

MAY 11 2015

Friends of Penobscot Bay

POB 1871, Rockland ME 04841

www.penbay.net

May 11, 2015

Mr. John Root
Code Enforcement office
Rockland City Hall
270 Pleasant Street
Rockland, ME 04841

Maine Freedom of Access Law request

Dear Mr. Root

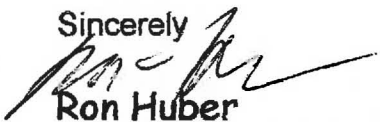
This letter is a request pursuant to 1 M.R.S.A. 408, the Maine Freedom of Access statute, to inspect at your office and to copy as necessary the following records:

Meeting records, letters, faxes, emails, attachments, phone notes, phone logs, photographs and other written and electronic records **written, received or recorded by you from any source, between April 1, 2015 and May 11, 2015, inclusive, that pertain to Rockland Energy Center or its parent entity Energy Management, Inc.**

If you choose to deny permission to physically inspect or copy any of the requested records, please state the reason for the denial, including the appropriate legal citation(s). If you need additional information to locate any of the documents requested, please call me at 691-7485 or email me at coastwatch@gmail.com

Friends of Penobscot Bay looks forward to receiving your response within five (5) working days of your receipt of this letter, as required by 1 M.R.S.A. 409 (1). We prefer to inspect, review and copy these requested records at your office. Please contact me to set an appointment to review these records. Contact by phone at 691-7485 or by email: coastwatch@gmail.com

Sincerely



Ron Huber

Ron Huber, Executive Director
Friends of Penobscot Bay

cc Brenda L. Kielty, Assistant Attorney General, Public Access

John Root

From: James D Chaousis II <jchaousis@ci.rockland.me.us>
Sent: Friday, May 08, 2015 4:04 PM
To: Adam Micelli; Al Gourde; Amy Levine; Audra Caler-Bell; Bruce Boucher; Dennis Reed; Ed Glaser; Greg Blackwell; John Root; Kevin Beal; Rene Dorr; Samantha Mank; Sandy Billington; Stuart Sylvester; Terry Pinto; Tom Lutrell
Subject: FW: REC Press Release
Attachments: PR REC Delay 5-8-2015.pdf; REC Letter 5-8-2015.pdf

FYI

From: James D Chaousis II [<mailto:jchaousis@ci.rockland.me.us>]
Sent: Friday, May 08, 2015 4:03 PM
To: Sandy Billington (sbillington@ci.rockland.me.us)
Subject: REC Press Release

Sandy,

Please send this to the press for immediate release.

James D Chaousis II, City Manager
City of Rockland
270 Pleasant Street
Rockland, ME 04841
Phone (207)593-0636
www.ci.rockland.me.us
jchaousis@ci.rockland.me.us

News Release

For immediate release: May 8th, 2015

Rockland Energy Center Delay

Today, the City of Rockland received a letter from Rockland Energy Center stating that they would not be applying to the Maine Public Utilities Commission for consideration in the 2015 Long Term Capacity RFP process. The timeline for this process was the driving force in the accelerated consideration, by the City Council, regarding the option agreement. The City knew not applying in this round was an option for REC but that consideration was balanced by the City demonstrating receptiveness to the development in Rockland. The City is encouraged that REC holds the viewpoints of all stakeholders in high regard and has a commitment to the community beyond the transaction.

The City has been very forward with REC about the next steps in this discussion of development, especially as it pertains to acquiring City property. A delay in the process is good for the developer and the community because there are so many questions to answer before proceeding.

The next steps are discussing elements of site plan review, environmental considerations, compensating the public burden of relocating service, and educating the public of the importance of Rockland's role in statewide power and heating demands. These discussions will be a mixture of public sessions and public outreach. It is the developer's burden to educate the public and elected officials. It is the City's responsibility to represent the public accordingly in the process. The first public session will be on **May 26th, 2015** regarding Natural Gas, Safety, and Fracking moderated by the City of Rockland Energy Committee Chairman Larry Pritchett.

The City is encouraged that we have demonstrated an openness to have the difficult discussions with developers because more development is needed in Rockland. Having more time to have these difficult discussions will be very welcome by all and the future of business in Rockland remains bright.

FMI: James D Chaousis II, City Manager

City of Rockland

270 Pleasant Street

Rockland, ME 04841

Phone (207)593-0636

www.ci.rockland.me.us

jchaousis@ci.rockland.me.us

Rockland Energy Center LLC

20 Park Plaza, Suite 320, Boston MA 02116, USA | 617-904-3100 | Jacobs@emienergy.com

By Email: Jchaousis@ci.rockland.me.us
Friday, May 8, 2015

James D. Chaousis II
Manager – City of Rockland
270 Pleasant Street
Rockland, Maine 04841

Dear Jim,

This letter is to inform you that after reviewing the comments, questions, and concerns raised by members of the Rockland community, Rockland Energy Center ("REC") has opted not to submit a bid as part of the 2015 Long Term Capacity RFP issued by the Maine Public Utilities Commission.

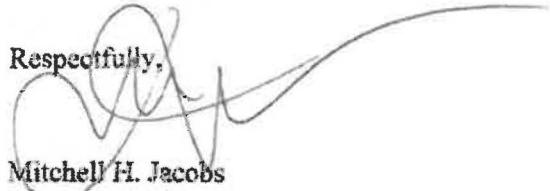
If successful in receiving an agreement with the Maine PUC in a future capacity RFP, the REC facility will be a part of the Rockland community for decades to come. In testimony given by Evan Coleman at the City Council meeting on Friday May 1st, he stressed the high regard our firm places on insuring we understand the viewpoint of all project stakeholders. While we were pleased to see a broad base of support for our project, some community members presented questions and concerns about our proposal. It is important that these individuals are given the platform necessary to receive further information about our project and the benefits REC will bring not only to the Mid-Coast region, but the entire State of Maine.

This letter is to inform you that we intend to execute the option agreement within the next 30 days, but not until we have had the opportunity to hold an informational session for members of the Rockland community to engage in more direct dialogue with our firm about the REC proposal. We anticipate placing a bid in the next long term capacity RFP issued by the Commission.

The inability to secure the necessary approval for the execution of the option agreement at the City Council meeting within the initially designated timeframe was an important factor in our decision not to bid in this current RFP round. We have a long history of successful power plant development in New England, a track record that was enabled by our ability to always meet the full burden of the regulatory process.

On behalf of REC and our partners, I would like to convey our appreciation for the time invested in this project by the City Council and City Staff as we work collaboratively to bring the benefits of natural gas to Rockland and the entire Mid-Coast region.

Respectfully,



Mitchell H. Jacobs
Member - REC

Rockland Energy Center LLC

20 Park Plaza, Suite 320, Boston MA 02116, USA | 617-904-3100 | Jacobs@emienergy.com

By Email: faith.huntington@maine.gov
Thursday, May 7, 2015

Faith Huntington – Electric & Gas Division
Maine Public Utilities Commission
18 State House Station
Augusta, Maine 04333

Dear Faith,

After careful consideration, Rockland Energy Center ("REC") has opted not to submit a bid as part of the 2015 Long Term Capacity RFP issued by the Commission.

On behalf of Rockland Energy Center and our partners, I would like to thank you for taking the time over this last month to provide information to our firm as well as the various community stakeholders that reached out regarding the RFP process. This is an incredibly busy and important time as the Commission evaluates a number of different issues facing Maine ratepayers.

Thank you again for all of your assistance and we look forward to participating in the next Long Term Capacity RFP issued by the Commission.

Respectfully,



Mitchell H. Jacobs
Member - REC

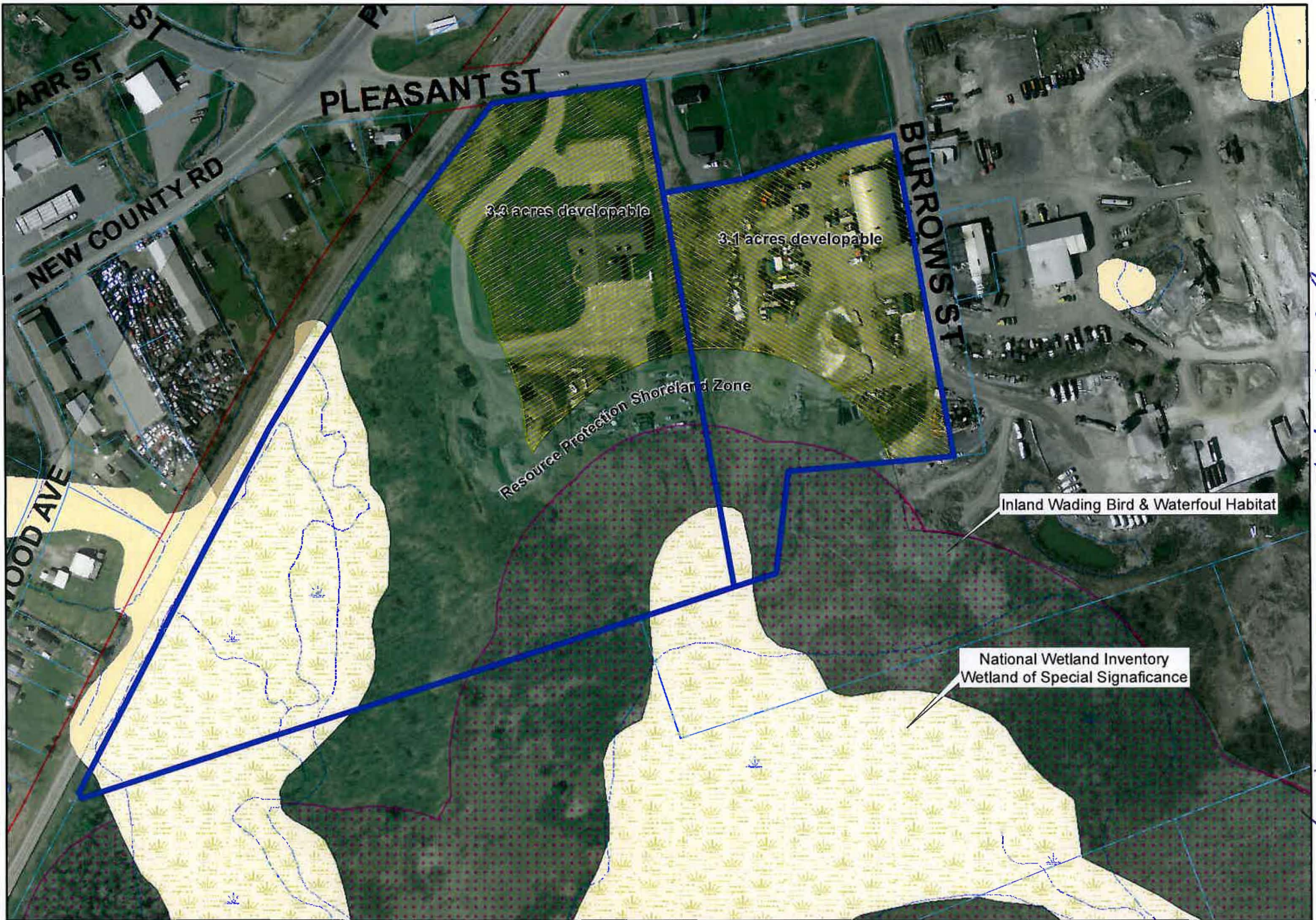
John Root

From: John Root <jroot@ci.rockland.me.us>
Sent: Tuesday, May 05, 2015 2:03 PM
To: Audra Bell
Subject: Emailing: Developable Area.pdf
Attachments: Developable Area.pdf

Audra,

This should demonstrate your point. Let's hope it is enough for the prospective development. I get 234K per acre.

John



**CITY OF
ROCKLAND
KNOX COUNTY
MAINE**

+/- 6.4 acres developable area out of 18 acres (35%)
City Hall: 13.6 acres, 3.3 acres developable (24%)
Public Works: 4.4 acres, 3.1 acres developable (70%)
not factoring in grade constraints

Printed: 5/5/2015

1 inch = 200 feet

0 50 100 200 300
 Feet



DISCLAIMER

Tax maps are compiled from aerial photography, existing surveys, deeds, and landowner's descriptions. They are to be used for assessment purposes only, and not for conveyance.

Standard T.A. Bell email 5/5/15 2:03 PM

John Root

From: Eric Allyn <eeallyn@housesandcottages.com>
Sent: Friday, May 01, 2015 10:33 AM
To: jroot@ci.rockland.me.us
Subject: Fwd: Natural Gas

fyi

----- Forwarded message -----

From: Eric Allyn <eeallyn@housesandcottages.com>
Date: Fri, May 1, 2015 at 10:32 AM
Subject: Natural Gas
To: jchaousis@ci.rockland.me.us

Dear Jim,

This is just a quick note of interest regarding Natural Gas for Rockland.

It has come to my attention that Rockland has been given the opportunity to explore options for Natural Gas. As a design professional who works in both the high end residential and Commercial arena I would promote interest in learning more about how Natural Gas could work for our growing community. From a design perspective I can give you a first hand experience as to how not having Natural gas at the street has limited potential development of our project on Winter street. UG Propane has significant set backs which would have been detrimental to maximizing our structure (and business potential) due to how it would affect the footprint of our building. Also, propane tanks above ground are aesthetically unsightly for downtown projects and neighboring views. Because of all this it forces our particular project into a Oil driven program which is not ideal for a number of reasons and further limits the square footage use and functional uses of our lower level. Our preference for this particular project would have been Natural Gas at the street. Most importantly, Integration in design is always paramount to the success of all projects and to not integrate the possibility of Natural Gas into our Civil street design is short sighted. If history is any indicator of what we should expect and plan for it is only Natural for Natural gas delivery to be buried in our streets like sewer, water, storm water, and electric.

This is a proposal that should at the very least be explored.

Sincerely, Eric Allyn

Eric E. Allyn
Houses and Cottages
office: [207.594.5551](tel:207.594.5551)
359 Main Street
Rockland, ME 04841
www.housesandcottages.com

Eric E. Allyn
Houses and Cottages
office: 207.594.5551
359 Main Street
Rockland, ME 04841
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John Root

From: James D Chaousis II <jchaousis@ci.rockland.me.us>
Sent: Friday, May 01, 2015 7:15 AM
To: jroot@ci.rockland.me.us; 'Audra Bell'
Subject: RE: Yesterday's phone calls

Well done. Thank you.

From: John Root [<mailto:jroot@ci.rockland.me.us>]
Sent: Friday, May 01, 2015 6:57 AM
To: Chaousis James; Audra Bell
Subject: FW: Yesterday's phone calls

Also Rick Rockwell: Restoration of multiple buildings in the Downtown area.

From: John Root [<mailto:jroot@ci.rockland.me.us>]
Sent: Friday, May 01, 2015 6:49 AM
To: Chaousis James; Audra Bell
Subject: Yesterday's phone calls

Yesterday I spoke by telephone to the following:

Rod Mason FMC
Jason Constantine: COO at Back Cove Yachts 594-8821
Elliot Lowe Lowe Hardware Industrial Park 593-7405
John Morris: owner Harbor Plaza
Peter Kriensky: owner Rockland Plaza
Bob Liberty: Tradewinds & Navigator motels
Stuart Smith; Owner/developer of BFDS (former MBNA) building & multiple other properties
Tyler Smith: Stuart's son, engineer
Joe Ricchardi: contractor for OSJL & Dollar Tree (will contact the owners).
David Johnson: Head of plant maintenance (will talk with his superiors)
Eric Allyn: Architect for numerous construction projects including the proposed Darling Walsh building
Brad Carter: Local resident, Main Street building owner and realtor
Doug Erickson: Commercial real estate (many contacts for potential developers in Rockland)

All supported the City Council further exploring options for bring natural gas and steam to the Rockland area. All also agreed to send you an email. I don't know if they did or not, but their support could be noted. Some said they might attend the meeting.

John

John Root

From: John Root <jroot@ci.rockland.me.us>
Sent: Friday, May 01, 2015 6:57 AM
To: Chaousis James; Audra Bell
Subject: FW: Yesterday's phone calls

Tracking:	Recipient	Read
	Chaousis James	Read: 5/1/2015 7:14 AM
	Audra Bell	

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From: John Root [<mailto:jroot@ci.rockland.me.us>]
Sent: Friday, May 01, 2015 6:49 AM
To: Chaousis James; Audra Bell
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John

John Root

From: James D Chaousis II <jchaousis@ci.rockland.me.us>
Sent: Thursday, April 30, 2015 4:22 PM
To: 'Tyler Smith'
Cc: jroot@ci.rockland.me.us
Subject: RE: Rockland Energy

Thank you. I will pass this information to the Council.

James D Chaousis II, City Manager
City of Rockland
270 Pleasant Street
Rockland, ME 04841
Phone (207)593-0636
www.ci.rockland.me.us
jchaousis@ci.rockland.me.us

From: Tyler Smith [<mailto:tyler@bayviewmanagement.net>]
Sent: Thursday, April 30, 2015 3:17 PM
To: jchaousis@ci.rockland.me.us
Cc: jroot@ci.rockland.me.us
Subject: Rockland Energy

Jim,

As business owners in Rockland (Rockland Harbor Park, Breakwater Marketplace, Multiple Residential houses) we believe that it would make sense for the city to continue the discussion with Rockland Energy Center, LLC with regard to their development interests in the area. I am sure that there are many concerns from the community with regard to this but the fact is that eventually a natural gas pipeline will be brought into the Midcoast area. I would be interested if this development would speed up this infrastructure and/or reduce costs borne by the local community.

As a side note, I also see this as a smart environmental development for the following reasons:

- Less transmission losses (power development closer to consumption)
- Reduction of emissions (cleaner than coal, which still makes up large percentage of current power production)
- Less environmental impact for leaks (natural gas leak better than oil/fuel oil)

Thanks,

TYLER SMITH, P.E.
Director of Property Management & Development
Bayview Management

P.O. Box 812
Camden, ME 04843
P: 207-236-0040

C: 207-230-9206

F: 207-236-2479

John Root

From: Tyler Smith <tyler@bayviewmanagement.net>
Sent: Thursday, April 30, 2015 3:17 PM
To: jchaousis@ci.rockland.me.us
Cc: jroot@ci.rockland.me.us
Subject: Rockland Energy

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Thanks,

TYLER SMITH, P.E.

Director of Property Management & Development
Bayview Management

P.O. Box 812
Camden, ME 04843
P: 207-236-0040
C: 207-230-9206
F: 207-236-2479

John Root

From: John Morris <jmorris@johnmorrisarchitects.com>
Sent: Thursday, April 30, 2015 2:52 PM
To: jchaousis@ci.rockland.me.us
Subject: Consideration of natural gas power plant

Dear Mr. Chaousis,

I read with concern about the City Council's decision to not proceed with further consideration of a proposal for a natural gas-fired power plant in the City. As owner of Harbor Plaza, a 170,000 Square-foot shopping center that significantly contributes to Rockland's retail activity, employment base and tax revenue, I find this an odd thing to do. Collectively, the Center and its tenants pay very substantial sums for the electrical power its operation requires. Given the radically changed dynamics of today's electricity generation, it would seem that we all should be looking at environmentally responsible ways to grow and sustain our local economy. Given today's strong projections for an abundant, long term supply of natural gas would suggest careful consideration of this option.

Invested in Rockland, and recognizing the potential benefits of the preliminary proposal on the table, we strongly support further exploration of the gas-to-electricity option being proposed.

Thanks for your consideration.

Sincerely,

John Morris
Harbor Plaza LLC

John Root

From: John Root <jroot@ci.rockland.me.us>
Sent: Thursday, April 30, 2015 11:52 AM
To: Audra Bell
Subject: some I thought of.
Attachments: Rod Mason; Frank OHara; Lowe Elliot; John Morris; Kriensky, Peter; Bob Liberty; Polly Saltonstall; Sandefur, Peter; Stuart Smith; Tyler Smith; Bob Stafford; Jennifer Rockwell; Rockwell Rick; Joe Richardi; David Johnson

Rod Mason FMC

Jason Constantine: COO at Back Cove Yachts 594-8821

Elliot Lowe Lowes Hardware Industrial Park 593-7405

John Morris: owner Harbor Plaza

Peter Kriensky: owner Rockland Plaza

Bob Liberty: Tradewinds & Navigator motels

Polly Saltonstall: owner of Maine Boats H & H building and others (might have questions)

Peter Sandefur: Owner of large multi-use building on Main Street

Stuart Smith; Owner of BFDS building & multiple other properties

Tyler Smith: Stuart's son, engineer

Bob Stafford: Owner of multi-use building Main St

Joe Ricchardi: contractor for OSJL & Dollar Tree (can give you contact info for owners).

David Johnson: Head of plant maintenance (could talk to the right people who you can't call)

John Root

From: John Root <jroot@ci.rockland.me.us>
Sent: Monday, April 27, 2015 1:19 PM
To: Audra Bell
Subject: Document1 [Compatibility Mode]
Attachments: Document1 [Compatibility Mode].doc

Sec. 19-309 Exceptions and Exemptions

*Attachment to Email to
Audra Bell April 27, 2015 1:19 PM*

1. Special Classes. No building may be erected, altered, or used, and no land may be used, for any of the following special use classes in the Residential A and AA zones. In other zones, the Planning Board, applying the procedures and standards set forth in Chapter 16, Article II, may approve such use in any zone other than Residential A or AA zones, upon application, notice, and public hearing, and upon a determination that the use will not be detrimental or injurious to the neighborhood, and that there will be provided fencing and screening adequate to provide visual and auditory barriers from other properties and public rights of way, and that the applicant has demonstrated compliance with all other applicable City ordinances. All owners of property located within 300 feet of the lot lines of the subject parcel shall be notified of the Special Class application, in writing and at least seven days prior to the public hearing, and shall be provided an opportunity to be heard at such hearing.

- A. Cemetery;
- B. Municipal use (not otherwise provided for);
- C. Public utility use (other than as provided by Section 19-304(3)(B));
- D. Stables, public; saddle horses for hire;
- E. Transformer stations;
- F. Wind power generation equipment;
- G. Temporary Buildings that house a use incidental to and reasonably required by an occupant of residential property on the same parcel for a non-commercial purpose (other than the storage or repair of a recreational or fishing vessel, or fishing equipment). Such temporary buildings shall be removed within one (1) year at the owner's expense, unless the permit therefor shall have been extended by the Board for not more than one year. Applications for temporary building permits must be accompanied by a bond, bill of sale, or other instrument acceptable to the City Manager to guaranty the removal and disposal of the building. Eff: 06/12/13

John Root

From: John Root <jroot@ci.rockland.me.us>
Sent: Monday, April 27, 2015 9:55 AM
To: Audra Bell
Subject: Emailing: 270PleasantAerial.pdf
Attachments: 270PleasantAerial.pdf

Let me know if you want anything different.

John



CITY OF
ROCKLAND
KNOX COUNTY
MAINE

Printed: 4/27/2015

1 inch = 172 feet

0 40 80 160 240
Feet



DISCLAIMER

Tax maps are compiled from aerial photography, existing surveys, deeds, and landowner's descriptions. They are to be used for assessment purposes only, and not for conveyance

Assessment to owner to Charles Bell 4/27/15 9:55am