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Stantec

January 28, 2010

Marcia Spencer Famous
Land Use Regulation Commission
22 State House Station
Augusta, ME 04333-0022
(207) 287-2632

**Subject: LURC Grid-Scale Wind Energy Development Application
Highland Wind Project, Highland Plantation, Somerset County, Maine**

Dear Marcia:

I have enclosed for LURC review the Grid-Scale Wind Energy Development Application for the Highland Wind Project in Highland Plantation and Pleasant Ridge Twp., Somerset County, Maine. As requested, this submission addresses a number of additional issues you have raised during the course of our discussions with you.

While the applicant has attempted to address each of the comments you raised—both of the “requested” and “required” designation—there are some issues that the applicant simply cannot answer directly. Good examples of these issues are those questions you raised concerning interconnection status and power delivery details. Information concerning interconnection status, including the Feasibility Study for the project, has been designated as “Confidential Energy Infrastructure Information” by the ISO-New England and thus cannot be disclosed publicly. It is expected that the System Impact Study will be similarly characterized by ISO-NE. The applicant will seek further information concerning what can be disclosed to the public and will provide what it can to LURC during application processing.

You also asked two questions concerning the transportation analysis conducted for the project. To clarify, the analysis addresses only the impact presented by the development of the project. Finally, you also raised questions concerning reporting frequency during construction and operation. The applicant will commit to providing regular construction progress reports and also to providing regular operation status reports during the first two years of operation, but the frequency and exact content of these reports cannot be fully identified at this time. The applicant will work with LURC to identify mutually agreeable frequencies and content for these reports.

In reviewing this material, please note that, because no additional questions were raised concerning the soils suitability report (and in the interest of saving some paper), we have not provided that separate binder of printed materials with this submission. The report is contained in the enclosed CDs of the application, however.

Please do not hesitate to contact me (207-729-1199 or jonathan.ryan@stantec.com) should you have any questions during the course of your review. The check to cover the initial fee for this application will arrive today under separate cover.

Finally, please let me know how many additional application copies you would like, both in hardcopy and in electronic format, and Stantec will generate and deliver those copies for you.

Sincerely,
STANTEC CONSULTING



Jonathan T. Ryan
Senior Associate

cc: Rob Gardiner, Highland Wind LLC
PN 195600385





Permit Application

for residential and non-residential development

1. APPLICANT INFORMATION

Applicant Name(s) Highland Wind LLC	Daytime Phone 207-272-7228	FAX robertgardiner@gmail.com	E-mail robertgardiner@gmail.com
Mailing Address c/o Rob Gardiner, 110 Foreside Road, Cumberland Foreside, Maine 04110			

2. AGENT AUTHORIZATION AND APPLICANT SIGNATURES

Agent Name Jonathan Ryan, Stantec Consulting	Daytime Phone 207-729-1199	FAX 207-729-2715	E-mail jonathan.ryan@stantec.com
Mailing Address 30 Park Drive, Topsham, Maine 04086			

All persons listed on the deed, lease or sales contract as owners or lessees of the property must read the statement and sign below.

I hereby authorize the above-listed individual to act as my legal agent in all matters relating to this permit application. I have personally examined and am familiar with the information submitted in this application, including the accompanying exhibits and supplements, and to the best of my knowledge and belief, this application is true and accurate. I understand that I am ultimately responsible for complying with all applicable regulations and with all conditions and limitations of any permits issued to me by LURC.

Applicant Signature(s)

Date

3. PROJECT LOCATION AND DESCRIPTION

Describe in detail what you are proposing and the purpose of the work to be accomplished (use additional paper if you need more space).

See Section 1

Property Location	Township, Town or Plantation Highland PLT, Pleasant Ridge TWP	County Somerset	Lessor and Lease Lot Numbers (check your lease) See Section 4
	Tax Plan and Lot Numbers (check your tax bill) See Section 4		Book and Page Numbers (check your deed) Book 3237, Page 181
Lot Size (in acres, or in square feet if less than 1 acre) 1,000+ acres	Zoning (check a LURC map - list all subdistricts covering your property) M-GN, P-FP, P-WL, P-SL		
Road Frontage. Is your property adjacent to any roads, streets or other rights-of-way (including any camp roads)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, write the name and frontage (in feet) for each road: Long Falls Dam Road: 7,922 ft. total property frontage; 762 ft. project frontage If no, describe how you access your property:	Water Frontage. Is there a lake, pond, river, stream, brook, or other water body on or adjacent to your lot? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, write the name and frontage (in feet) for each water body: Sandy Stream, Stony Brook, Churchill Brook, Houston Brook, Kennebec River		

4. LAND DIVISION HISTORY

Using your deed as a starting point, trace the ownership history and configuration changes of your property back to 20 years from today. List all changes in ownership and all divisions of those lots from which your property originated (use additional paper if you need more space).

Description of Transaction (including seller's and buyer's names)	Date of sale or lease	Lot size
See Section 4		

5. EXISTING USES, STRUCTURES AND FEATURES

Existing Use: What is the current use of your property?

- Residential Residential with Home Occupation Commercial or Industrial Public or Institutional Other:

Existing Structures: Are there any structures on your property? Yes No

If yes, fill in a line on the table below for each structure on your lot (use additional paper if necessary):

Type of structure (dwelling, garage, deck, porch, shed, etc.)	Year built	Exterior dimensions (LxWxH)	Number of:			Type of Foundation (full basement, slab, post, etc.)	Distance (in feet) of structure from nearest:				
			Bedrooms	Plumbing or water fixtures			Road	Property line	Lake or pond	River or stream	Wetland
5 MET Towers	2008	8in x 197ft									

Other Existing Features: If any of these features exist on your property, check off the feature and answer the appropriate questions.

<input type="checkbox"/> Driveways	Dimensions (LxW): _____ Shared driveway? <input type="checkbox"/> Yes <input type="checkbox"/> No Distance of driveway (in feet) from nearest: _____	<input type="checkbox"/> Parking areas	Number of parking areas: _____ Dimensions (LxW): _____ Distance of parking areas (in feet) from nearest: _____
N/A	Property line: _____ Lake or pond: _____ River or stream: _____ Wetland: _____		Road: _____ Property line: _____ Lake or pond: _____ River or stream: _____ Wetland: _____
<input checked="" type="checkbox"/> Water supply	What type of water supply serves your property? Sec. 9 _____	<input checked="" type="checkbox"/> Exterior lighting	List the fixtures that have been installed to illuminate your property:
<input type="checkbox"/> Signs	Number of signs: _____ Dimensions (LxWxH): _____ Are any signs lighted? <input type="checkbox"/> Yes <input type="checkbox"/> No Distance of signs (in feet) from advertised structure or activity: _____	Sec. 8	Type of bulb: _____ Watts: _____ Date fixture installed: _____ Cutoff fixture? <input type="checkbox"/> Motion activated? <input type="checkbox"/>
N/A			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

6. CHANGES TO EXISTING STRUCTURES OR FEATURES Sec. 1

Will you be expanding, reconstructing, relocating, or otherwise altering any existing structures on your property? Yes No

If yes, fill in a line on the table below for each structure proposed to be altered (use additional paper if necessary):

Structure to be altered (dwelling, garage, porch, shed, driveway, sign, etc.)	Proposed alterations (check all that apply)						New exterior dimensions (LxWxH)	New number of:			Distance (in feet) of altered structure from nearest:				
	Expand or add on	Reconstruct or replace *	Permanent foundation	Relocate	Enclose deck or porch	Other **		Bedrooms	Plumbing or water fixtures		Road	Property line	Lake or pond	River or stream	Wetland
4 MET Towers	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	262 ft.								
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>									

* **Reconstruction or installation of a permanent foundation.** If you are reconstructing an existing structure, or if you are installing a permanent foundation beneath an existing structure:

- Has the existing structure been damaged, destroyed or removed from your property? Yes No
If yes, provide the date the structure was damaged, destroyed or removed: _____
- If the reconstructed structure or permanent foundation will not meet LURC's minimum setback requirements from property lines, roads, water bodies or wetlands, explain what physical limitations (such as lot size, slope, location of septic system, etc.) prevent the structure or foundation from meeting such setbacks:

** **Other.** If you selected "Other" from the table above, describe in detail the type of alteration you are proposing (use additional paper if needed):

7. PROPOSED USES, STRUCTURES AND FEATURES

Proposed Use: What is the proposed use of your property?

Residential Residential with Home Occupation Commercial or Industrial Public or Institutional Other:

New Structures: Will you be constructing or installing any new structures on your property?

Yes No

If yes, fill in a line on the table below for each new structure.

Type of structure (dwelling, garage, porch, shed, etc.)	Exterior dimensions (LxWxH)	Number of:			Type of Foundation (full basement, slab, post, etc.)	Distance(in feet) of structure from nearest:					
		Bedrooms	Plumbing or water fixtures			Road	Property line	Lake or pond	River or stream	Wetland	
See Sec. 1 and Site Plans											

Other Proposed Features: If you are proposing to add any of these features, check off the feature and answer the appropriate questions:

<input type="checkbox"/> Driveways	Dimensions (LxW): _____ Shared driveway? <input type="checkbox"/> Yes <input type="checkbox"/> No Distance of driveway (in feet) from nearest: Property line _____ Lake or pond _____ River or stream _____ Wetland _____	<input checked="" type="checkbox"/> Parking areas Number of parking areas: _____ Dimensions (LxW): _____ Distance of parking areas (in feet) from nearest: Road _____ Property line _____ Lake or pond _____ River or stream _____ Wetland _____
	Will the driveway have a slope greater than 8%? <input type="checkbox"/> Yes <input type="checkbox"/> No Will the driveway cross any flowing water? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, what type of crossings will be used? <input type="checkbox"/> Bridge <input type="checkbox"/> Culvert Will crossings be sized at least 2½ times the cross-sectional area of the flowing water? <input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Signs exceeding LURC standards Number of signs: _____ Dimensions (LxWxH): _____ Will any signs be lighted? <input type="checkbox"/> Yes <input type="checkbox"/> No Distance of signs (in feet) from advertised structure or activity: _____ What features of the signs exceed LURC standards? _____ Why do the signs need to exceed LURC standards? _____
<input checked="" type="checkbox"/> Water supply	What type of water supply will serve the property? Sec. 9	
<input checked="" type="checkbox"/> Exterior lighting	List the fixtures that will be installed to illuminate your property: Sec. 8	Will the signs be a hazard to traffic? <input type="checkbox"/> Yes <input type="checkbox"/> No How will the signs' design elements (color, bulk, materials, height, etc.) be compatible with the property and fit harmoniously into the surroundings? _____ _____
	Type of bulb _____ Watts _____ Cutoff fixture? <input type="checkbox"/> Motion activated? <input type="checkbox"/>	

8. SEWAGE DISPOSAL FOR NEW AND ALTERED STRUCTURES See Sec. 9

Will any proposed new or altered structures include bedrooms, bathrooms or plumbing/water fixtures, or otherwise generate waste water? Yes No

9. WETLAND ALTERATIONS See Sec. 1 & 11

Will your proposal alter any amount of land that is a mapped P-WL subdistrict or any ground below the normal high water mark of a lake, pond, river, stream, or intertidal area? Yes No

Will your proposal alter an acre or more of any land area, either upland or wetland? Yes No

10. FEMA FLOOD ZONING See Sec. 1 and Site Plans

Are you proposing first-time development or making substantial improvements to any existing development within a mapped FEMA floodplain? Yes No

11. VEGETATION CLEARING See Sec. 1, key facts table and Sec.

Will your project involve any clearing of vegetation? (If yes, answer the following questions) Yes No

▪ Total area of clearing: _____ sq. ft.

▪ Distance between edge of cleared area and the nearest:

Road	Property line	Lake or pond	River or stream	Wetland

12. BUFFERING IN PROSPECTIVELY ZONED AREAS

Is your property located in a development subdistrict within a prospectively zoned area? Yes No

▪ If yes, how wide are any existing wooded buffers (as measured at the narrowest point) between existing and proposed structures on your property and the nearest:

Road	Side property line	Rear property line	Subdistrict boundary (if in D-ES or D-CI)

▪ Do these buffers or any other features of your property screen the proposed development from view from the road and adjacent properties? Yes No

13. EROSION AND SEDIMENTATION CONTROL

▪ Total area of new or expanded soil disturbance: _____ sq. ft.

▪ Distance between the disturbed area and the nearest:

Road	Property line	Lake or pond	River or stream	Wetland

Sec. 10

▪ If soil disturbance will occur within 250 feet of a water body or wetland, what is the average slope of the land between the disturbed soil and the normal high water mark or upland edge? Slope: _____ %

▪ Will soil disturbance occur when the ground is frozen or saturated? Yes No

▪ Will soil disturbance occur (a) in water bodies, wetlands, natural drainage systems, or water crossings; (b) on slopes exceeding 15%; or (c) in other sensitive areas? Yes No

If yes, how will you stabilize disturbed areas and minimize the amount and duration of soil exposure?

▪ Will existing catch basins and culverts on or near the property be protected from sediment by the use of hay bale check dams, silt fences or other effective measures? Yes No

▪ Will topsoil be stripped from the property? Yes No

If yes, will the topsoil be stockpiled at least 100 feet from water and wetlands? Yes No

▪ Will all disturbed areas and stockpiled soils be effectively stabilized at the end of each workday? Yes No

▪ Will any fill used be free of hazardous or toxic materials, debris, trash and rubbish? Yes No

▪ What will you do (during site preparation, construction, cleanup, and post-construction) to stabilize disturbed soil and prevent sediment from entering water, wetlands, natural drainage systems, catch basins, culverts or adjacent properties?

▪ What provisions will you make for the continued maintenance of all proposed erosion and sedimentation control measures?

▪ Provide a general timeline of construction activities on your property, including clearing, grading, construction and landscaping:

14. ADDITIONAL INFORMATION

State any facts that further explain your proposal or may help us in our review of your application (Use additional paper if needed).

15. REQUIRED FEES, EXHIBITS AND SUPPLEMENTS

Submit all necessary fees, exhibits and supplemental information with this application, as described in the instructions.



Supplement S-3

Requirements for Wetland Alterations

Applicant Name(s): Highland Wind LLC	Project Location (Township and County): Highland Plantation & Pleasant Ridge
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NATURE OF WETLAND ALTERATION

1. Describe in detail the purpose and need for the proposed wetland alteration and the type of activity involved (use additional paper if needed).
See Sec. 1

2. Will your proposal alter any amount of land that is a mapped P-WL subdistrict or any ground below the normal high water mark of a lake, pond, river, stream, or intertidal area? Yes No
3. Will your proposal alter an acre or more of any land area, either upland or wetland? Yes No
- 3a. If yes, are there wetlands present within the boundaries of your project area (as determined by a qualified wetland professional)? Yes No

WETLAND TYPE AND AMOUNT OF ALTERATION Sec. 11

4. What type of wetland(s) will be altered? (check all that apply) Provide the amount of wetland area (in square feet) that is proposed to be altered within each category that is checked off, then calculate the total area of wetland alteration.

<input checked="" type="checkbox"/> P-WL1: Wetland of special significance _____ sq. ft.	>	TOTAL AREA OF WETLAND ALTERATION:
<input checked="" type="checkbox"/> P-WL2: Scrub shrub wetland _____ sq. ft.		300,920 sq. ft.
<input checked="" type="checkbox"/> P-WL3: Forested wetland _____ sq. ft.		
5. Provide the amount of wetland area (in square feet) that is proposed to be altered within each of the following categories:

<input type="checkbox"/> Coastal wetland _____ sq. ft.	<input checked="" type="checkbox"/> River, stream or brook bottom	3,195 l.f.	sq. ft.
<input checked="" type="checkbox"/> Freshwater wetland 300,920 sq. ft.	<input type="checkbox"/> Lake or pond bottom		sq. ft.
6. Do the wetlands to be altered contain any critically imperiled (S1) or imperiled (S2) natural communities? Yes No

PREVIOUS ALTERATION, AVOIDANCE, EROSION/SEDIMENTATION CONTROL

7. Has any wetland area been previously altered on the property? Yes No
 - 7a. If yes, provide the date, purpose, and amount of previous alteration, and whether permits were obtained.
Historic harvesting activity.
8. Is there a reasonable way for you to conduct your project that avoids alteration of wetland areas? Yes No
 - 8a. If no, explain why not and describe how do you propose to minimize the amount of wetland to be altered.
Sec. 5
9. How will you keep disturbed soils from eroding into nearby lakes, ponds, rivers, streams, intertidal areas, or other wetlands?
Sec. 10

LEVEL OF WETLAND REVIEW, REQUIRED EXHIBITS

10. Determine the level of wetland review required for your project (check only one option!) and submit all necessary exhibits with this supplement (see instructions for details).	Level of Review	Required Exhibits
<input checked="" type="checkbox"/> Altering a P-WL1 of any size.	Tier 3	S-3A, S-3B, S-3C, S-3D
<input type="checkbox"/> Altering 15,000 – 43,559 sq. ft. of a P-WL2 or P-WL3 containing S1 or S2 communities.		
<input type="checkbox"/> Altering 43,560 sq. ft. or more or a P-WL2 or P-WL3.		
<input type="checkbox"/> Altering 20,000 – 43,560 sq. ft. of a P-WL2 or P-WL3 not containing S1 or S2 communities.	Tier 2	S-3A, S-3B, S-3C, S-3D
<input type="checkbox"/> Altering 15,000 – 19,999 sq. ft. of a P-WL2 or P-WL3 not containing S1 or S2 communities.	Tier 2	S-3A, S-3B
<input type="checkbox"/> Altering 4,300 – 14,999 sq. ft. of a P-WL2 or P-WL3.	Tier 1	S-3A
<input type="checkbox"/> Altering less than 4,300 sq. ft. of a P-WL2 or P-WL3.	None	S-3A



REQUIREMENTS FOR NON-RESIDENTIAL DEVELOPMENT

Supplement S-2

WHO NEEDS TO SUBMIT THIS SUPPLEMENT?

You must submit this supplement if you are proposing any type of commercial, industrial, public, institutional or other non-residential type of development or use that requires LURC permit approval. This supplement is also used when a particular proposal does not come under any of LURC's specific permit applications.

WHAT LURC REQUIREMENTS APPLY TO NON-RESIDENTIAL DEVELOPMENT?

All applications submitted to LURC must satisfy the general approval criteria of Section 10.24 of the Commission's Land Use Districts and Standards. LURC's development standards of Section 10.25 identify additional requirements for non-residential structures and uses. These include review standards for structures adjacent to lakes, standards for technical and financial capacity, vehicular circulation, scenic character, noise and lighting, soil suitability, phosphorus control, erosion and sedimentation control, and others. For additional details, or to obtain a copy of these requirements, contact the LURC regional office that serves your area (see below).

WHERE CAN I GET HELP TO COMPLETE THIS SUPPLEMENT?

Call the LURC regional office that serves your area and ask to speak to one of our regional representatives. Also, visit our web site at www.maine.gov/doc/lurc to browse through our rules and regulations, meeting agendas, and other valuable information.

<p>Augusta Office <i>Main LURC Office</i></p> <p>18 Elkins Lane - Harlow Bldg. Tel. (207) 287-2631 22 State House Station TTY ((888)577-6690 Augusta, ME 04333-0022 FAX (207) 287-7439</p>	<p>Ashland Office <i>Serving most of Aroostook County and Northern Penobscot County</i></p> <p>45 Radar Road Tel. (207) 435-7963 Ashland, ME 04732-3600 FAX (207) 435-7184</p>	<p>★ AUGUSTA</p> <p>ASHLAND GREENVILLE DOWNEAST RANGELEY E MILLINOCKET</p>
<p>Cherryfield Office <i>Serving Hancock, Kennebec, Sagadahoc and Washington Counties and Orneville and Argyle Twps and Coastal Islands in LURC Jurisdiction</i></p> <p>106 Hogan Rd, Suite 7 Tel. (207) 941-4052 BMHI Complex FAX (207) 941-4222 Bangor, Maine 04401</p>	<p>East Millinocket Office <i>Serving Southern Penobscot except Argyle, Southern Aroostook and portions of Piscataquis Counties</i></p> <p>191 Main Street Tel. (207) 746-2244 East Millinocket, ME 04430 FAX (207) 746-2243</p>	
<p>Greenville Office <i>Serving Somerset and most of Piscataquis Counties</i></p> <p>43 Lakeview Street Tel. (207) 695-2466 P.O. Box 1107 FAX (207) 695-2380 Greenville, ME 04441</p>	<p>Rangeley Office <i>Serving Franklin and Oxford Counties</i></p> <p>66 Dallas Hill Road Tel. (207) 864-5064 P.O. Box 887 FAX (207) 512-1004 Rangeley, ME 04970</p>	

GENERAL INSTRUCTIONS



Before you start filling out this supplement, contact LURC for guidance on how to proceed. Due to the varied nature of non-residential developments, some applicants may not need to respond to all of the questions in this supplement. For large-scale proposals, a pre-application meeting with LURC is strongly encouraged. Contact the LURC office that serves your area to set up an appointment.

Use separate sheets of paper to answer all questions in this supplement. List the applicant name(s) and the project location (township and county) on each sheet. Submit this supplement and any required exhibits (see instructions) with your permit application to the LURC regional office that serves your area. Important references are made throughout this supplement to LURC's rules and regulations, including sections within Chapter 10, the Commission's Land Use Districts and Standards. You may obtain a copy of these standards by contacting our offices, or by visiting our web site at www.maine.gov/doc/lurc.



No construction activities or other development activities (including vegetation clearing, filling, grading, and installation of driveway) may be started until you obtain an approved LURC permit!



Supplement S-2

Requirements for Non-Residential Development

Applicant Name(s): Highland Wind LLC	Project Location (Township and County): Highland Plantation & Pleasant Ridge Twp.
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TECHNICAL AND FINANCIAL CAPACITY

<ol style="list-style-type: none"> 1. Will you hire any consultants, contractors or staff to design and construct the proposed development? If yes, summarize the previous experience and training of your staff. If no, summarize your own previous experience and training in construction. 2. What is the estimated total cost of the proposed development (including all proposed improvements, structures and facilities)? How will the development be financed (e.g. by the applicant, bank, state government loan, etc.)? 	<div style="border: 1px solid black; padding: 5px;"> <p> Refer to Section 10.25,C of the Commission's <u>Land Use Districts and Standards</u> for rules relating to technical and financial capacity.</p> </div>
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IMPACT ON SERVICES Sec. 9


<ol style="list-style-type: none"> 3. Will your proposed development involve any sources of potential contamination (such as junkyards, auto repair, gas stations, and bulk storage of petroleum)? If so, will the project site be located at least 300 feet from any existing private and public water supplies? 4. If your proposed development will use an existing or new well, where will the well be sited and how will it be constructed to prevent infiltration of surface water and contaminants? 5. Will the project site have electric power? If yes, how will the power be generated (on site, by power company, etc.)? How far is the project site from the nearest existing utility pole? 6. What state-approved dump will you use for the regular collection and disposal of site-generated solid wastes? Provide the name and location of the dump. How will you dispose of construction debris, stumps, brush, wood wastes, asphalt and pavement products? 7. Who will provide fire protection to your project site? Provide the name and distance to the nearest fire station.

VEHICULAR CIRCULATION, ACCESS AND PARKING Sec. 7

<ol style="list-style-type: none"> 8. How will you provide safe, uncongested vehicular access to and circulation within your project area? Will you limit the number and width of entrances and exits onto a roadway to that necessary for safe entering and exiting? Will access be designed so that vehicles can exit the site without backing onto a roadway or shoulder? Will shared access be implemented? If not, describe why shared access is not possible. 9. At what angle will access between the roadway and property intersect the roadway? What curb radius will the access way have? How will sight triangles be designed and maintained on each side of the intersection of the access way and the roadway? 10. If you are proposing to use any existing or new parking areas, explain how such parking will meet the needs of the development and how such parking areas will be designed. <ol style="list-style-type: none"> a. Are you proposing to use on-street or off-street (on-site) parking? If using on-street parking, will parking be parallel or diagonal? If using off-street parking, will parking be located to the side or rear of the principal structure? If not, explain why side or rear parking is not possible. b. How will parking areas be visually buffered from the roadway? If your project area is adjacent to residential structures or uses, how will parking areas be visually buffered from such development? 11. If you are proposing to build or upgrade any roads to be used to access your project site, explain how any existing or proposed roadways will meet the needs of the development and describe how such roadways will be designed. Describe what site-specific best management practices will be used to ensure that the roadways will not cause erosion or safety problems. <ol style="list-style-type: none"> a. Provide the following information about each road you propose to build or upgrade: <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">- Length and travel width of roadway</td> <td style="width: 50%;">- Number of culverts and/or water crossings</td> </tr> <tr> <td>- Right-of-way width</td> <td>- Type and depth of wearing surface</td> </tr> <tr> <td>- Average and maximum sustained grade</td> <td>- Type and depth of base</td> </tr> </table> b. How will the roadways be designed to minimize the use of ditching, cuts and fills. How will the roadways be designed to protect any scenic vistas? c. Who will be responsible for continued maintenance of any proposed roadways? If any roadway will be dedicated to a town, plantation, county or other government, will its design comply with that government's roadway construction standards? d. If any proposed roadways will be co-utilized for forest management purposes, explain how and where turnouts will be installed to accommodate wood haulers and other large vehicles. 	- Length and travel width of roadway	- Number of culverts and/or water crossings	- Right-of-way width	- Type and depth of wearing surface	- Average and maximum sustained grade	- Type and depth of base	<div style="border: 1px solid black; padding: 5px;"> <p> Refer to Section 10.25,D; Section 10.27,D; and Section 10.27,H of the Commission's <u>Land Use Districts and Standards</u> for LURC's traffic management and road construction requirements.</p> </div>
- Length and travel width of roadway	- Number of culverts and/or water crossings						
- Right-of-way width	- Type and depth of wearing surface						
- Average and maximum sustained grade	- Type and depth of base						


NOISE AND LIGHTING Sec. 16 & 8

12. Except for day-time construction activities, will any continuous, regular or frequent source of noise be generated by the development? If yes, describe the source and frequency of such noise and explain how you will ensure that such noise will not exceed LURC's maximum permissible sound pressure levels.
13. If your development will use any new or existing lighting, will all non-essential lighting be turned off after business hours? What will be the hours of operation for your development?

 Refer to Section 10.25,F of the Commission's Land Use Districts and Standards for LURC's noise and lighting requirements.


WATER AND AIR QUALITY Sec. 10 & 11

14. If your property or development area is adjacent to any water bodies, what measures will you use to ensure that point and nonpoint sources of water pollutants (including sediment) generated by your development do not affect the surface water quality of the water bodies?
15. How will you ensure that your development will not pose an unreasonable risk of polluting a groundwater aquifer?
16. Will your development generate any air emissions other than ordinary fireplace smoke or heating furnace exhaust? If so, describe the type and amount of emissions.

 Refer to Section 10.25,K; Section 10.25,N; and Section 10.25,O of the Commission's Land Use Districts and Standards for LURC's surface water, groundwater and air quality requirements.


SCENIC CHARACTER, NATURAL AND HISTORIC FEATURES Sec. 17, 13 & 14

17. How will your development be located, designed and landscaped to minimize visual impacts on the scenic character of the surrounding area? Will structures and other features be visible from existing roadways or shorelines? If on a ridge, how will the natural character of the ridgeline be preserved?
18. If any portion of your project site includes S1 or S2 natural communities or plant species, how will you ensure that there will be no undue adverse impact on the community/species and how will you preserve the values that qualify your site for such designation?
19. If any portion of your project site includes archeologically sensitive areas, structures listed in the National Register of Historic Places or is likely to contain a significant archaeological site or structure, how will you ensure that there will be no undue adverse impact on such features and how will you preserve the values that qualify your project site for such designation?

 Refer to Section 10.25,E of the Commission's Land Use Districts and Standards for LURC's scenic character and natural & historic features requirements.


SHORELAND CRITERIA Sec. 1, 10 & 14

20. If your proposed development is adjacent to any lakes or ponds, explain in detail how your proposal is consistent with each of the following shoreland criteria:
 - a. The proposal will not adversely affect any significant or outstanding natural and cultural resource values, as identified in the Commission's Wildland Lakes Assessment;
 - b. The proposal will not have an undue adverse impact on water quality, alone or in conjunction with other development;
 - c. The proposal will not have an undue adverse impact on traditional uses, including non-intensive public recreation, sporting camp operations, timber harvesting, and agriculture;
 - d. The proposal will not substantially alter the diversity of lake-related uses available in the area;
 - e. Adequate provision has been made to maintain the natural character of shoreland;
 - f. The proposal is consistent with the management intent of the affected lakes classification; and
 - g. Where future development on a lake may be limited for water quality or other reasons, proposed development on each land ownership does not exceed its proportionate share of total allowable development.

 Refer to Section 10.25,A of the Commission's Land Use Districts and Standards, as well as the "Review Criteria for Shoreland Permits" in the Commission's Comprehensive Land Use Plan (Appendix C, p 4-5) for LURC's standards for shoreland development.

BUILDING LAYOUT IN PROSPECTIVELY ZONED AREAS N/A

21. If your proposed development is located in a D-GN, D-GN2, D-GN3, D-RS or D-RS2 subdistrict within a prospectively zoned area, answer the following questions.
 - a. Will your development be substantially similar in building height, bulk, and roof lines to neighboring development? Describe the features that makes your development is substantially similar.
 - b. What will you do to facilitate pedestrian access between adjacent sites and nearby residential neighborhoods? What will you do to facilitate automobile access?
 - c. Do you propose any windowless walls facing a public road?
 - d. If you are proposing new development adjacent to development in a "Main Street" setting (see instructions), will your buildings be configured so that at least 80% of the road frontage to be developed remains devoted to buildings?

 Refer to Section 10.25,B of the Commission's Land Use Districts and Standards for LURC's additional rules for prospectively zoned areas.

Required Exhibits

Supplement S-2: Requirements for Non-Residential Development

All proposals for non-residential development must include Exhibits S-2A, S-2B, and S-2C.

Depending on the nature of your proposal, you may also need to submit some or all of the additional exhibits described below.



If you are unsure about what to submit with your application, contact the LURC office that serves your area for assistance.

S2-A. FINANCIAL CAPACITY. Sec. 2

To demonstrate that you have adequate financial resources to undertake the proposed development, submit at least one of the following:

- Submit a letter from a financial institution, government agency or other funding source indicating a commitment to provide a specified amount of funds and the uses for which those funds may be utilized. In cases where there can be no commitment of money until approvals have been received, submit a letter of Intent to Fund from the funding institution indicating the amount of funds and their specified uses.
- Submit the most recent corporate annual report indicating availability of sufficient funds to finance the development, along with explanatory materials to interpret the report.
- If you will personally finance the development, submit copies of bank statements or other similar evidence indicating availability of funds necessary to complete the development., including all proposed improvements, structures and facilities.

S2-B. SOLID WASTE DISPOSAL AUTHORIZATION. Sec. 9

To confirm that the solid waste facility you propose for use by your development is available and can accommodate the additional wastes anticipated to be generated by your development, submit a letter of authorization from the owner of the solid waste facility which states both availability and acceptability of the facility to accept wastes from your development. If you have a contract with an individual or firm for the collection and/or transfer of solid wastes from the project area to the approved solid waste facility, provide a signed copy of such contract.

S2-C. SOIL SUITABILITY AND MAPPING. Sec. 15

Submit an on-site soil survey, conducted by a Maine licensed soil scientist according to the "Guidelines for Maine Certified Soil Scientists for Soil Identification and Mapping" (Maine Association of Professional Soil Scientists, 2003). Use a Class A high intensity soil survey to identify soils within all disturbed areas on your project site. Disturbed areas include areas that are stripped, graded, grubbed or otherwise result in soil exposure at any time during the site preparation for, or construction of, a project. Use a Class B soil survey to identify soils elsewhere within the project area.



In certain cases, LURC may reduce the soil survey class requirements, or waive certain provisions of a Class A or B high intensity soil survey (for instance, the contour mapping requirement). Before you conduct your soil survey, contact the LURC office that serves your area for guidance on how to proceed.

With the results of your soil survey, identify the development potential rating for each soil type within your project area using the Natural Resources Conservation Service's soils potential ratings for low density development. If any soils within your project area have a low or very low development potential rating, explain what measures will be used to overcome the limitations that resulted in such a rating.

S2-D. CORPORATE GOOD STANDING. Sec. 2

If the owner of the proposed development is a corporation, submit a certification of good standing from the Maine Secretary of State.

S2-E. WATER SUPPLY. Sec. 9

If you plan to install a well, submit at least one of the following:

- A letter from a geologist, hydrogeologist or well driller knowledgeable with the area, describing the project area and stating that a sufficient and healthful water supply is likely to be available.
- A test well dug or drilled on site and a report prepared which indicates the volume and potability of water obtained from the well.

Additionally, if you plan to install a central water supply, submit detailed plans for the water supply system in conformance with the Maine Drinking Water Regulations. Such plans must be designed by a Maine Registered Professional Engineer and must show all water supply locations, wells, support facilities and structures, and pipelines. You must also describe proposed methods for continued maintenance of the system.

S2-F. ROADWAY DESIGN AND MAINTENANCE. Sec. 5 and Site Plans

If you are proposing to construct or upgrade any roadways, submit a plan (drawn to scale) which shows the location of all proposed roadways, as well as turnarounds, water crossings and turnouts and drainage control measures (such as ditches, water bars, etc.). Identify each roadway by name and include width of roadways, rights of way and travel surfaces. Also submit three drawings, each to scale, illustrating the following:

- A typical overhead view of the proposed roadways showing widths of the travel way, shoulders, and rights of way, and the roadway center line.
- A typical cross section showing the roadway travel surface, location and materials of original ground surface, depth and type of fill to be used, slopes, drainage ditches and other water control devices, and boundaries of the travel surface, shoulders and rights of way.
- A typical profile showing elevations of the roadway and the original ground surface, and the percent slope of the final roadway from the center line of the entire length of the roadway.

If you will dedicate any roadways to a town or plantation, you must also submit a maintenance plan that specifies the proposed roadway construction and design standards that will be used.

S2-G. PARKING LANDSCAPING PLAN. Site Plans

If your proposed development has a parking area that is more than one acre in size, you must submit a landscaping plan that indicates planting locations, type and maintenance. The plan must include provisions that all parking areas will have landscaped strips along the perimeter, as well as landscaped islands within the parking area. The plan also must include provisions that expanses of parking areas will be broken up with landscaped islands that include shaded trees and shrubs. Contact the LURC office that serves your area for additional details about the requirements for a landscaping plan.

S2-H. TRAFFIC IMPACT STUDY. Sec. 7

If your proposed development has the potential to generate significant amounts of traffic or if safety or capacity concerns exist in the area, you may be required to conduct a traffic impact study of roadways and intersections in the vicinity of your project site. If such information is needed, LURC will contact you during the review of your proposal.

S2-I. ARCHAEOLOGICAL SURVEY. Sec. 14

If any portion of your development site includes an archeologically sensitive area or a structure listed in the National Register of Historic Places, or is considered by the Maine Historic Preservation Commission or other pertinent authority as likely to contain a significant archaeological site or structure, you must conduct archaeological surveys or submit information on the structure. If such information is needed, LURC will contact you during the review of your proposal.

S2-J. PHOSPHORUS CONTROL. Sec. 10

If your development creates a disturbed area of one acre or more within the direct watershed of a lake or pond, you must submit a phosphorus impact analysis and control plan using the methods and procedures set forth in the booklet "Phosphorus Control in Lake Watersheds: A Technical Guide to Evaluating New Development" (DEP, 1992). The booklet is available from the Department of Environmental Protection by calling (207) 287-3901. This exhibit must include plans for long term maintenance of any proposed phosphorus control measures, including vegetative buffers, infiltration systems and wet ponds.
