



PAUL RICHARD LEPAGE

GOVERNOR

STATE OF MAINE  
DEPARTMENT OF CONSERVATION  
MAINE LAND USE REGULATION COMMISSION  
22 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0022

WILLIAM H. BEARDSLEY

COMMISSIONER

## Staff Memorandum issued May 5, 2011

### **SITE VISIT**

**In the Matter of**

**Development Permit DP 4886**

**Blue Sky East, LLC**

**Bull Hill Wind Project**

Site Visit to be held on May 16, 2011

10:00 am to 3:00 pm

The **Site Visit** for the Commission will leave from the Town of Eastbrook Town Office, Eastbrook, Maine on **Monday, May 16<sup>th</sup> at 10:00 AM**, and it is anticipated that attendees will arrive back at the Town office by mid-afternoon at **3:00 PM**. The Commission will visit the Bull Hill Wind Project site in Township T16-MD and other relevant stops to observe, for example; locations of project features, access, and area landscapes. The parties, interested persons, and any member of the public wishing to attend the site visit are welcome to do so. The Site Visit Itinerary follows as a listed table. Included also are maps of the project site and the site visit route provide by the applicant, Blue Sky East, LLC.

Questions regarding this Memorandum and the Site Visit should be directed LURC staff listed below.

### **Site Visit Itinerary Determination**

As discussed at the pre-hearing conference, a proposed itinerary for the site visit was filed by the Applicant on April 7, 2011 and was followed by an opportunity for comment on the itinerary to be submitted no later than April 13, 2011.

No comments were received from the intervenors and one comment was received from an interested party, David Boulter, and a second comment was received from an interested public member who is a resident of Eastbrook, Kate Donahue. Ms. Donahue offered that the site visit group could stop on her property as they pass through on the gravel access road, Sugar Hill Road, to the project area in township T-16 MD. Mr. Boulter's comments suggested also accessing the project via Sugar Hill Road in order to observe Ms. Donahue's residential property, as well as a stop at a local hill in Eastbrook, such as Neck Hill, which was readily available to the site visit route and would offer a view of the project area. Note that the applicant had no objection to making this stop at a non-regulatory viewpoint for perspective of landscape and project area.

LURC staff, in consultation with the Presiding Officer, LURC Chair Gwen Hilton, has reviewed the applicants draft itinerary and the comments submitted from the public. This memorandum has set the following final site visit itinerary. Copies of the itinerary will be available from LURC staff at the contacts listed below and during the site visit. The Presiding Officer, however, may at any time alter the itinerary of the visit in order to make it efficient and effective.

### **Site Visit Format**

Transportation for the Commissioners and the parties will be organized by the Applicant and LURC staff. To facilitate organizational needs, parties interested in attending the site visit must contact LURC Project Planner Donald Murphy by May 9, 2011 to sign up for the visit per terms set in Procedural Order 2. Members of the public must provide their own transportation. Note that some stops on the visit will be to remote areas with muddy gravel roads, and the public should plan accordingly. The public is encouraged to view general information and the itinerary of the site visit on the LURC website.

The purpose of the Site Visit is to provide an opportunity for the LURC Commissioners to view the project area, locations of project features and other points of regulatory interest. The Site Visit is relevant to its review of the Development Permit application for the Bull Hill Wind Project of Blue Sky East, LLC. The Site Visit open to the public as convened by the Commission is subject to applicable State statutes and LURC Rules: Chapter 4, 'Rules of Practice' and Chapter 5, 'Rules for the Conduct of Public Hearings'.

### ***Ex Parte* Communications**

The parties are directed to 5 M.R.S.A. § 9055 and Chapter 5, Section 5.25 of the Commission's Rules, for a statement of legal restrictions on contact with Commission members during not only pending proceedings such as the Public Hearing but including the site visit. The parties are cautioned to avoid any conduct that could give rise even to the appearance of improper contact with Commission members.

During the site visit, representatives of the Applicant and LURC staff may point out various features and locations of the proposed project, and site-specific questions for clarification may be asked by Commission members and other attendees. The Commission, parties, and any attendee shall refrain from inferential considerations or *ex parte* communication.

During the site visit, no party may discuss testimony or otherwise engage in any advocacy or conversations about the Bull Hill Wind Project with Commission members. The public may attend for informational purposes only and cannot address the Commissioners with respect to this project. The public is afforded that opportunity during the scheduled evening sessions of the public hearing.

Questions regarding this Memorandum and Order or rulings of the Presiding Officer should be directed to Catherine Carroll, Director: 207-287-4930, [Catherine.M.Carroll@maine.gov](mailto:Catherine.M.Carroll@maine.gov) or Donald Murphy, Project Planner: 207-287-2619 [Donald.Murphy@maine.gov](mailto:Donald.Murphy@maine.gov) at the Commission's office in Augusta.

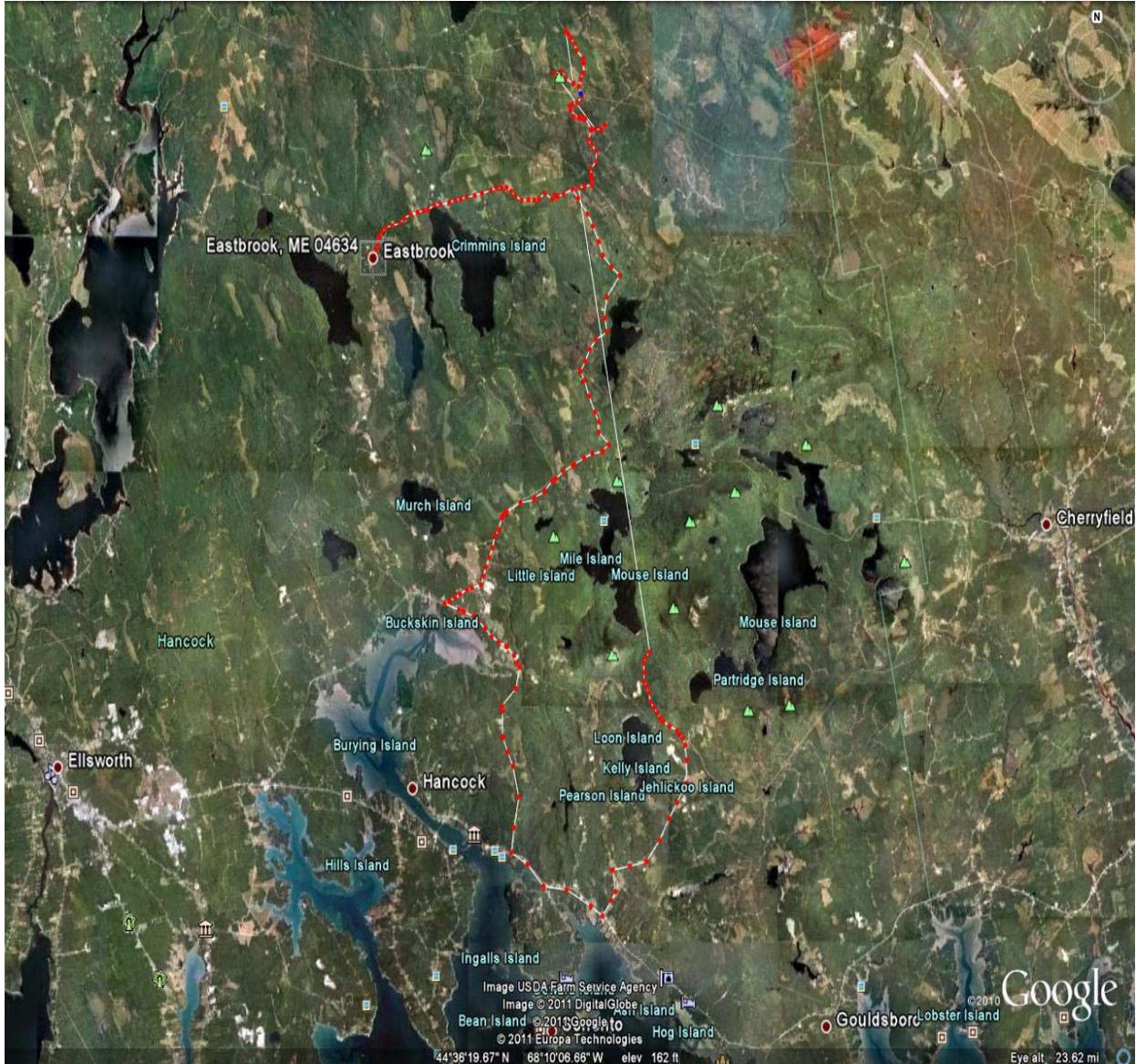
BULL HILL SITE VISIT ITINERARY May 16<sup>th</sup> 2011

1. 10:00 AM Meet at Eastbrook Town Office (959 Eastbrook Road, Eastbrook)
2. 10:10 AM Depart Town Office and stop at Neck Hill; a short walk to a local hill top  
*(Note: This is not a regulatory scenic viewpoint but it offers a 3mi +/- reference view of the project area. The applicant does not object to using this outlook.)*
3. 10:45 AM Next proceed past Molasses Pond along Sugar Hill Road
4. 11:00 AM Stop at the Operation and Maintenance/Substation location
5. 11:10 AM Arrive at Bull Hill: stop and review project layout
6. 11:30 AM Depart Bull Hill: proceed to proposed Turbine 14 / height of existing road
7. 11:45 AM Drive to Turbine 9 location then proceed to Narraguagus Road  
  
*Noon lunch time arranged per site visit loop determined stop or during travel. Bring lunch.*
8. 12:15-12:45 PM Drive along Route 182 to Franklin, then to Sullivan and Donnell Pond Rd.
9. 1:00-1:45 PM Walk to Donnell Pond Beach
10. 2:00 PM Depart for Town Office
11. 3:00 PM Arrive Town Office

*The route is depicted on the attached maps provided by the applicant. One is of the project site and the other shows the area route. Directions to Eastbrook Town Office also attached.*

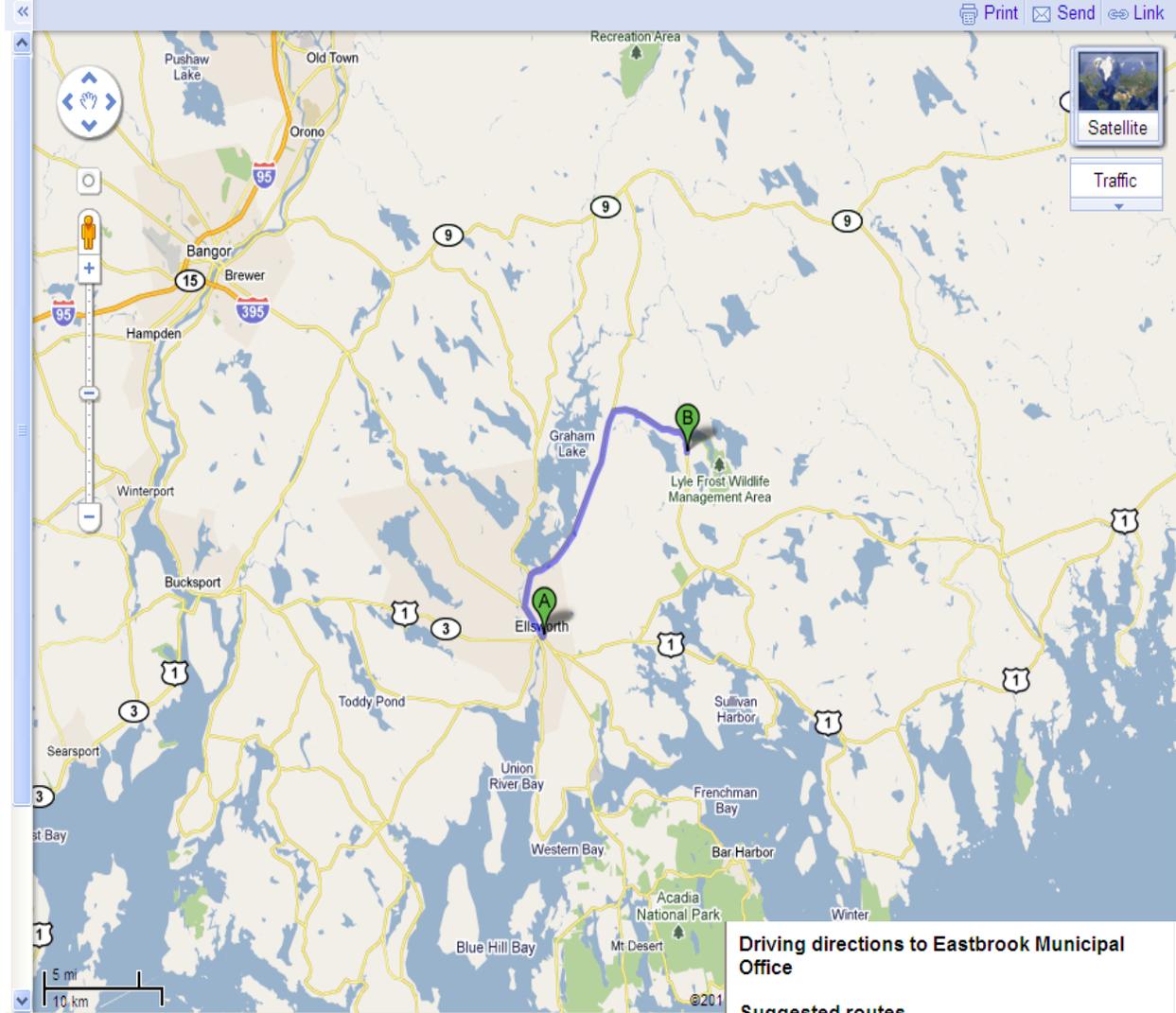
Note: The Presiding Officer may at any time alter the itinerary of the visit in order to make it efficient and effective. No *ex parte* communication may occur with the Presiding Officer or any other Commission member.

Area Map Depicting Site Visit Route Provided by Applicant Blue Sky East, LLC



Project Site Map Provided by Applicant Blue Sky East, LLC





**Driving directions to Eastbrook Municipal Office**

**Suggested routes**

1. ME-179 and ME-200 S	24 mins
17.5 mi	
2. US-1, ME-182 E and ME-200 N/Eastbrook Rd	25 mins
17.0 mi	

**A Ellsworth, ME**

1. Head southwest on Main St toward Oak St 223 ft
2. Take the 1st right onto Oak St 0.6 mi
3. Continue onto Bangor Rd/State St 1.0 mi
4. Continue onto ME-179/North St  
Continue to follow ME-179 11.0 mi
5. Turn right onto ME-200 S 4.9 mi

**B Eastbrook Municipal Office**  
959 Eastbrook Road  
Eastbrook, ME 04634-4220

Directions to Eastbrook Town Office from Ellsworth, Maine. Site Visit Meets at 10:00 AM then leaves parking lot by 10:10 AM