



JANET T. MILLS
GOVERNOR

STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
LAND USE PLANNING COMMISSION
22 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0022

AMANDA E. BEAL
COMMISSIONER
STACIE R. BEYER
ACTING EXECUTIVE DIRECTOR

**Third Procedural Order
In the Matter of
Development Permit DP 5050-B**

**Rising Tide Towers, LLC
Telecommunications Tower**

January 25, 2022
Commissioner Everett Worcester, Chair and Presiding Officer

This Third Procedural Order (Order) of the Land Use Planning Commission (Commission) provides a ruling of the Commission and the Presiding Officer to reopen the hearing record.

1. In the First Procedural Order issued on August 24, 2021, the Presiding Officer established that the hearing record would remain open until September 17, 2021 at 5:00 P.M. to allow the filing of written statements with the Commission, and until September 24, 2021 at 5:00 P.M. to file statements in rebuttal of those filed by the September 17th deadline.
2. On September 07, 2021, the Commission held a hearing in the matter of Rising Tide Towers, LLC's (Applicant) pending application for Amendment B to Development Permit DP 5050 (Application DP 5050-B).
3. In the Second Procedural Order issued on September 24, 2021, the Presiding Officer revised the close of the hearing record from September 24, 2021 at 5:00 P.M. to November 6, 2021 at 5:00 P.M. The Applicant could submit additional information until 5:00 P.M. on October 15, 2021. The hearing record remained open until October 29, 2021 at 5:00 P.M. for interested persons to file comments on any additional information supplied by the Applicant, and until November 6, 2021 at 5:00 P.M. for statements in rebuttal to comments filed by the October 29th deadline.
4. The hearing record closed on November 6, 2021.
5. At the regular business meeting of the Commission on December 08, 2021, at the request of the Applicant, the Commission voted to table the application for Amendment B to Development Permit DP 5050.
6. At the regular business meeting of the Commission on January 12, 2022, and in accordance with the Commission's *Rules for the Conduct of Public Hearings*, 01-672 C.M.R. 5(5.18)(3) (Chapter 5), the Commission voted to take the application for

Amendment B to Development Permit DP 5050 off the table and to reopen the hearing record. The hearing record will remain open until 5:00 P.M. on January 31, 2022 for the Applicant to submit additional information. The hearing record will remain open until February 10, 2022 at 5:00 P.M. for interested persons to file comments on any additional information supplied by the Applicant, and until February 17, 2022 at 5:00 P.M. for statements in rebuttal to comments filed by the February 10th deadline.

7. A copy of Application DP 5050-B's public hearing record, as may be amended at any time as documents are received, may be viewed at the Commission's Downeast Regional office at 106 Hogan Road, Suite 8, Bangor, Maine 04401, (207) 215-4685. Please call if interested in visiting the office to view the application. Additionally, Application DP 5050-B's public hearing record, as may be amended at any time as documents are received, may be viewed using the Rising Tide Towers, LLC's Featured Link on the Commission's Website at: <https://www.maine.gov/dacf/lupc/projects/dp5050B/dp5050B.html>. Questions regarding this Order of the Presiding Officer should be directed to Karen Bolstridge at karen.bolstridge@maine.gov or 207-215-4685.
8. This Procedural Order is issued by the Presiding Officer pursuant to Chapter 5 of the Commission's rules. All objections to matters contained herein should be timely filed in writing with the Commission staff but are not to be further argued except by leave of the Presiding Officer. All rulings and objections will be noted in the record. The Presiding Officer may amend this Order at any time.

DONE AND DATED AT AUGUSTA, MAINE, THIS 25th DAY OF JANUARY 2022

By: 

Everett Worcester, Chair and Presiding Officer,
Maine Land Use Planning Commission