

**TOWN OF SKOWHEGAN
PLANNING BOARD
MEETING MINUTES**

February 4, 2020

7:00 P.M.

Council Room, Municipal Building

PRESENT:

Steve Conley, Chairman
Stephen Gould, Secretary
Harvey Austin
Steve St. Pierre
Kris Laney
Brady Chapman
Joel Greenwood, Planner
Cynthia Kirk, Recording Secretary

ABSENT : Todd Smith, Vice Chairman

PUBLIC PRESENT:

Bryan Belliveau, Code Enforcement Officer
Nate Niles, Revision Energy
Fortunat Mueller, Revision Energy
Richard Roderick, Lacey Audet, Stephen Barnett, Soren Siren, Brian Burne, Patricia Reed, Tammi Galbraith, Kevin Galbraith.

Steve Conley, Chairman opened the public hearing, at 7:02 PM, to hear any comments on the proposed Site Plan Application for a Solar Array project submitted by Dirt Solar, LLC (previously submitted as Revision Energy) located at 35 East Ridge Rd.

Nate Niles from Revision Energy gave a brief description of the proposed solar array. He stated this project is for an 18-acre solar array to be located on the corner of East Ridge Rd. and Route 2. The power generated from this solar array will be fed back into CMP's grid. He presented plans showing the proposed project.

Steve Conley asked if anyone from the public would like to comment or ask questions.

Soren Siren asked if they currently have a contract with CMP for the power that will be generated from this site. Nate Niles said they have executed an air service connections agreement with CMP which is basically their blessing to connect into the system. Mr. Mueller explained that it isn't CMP that buys the power from them, they will just transmit it through their lines to the purchaser of the power whether it's a school district, hospital or other large user. Harvey Austin asked how much power will CMP take on these lines. Mr. Mueller said he believes it is 10 megawatts.

Soren Siren also asked if there is any language in the contract that stated what happens to the solar array once it is no longer viable at it's end of life. Nate Niles explained there isn't anything with CMP about decommissioning plans but what they do have is the agreement with the land owner. In the lease agreement with them there will be a detailed decommissioning plan to remove all equipment both above and underground. Soren said he is a little concerned when these projects are subsidized or sold

that sometimes the ball gets dropped with the decommissioning of these projects such as the communications tower on Eaton Mountain that has never been removed even though it was stated it would be in their plans.

Harvey Austin asked who owned the property now. Nate said it is Dirt Capital, LLC. Harvey asked how long the lease is for. Mr. Mueller said 25 years. Harvey asked if this is something that the Planning Board can ask for a bond for so that there would be some sort of guarantee that these things will be removed when they are done with them. Joel Greenwood said that there is nothing in the Site Plan Ordinance that would allow them to ask for a bond. Harvey asked if they could check with the town attorney about this then.

Soren Siren stated that since there really isn't anything in the ordinance about solar arrays, then maybe they should look at doing a moratorium until they can get more information about them. Joel said that even if they were to get an emergency moratorium it would not affect the applications they have already received. Those would still have to be reviewed under our current ordinance only.

Lacey Audet stated that they purchased their home on East Ridge Rd. about a year ago. She said they are concerned because now instead of a view of the mountains and trees, they will have a view of these solar panels especially in the fall and winter. She asked if Revision had ever worked with abutting land owners in the past to provide a buffer of trees between residential homes and the solar arrays to help them have a clear property line and maintain the property values. Lacey said they have priced out some trees and would like to see around 40 planted there to close the gap between the two properties.

Steve Conley closed the public hearing at 7:21 pm

1) **QUORUM:**

Planning Board Meeting called to order at 7:00 P.M. Quorum was present.

2) **MINUTES OF THE January 7, 2020 PLANNING BOARD MEETING TO BE APPROVED:**

Motion by Stephen Gould to approve the January 7, 2020 Planning Board meeting minutes, as written. Seconded by Steve St. Pierre. Motion passed 4-0-1. (Harvey Austin abstained)

3) **SITE PLAN**

A) Discussion and decision on the Site Plan application for the proposed Solar Array project submitted by Dirt Solar, LLC (previously submitted as Revision Energy) located at 35 East Ridge Rd.

Harvey said that his concern is about what happens to these things when you can't use them anymore. He said he would like to have the town attorney look into what they can do about guaranteeing that these things are disposed of when they are no longer in service. He feels this Board at least owes this to the townspeople. Joel said he agrees that the Planning Board needs to look into certain issues that can come up with these solar arrays. However, whatever the attorney comes back with whether it be to make changes to the ordinance or not, those changes would still have to go to town meeting for a vote. They can only use the rules and regulations that are currently in the Site Plan Ordinance for the applications that the Board has already received. Harvey said they can table their decision until they hear from the attorney. Joel said they can but only for a certain amount of time per the current ordinance. Mr. Mueller said that Revision is currently working with other towns and helping them with writing solar ordinances and they would be happy to help Skowhegan as well in the future. He said however they only have Skowhegan's Site Plan Ordinance to follow at this time. He said they would be happy to include a decommissioning plan with their final site plan if that is what the Planning Board would like to have.

Steve Conley said that they can table this until the next meeting which would be February 18, 2020 @ 6:00. He said he would like to discuss the buffering issue that has been brought up by the abutters. Mr. Mueller said that they would definitely be willing to work with the neighbors. Steve Conley said their plan currently only has a chain link fence as a buffer. Mr. Roderick is the abutting neighbor and said they aren't looking for them to plant trees along the entire property line. They would just like to see the area of about 100 yards that was completely cleared out have some sort of trees placed back in there to block the view of the solar array from their house. Mr. Roderick has spoken with Lynch Landscaping and gotten an estimate of around \$5,000.00 for the purchase of trees. It does not include installation. He even said they would be willing to share the cost with the developer. Mr. Mueller said they would be willing to discuss this further with the abutting landowners and come up with a plan for buffering the site.

Item was tabled for 2 weeks to allow the town attorney to review it.

B) Discussion of the Site Inventory & Analysis submitted by Barrett Energy Resources Group for a proposed solar array project (No. 1) to be located at 83 Norridgewock Avenue.

Steve Barrett from Barrett Energy Group gave a brief description of the project. He said both of the solar arrays would be located on the same piece of property. The first one would be a 5 megawatt solar array. The second one is also a 5 megawatt solar array. The reason there are two separate projects on the same property is because of the regulations in the Maine solar rules. There are two separate companies because of these same regulations.

Harvey asked if the solar array would be seen from the road. Mr. Barrett said no.

Harvey asked if a survey would be required. Mr. Barrett said that is actually a waiver that they have requested. He explained that with a project such as this they feel that a boundary survey is not needed for what the Planning Board is reviewing however down the road when they go to finalize the lease with the landowner then a survey would be done. There are many aspects of this project that still need to be approved by the State and DEP before they can even get to that point.

Joel reviewed the waivers that are being requested. He said that there isn't specific requirements in the ordinances for a survey. Harvey said he wants to see a survey before they approve anything and he wants any wetlands delineated as well before they give the approval for any of these projects. Joel explained that it is not required in the ordinance and this might need to be added later on. Steve Conley said these types of projects are new to the town and they will definitely need to do some review of the Site Plan Ordinance in the future but they can only go by what they have right now.

Joel said the first waiver they are requesting is the requirement for bearings and boundaries. They would like to use the tax map instead. The second waiver is a request to use 10 foot contours on the plan instead of 2 foot contours. Harvey asked if there is any reason why they couldn't get a survey done this time of year. Steve Gould said there isn't any weather constraints on doing a survey right now.

Mr. Barrett said as far as the contours waiver, this is a sloped piece of property and they aren't going to be doing any grading to the land.

Steve Conley asked what harm would there be to the town if we grant the waivers. Harvey said they should have all of the information like a survey before they make any decisions on these projects.

Project #1, Waiver request #1 regarding the requirement of a survey. Waiver denied 0-5

Project #1, Waiver request #2 regarding the requirement of 2 foot contours. Waiver denied 0-5

C) Discussion of the Site Inventory & Analysis submitted by Barrett Energy Resources Group for a proposed solar array project (No. 2) to be located at 83 Norridgewock Avenue.

This project was discussed with the first one.

Project #2, Waiver request #1 regarding the requirement of a survey. Waiver denied 0-5

Project #2, Waiver request #2 regarding the requirement of 2 foot contours. Waiver denied 0-5

4) ITEMS BY THE PUBLIC:

5) COMMUNICATIONS:

None

6) UNFINISHED BUSINESS:

Harvey asked about the turning lane for the recreation center. Bryan Belliveau said right now it is in CMP's hands. They are still working on where to place the new poles. Harvey asked if we can send a letter to the Selectmen for an update on that project.

7) NEW BUSINESS:

8) ITEMS BY:

a) SELECTMEN:

None

b) DEPARTMENT HEADS:

.Bryan said that the Planning Board needs to do some review of the Shoreland Zoning Ordinance. It really needs to be brought up to date to match the State's requirements.

c) MEMBERS:

d) CHAIRMAN:

e) STAFF:

9) ADJOURNMENT:

Motion by Harvey Austin to adjourn at 8:55 p.m., Seconded by Stephen Gould.

Motion passed 5-0.

Minutes approved on May 5, 2020.

Chairman
