

TOWN OF WATERBORO
PLANNING BOARD
MEETING MINUTES
September 16, 2020
6:30 p.m.

I. ROLL CALL

Present: Lori Anthony, Chair David Christensen, Vice-Chair Kala Godard
 Debra Burrows Dwayne Prescott Edward Zelmanow Michael Provencher

Others: Angela Theriault, David Lowe, Lee Jay Feldman, Dennis Abbott, Gary Lamb,
 Shawn Tobey, Shawn Meehan

Lori called the Planning Board meeting of September 16, 2020 to order at 6:30pm.

Roll call attendance: Lori Anthony – yes David Christensen – yes Dwayne Prescott – yes
 Debra Burrows – yes Kala Godard – yes Edward Zelmanow – yes
 Michael Provencher – yes

Lori stated a quorum has been met with all members present.

II. MINUTES

- June 17, 2020 (Name Corrections)
- July 1, 2020
- July 15, 2020
- August 5, 2020
- August 19, 2020
- September 2, 2020

Non meeting minutes the board agreed there were no meetings therefore no minutes.
Meeting minutes of June 17, 2020 & July 1, 2020 were accepted by the board as written.
Michael Provencher abstained from the vote as he was not a member at that time.

III. OLD BUSINESS

IV. NEW BUSINESS & PUBLIC HEARINGS

- **NBD Solar Maine, Shawn Tobey of Hoyle & Tanner Associates**
Solar Array Project, 719 Main Street

Purchasing a series of lots owned by 2 separate owners for the 52.9+- acre project. These lots include a wetland area that they only have a small area of fill at the new culvert location. The project will consist of a series of different pockets or pods of panel with gravel roads to access them. The panels are approximately 3' x 5' and will have approximately 35 panels to a table. NBD Solar has obtained their Stormwater Permit by Rule, Natural Resource Protection by Rule, and an Army Core of Engineers Permit for the culvert crossing. There will be a security fence around (the site) (it's actually each individual pod). It is very low maintenance once constructed. The systems will be monitored remotely with a service truck on site once a month. There will be no draw of town services. Other comments were; Knox boxes will be provided for the fire department access,

the fire department has requested training, requested for the access roads to be widened to 20', engineer will be on site when site is prepared, and decommissioning costs and tasks have been provided. The racking system/tables have a 40-50 year life span and the panels have a 20-25 year life span, with the panels being replaceable.

David Christensen asked about a Decommissioning bond in place as long as the facility was operational. Shawn Tobey felt that would be fine if that's what was needed. David also requested clarification regarding maintenance of the facilities with regards to vegetation and vegetation control. Shawn explained the sites will be planted with a thick low height vegetation that would only need to be mowed twice a year. There would be no pesticides or herbicides used on the site. Questions regarding with the current tax rate what would the estimated revenue to the town be. Lee Jay stated that he could get a number from Shirley but the Town of Madison has a similar project and value of that facility is approximately \$10 million but that would be the tax assessor.

Dwayne Prescott pointed out that this site falls in 3 zones so the plans would need to be updated to reflect this. Relating to unmanned power / substations, there are no towns around us that currently have anything that addresses solar in Southern Maine. It was decided to use the category of communication towers, high voltage transmission poles, unmanned substations, etc. for its type. Lee Jay pointed out that in the Comprehensive Plan there is a section created specifically for energy and alternative energy. Dwayne asked if the 2% for inflation on the Decommissioning Plan is for overall or per year. Shawn explained that it's 2% per year for the next 20 years. What is the heat that is reflected off these panels as there are houses abutting the project? The panels don't generate a lot of heat that would be able to travel that distance. Also asked if there was room to increase the 35' setback. The panels are beyond the setback line an additional 15'. Would accelerated depreciation mean less revenue for the town? Also please reach out to ATV and Snowmobile Clubs regarding any trail interference.

Edward Zelmanow reiterated about the roads being 20' instead of the 14' wide for fire access. He asked about maintenance of the panels with regards to cleaning. Shawn explained there is no actual cleaning that the only cleaning done is from rain water and no chemicals on the panels. Went on to state that the panels are pretty much maintenance free. Edward stated there are a bunch of gates at the Main Street site which are not called out. They will all be standard 16' gates and will individually be called out.

Kala Godard asked about sound or light pollution at the sites. Shawn Tobey stated that the inverters might hum like a household air conditioner at maximum output. The solar panels will be facing south, away from houses and away from the roads so there would be no reflection or interference there. There are only 2 inverters on the Main Street project and they aren't on the side that abuts the neighbors.

Michael Provencher asked about any prior developments like this in the Wellhead Protection Zone. Lee Jay clarified this is the first solar type project to develop in the Wellhead Protection Zone and that it's in what is considered the Class 2 Level or secondary. The Waterboro Water District is on board with the project and has no objections to the array location. Shawn Tobey again stated there is vehicle traffic entering the pods on a regular basis, just the 1 maintenance vehicle once a month so there's no gasoline or oil runoff into the ground etc. Michael also asked about concrete pouring and Shawn explained there is no concrete pads for the tables, that they are mounted to the ground through ground screws.

David Christensen requested that any cleaning that needed to be done to the panel with chemicals get prior approval before use. Shawn stated that would be added to the plans. Lee Jay also stated that at the time of the approval there would be a list for conditions of approval that he would provide following Planning Board meetings and Public Hearings.

Lori Anthony requested clarification regarding the maintenance to the vegetation and how long they would allow it to grow prior to cutting etc. Shawn Tobey stated it would be mowed when the height reached 2' to

keep any interference with the panels down. Lori asked about the clearing of the project as the property line has not been confirmed / located according to the plan. Shawn stated that prior to the project start the property line would be located and confirmed and any clearing would not be going beyond the limit of the work. The limit of clearing will be laid out by GPS and engineers will be onsite during the clearing process to verify boundaries have not been breached. Lori also requested that they check the 75' setback specifically the front for the AR district as that site location is located in 3 zones. She asked about any other erosion control measures to which Shawn explained there will be a mixed berm around the construction or a silt fence. There is 1 proposed culvert and no ditches. DEP prefers everything to be maintained through existing grade.

Dwayne Prescott stated with regards to the 35' setback buffer, the abutters would like to see them further back than 35', can they moved the project 45-50' further back and not cut the trees in that 35' buffer. Shawn explained that due to the panels they would have to cut in to that 35' setback but wouldn't be going any further than that and leave the stumps.

Lori Anthony asked that they check the hammerheads with regards to them being 30' long as they may need to be longer for fire access. Shawn Tobey stated they would reach out the fire department to check on that. Lee Jay went on to clarify that this was discussed at the staff review and the larger trucks wouldn't be going out into the pods. Lori requested something in writing from the fire department. Lori also asked for clarification with regards to shoreland zone as it looked like part of the project was located in a shoreland zone designation. Lee Jay responded no.

Michael Provencher requested that there be a checklist regarding these projects to determine completeness.

Lori Anthony stated at that time she would accept a motion to find the application complete.

David Christensen made a motion to find the application complete

Kala Godard second the motion

**Vote by roll call: Lori Anthony – yes David Christensen – yes Dwayne Prescott – yes
Debra Burrows – yes Kala Godard – yes Michael Provencher – yes
Edward Zelmanow – yes**

Planning Board members discussed and decided that each site would have it's own meeting nights for site walks and public hearings. 719 Main Street will be October 7, 2020 with the site walk at 5:00 and public hearing at 6:30.

➤ **NBD Solar Maine, Shawn Tobey of Hoyle & Tanner Associates
Solar Array Project, 41 Sokokis Trail**

Shawn Tobey explained that everything will be the same for this project just applied to a different site. There is a small stream with an existing access road & culvert. There will be minimal visibility from the road and all the abutters are pretty far away. They obtained a PBR from DEP and will be maintaining 75' from the stream and any runoff will hit the grass not getting to the stream. The panel maintenance will all be the same as the site at 719 Main Street.

Lori Anthony asked if they anticipated any blasting as it looks like there could be some ledge in there. Shawn explained in the areas where there is exposed ledge instead of a ground screw they will drill then set the post with no concrete. There would be no grade change and the tables would screw in with ground screws and the tables allow for adjustment.

David Christensen stated that if they find they need to blast they would be required as a condition of approval to come back to the Planning Board prior to any blasting. Lee Jay stated that was fine we can place that condition in the approval.

Dwayne Prescott mentioned on this project as well the accelerated depreciation and he will be looking into this.

Kala Godard stated that as a condition of approval for this site as well that there would be no herbicides utilized and Shawn stated that would be added to this plan as well.

Planning Board members discussed and decided that they would like to see the sites with property lines staked out. Shawn stated that the Sokokis Trail project may be difficult to do that for the site walk as it's very thick but they can use Google Earth and super impose the lines, abutters, and the setbacks etc.

Gary stated as a side note that has no bearing on the Planning Board that the Waterboro Water District has been in contact with NBD Solar with regards to the Sokokis Trail project regarding a water tower on that location. Shawn Tobey confirmed that and stated the applicant is very willing to work with them. Site walk for this site was set for October 21, 2020 at 5:00 and public hearing at 6:30 that same evening.

Lori Anthony stated at that time she would accept a motion to find the application complete.

David Christensen made a motion to find the application complete

Edward Zelmanow second the motion

**Vote by roll call: Lori Anthony – yes David Christensen – yes Dwayne Prescott – yes
Debra Burrows – yes Kala Godard – yes Michael Provencher – yes
Edward Zelmanow - yes**

V. COMMUNICATION

COVID Planning Board Guidelines and Safety for returning to in person meetings. The board as a whole discussed the room layout as provided by Angela Theriault in pictures and accompanying memo / documentation. Debra Burrows asked if there would be health screenings and it was determined that those could take place if necessary. Gary Lamb and Dennis Abbott also gave updates on the Selectmens meetings and they use of in person and hybrid meetings. After discussion of protocols and guidelines it was decided by the board members to begin using hybrid set up for future meetings. Lori requested that members advise Angela when attendance emails are sent whether they will be ZOOM or in person attending.

VI. MISCELLANEOUS

VII. ADJOURNMENT

Edward Zelmanow made motion to adjourn, Second by Michael Provencher.

**Vote by roll call: Lori Anthony – yes David Christensen – yes Dwayne Prescott – yes
Debra Burrows – yes Kala Godard – yes Michael Provencher – yes
Edward Zelmanow - yes**

Vote: 7 Agree 0 Disagree; meeting adjourned at 7:58pm.

VIII. ITEMS NEEDING SIGNATURE

- June 17, 2020
- July 1, 2020
- July 15, 2020
- August 5, 2020
- August 19, 2020
- September 2, 2020

Approved Date: November 4, 2020

<u>Quiana Prescott</u>	<u>Theresa</u>
<u>Edna</u>	<u>Debra Brea</u>
<u>Lori B.W. Anthony</u>	<u>Kala</u>
<u>Michael Rozumek</u>	