017

Municipalities (various)

Federal Agencies (various)

RE: Central Maine Power Company - Maine Power Reliability Program (MPRP)
Agent Authorization

To Whom It May Concern:

Central Maine Power Company hereby authorizes TRC Engineers, Inc. and TRC staff to act as its agent for all activities associated with the acquisition of Federal, state and local permits related to the above referenced project.

Please call me at 626-9557 or email me at gerry.mirabile@comco.com with any questions. Thank you.

Sincerely,

Gerry J. Mirabile
Lead Analyst - Compliance

An equal opportunity employer

83 Edison Drive | Augusta, ME 04336

tel (207) 623-3521

S:\Compliance\Shared\Environmental\Projects\Transmission Lines\Maine Power Reliability Program [MPRP]\Agent Authorization Letter.doc
www.comco.com

April, 2009

Appendix D: Status of Right, Title or Interest

Right, Title or Interest Acquired from Abutting Landowners

| Map/Lot | Last | First | Address | City | State | Zip | Fee or Easement | Book /Page | Optioned |
|----------------------|----------|---------------------|-----------------------------|------------|-------|-------|-----------------|--------------|----------|
| R07-023 & 53 | Faust | Albert C. | 107 Stream Road | Winterport | ME | 04496 | NA | NA | YES |
| R07-055 | Martin | Michael | 127 Stream Road | Winterport | ME | 04496 | FEE | 3260/96-97 | NA |
| R07-115 | Bargeron | Lionel and Amy | 15 Alderwood Drive | Winterport | ME | 04496 | NA | NA | YES |
| R07-135 | Ginn | Bernard | 54 Perkins Road | Winterport | ME | 04496 | NA | NA | YES |
| R07-131 | Corey | Arthur A. | 266 Lebanon Road | Winterport | ME | 04496 | NA | NA | YES |
| R07-125 | Hand | Charleen | 650 Main Street | Wilton | ME | 04294 | NA | NA | YES |
| R11-076 | Lynch | Richard & Michelle | 19 Staples Road | Winterport | ME | 04496 | NA | NA | YES |
| R11-076 addl width | Lynch | Richard & Michelle | 19 Staples Road | Winterport | ME | 04496 | NA | NA | YES |
| R11-071 | Young | Larry and Christine | 37 Staples Road | Winterport | ME | 04496 | NA | NA | NO |
| R11-063 | Chaisson | James H. | 292 Main Street | Springvale | ME | 04083 | NA | NA | YES |
| R11-153 | Verrill | David | 1106 North Main Street | Winterport | ME | 04496 | NA | NA | YES |
| R11-163 | Bates | David C. | 1136 North Main Street | Winterport | ME | 04496 | FEE | 3283/278-279 | NA |
| R11-061 | Nelson | Jeffrey D. | 129 Main Road S. | Hampden | ME | 04444 | NA | NA | YES |
| R11-165 | Lipsohn | Lucile | 1156 North Main Street | Winterport | ME | 04496 | FEE | 3283/278-279 | NA |
| R11-167 | Treat | Robert and Margaret | 1192 North Main St./POB 340 | Winterport | ME | 04496 | NA | NA | YES |
| R11 - 167 addl width | Treat | Robert and Margaret | 1192 North Main St./POB 340 | Winterport | ME | 04496 | NA | NA | YES |

Central Maine Power Company- Existing Source Deed Table

| Grantor | Grantee | Date | Book/Page | Type |
|-----------------------------------|--------------------------|-------------|-----------|--------------|
| SEGMENT 1 | | | | |
| Foley, J. Henry | CMP | 28-May-1969 | 675/541 | Fee |
| Chesley, Horace | CMP | 22-Jul-1969 | 676/745 | Fee |
| Foley, J. Henry | CMP | 10-Nov-1969 | 678/724 | Fee |
| Foley, J. Henry | CMP | 28-May-1969 | 675/541 | Fee |
| Locke, Edward | CMP | 29-May-1969 | 675/539 | Fee |
| Page, George W. | CMP | 25-Mar-1969 | 674/386 | Fee |
| Hassen, Richard A. & Pamela J. | CMP | 16-Dec-1969 | 679/757 | Fee |
| Lipsohn, Karl P & Lucille A. | CMP | 13-Nov-1969 | 679/134 | Fee |
| DeLaite, Malcom A | CMP | 24-Nov-1969 | 679/243 | Fee |
| Grossman Industrial Products Inc. | CMP | 12-Jan-1970 | 679/921 | Fee |
| Nelson, Donald O, & Rita A. | CMP | 5-Jan-1970 | 679/891 | Fee |
| Verrill, David J. | CMP | 16-Dec- 969 | 679/755 | Fee |
| Phillips Arthur M. & Ernest A | CMP | 19-Dec-1969 | 679/694 | Fee |
| L r-Glad s- | CMP | 12-Nov-1969 | 679/132 | Fee |
| Butler, Emma P. | CMP | 16-Dec-1969 | 679/753 | Fee |
| Thibodeau, Reno M. & Viola A. | CMP | 26-Nov-1969 | 679/239 | Fee |
| Clements, Re inald Y. | CMP | 24-Nov-1969 | 679/237 | Fee |
| Brown, Beth Alley | CMP | 2-Jan-1970 | 679/751 | Fee |
| Worster, Clifford A. S Martha E. | CMP | 12-Nov-1969 | 679/128 | Fee |
| Lear, Geor e A. & Helen D. | CMP | 16-Apr-1970 | 682/226 | Fee |
| Lear. George A. & Helen D | CMP | 16-Apr-1970 | 662/226 | Fee |
| Doyon, Joseph S. | CMP | 14-Jan-1970 | 679/916 | Fee |
| Inhabitants of Town of Winterport | CMP | 27-Jan-1970 | 680/154 | Municipal QC |
| Doyon, Joseph | CMP | 1-Jan-1970 | 679/916 | Fee |
| SEGMENT 3 | | | | |
| Conant Charles M. | Central Securities Corp. | 22-Mar-30 | 376/53 | Fee |
| Haley, Emma R. | Central Securities Corp. | 22-Mar-30 | 377/5 | Fee |

Appendix E: Energy East Annual Report

Appendix F: Erosion and Sedimentation Control Plan

Appendix G: Letter from Operator of Winterport Water District

Appendix H: Letter from Winterport Code Enforcement Officer



TOWN OF
WINTERPORT
WINTERPORT, MAINE 04496

207-223-5055

SELECTMEN
ASSESSORS
TOWN MANAGER
TOWN CLERK

February 5, 2009

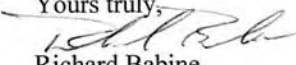
TRC Companies Inc.
400 Southborough Drive
South Portland, Maine 04106
ATTN: Alison Truesdale

Dear Alison,

This letter is in reference to the question raised at the February 26, 2009 planning board meeting. Specifically, the question asked was; does CMP's power line upgrade violate Winterport's Subdivision Ordinance?

I have reviewed the ordinance, talked with former CEO Dick Watson and have called the Maine Municipal Association. In my opinion CMP's upgrade does not violate any part of Winterport's Subdivision Ordinance.

Please call with any further questions.

Yours truly,

Richard Babine
CEO, Winterport
cc. Planning Board

Appendix I: Payment of Taxes