

TOWN OF WATERBORO
PLANNING BOARD
MEETING MINUTES
November 4, 2020
6:30 p.m.

I. ROLL CALL

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

All members present.

Others: Lee Jay Feldman (ZOOM) Angela Chute Dennis Abbott
Gary Lamb (ZOOM) Justin Stone Shawn Meehan Jason Ramsell Crystal Savage

II. MINUTES

- September 16, 2020
- October 7, 2020
- October 21, 2020
- FOF 719 Main Street, Waterboro – NBD Solar Maine LLC

Minutes accepted as written with corrections. Lee Jay also confirmed with recording or meetings there is no longer any need to actually take minutes or vote to accept them. The board will continue to take minutes but not required to vote to accept them.

III. NEW BUSINESS & PUBLIC HEARINGS

Board discussion about possible procedural changes to how applications are received and provided to the planning board members as well as materials provided to them for review. Extensive discussion regarding the town taking over notification or abutters vs approving abutter notifications prior to them being sent by the developer. Lee Jay explained that if an abutter was missed in the notification process but was in attendance at the meeting the courts would determine they had been notified since they knew about the meeting and were in attendance. Also, if it was determined an abutter wasn't notified then the Board could table the project until all abutters were properly notified. Dennis clarified for the board that the town's only responsible to publish the public hearing notice. If it were decided that the town take over all notifications then it would be an ordinance change to all ordinances vs a slight change in staff procedure. Board members request that they preview a copy of the abutter notification letter with the list of abutters to be notified.

IV. OLD BUSINESS

Lori asked all board members if they had a chance to review the FOF for 719 Main Street, Waterboro – NBD Solar Maine LLC. All members stated they had reviewed them and approved them with the notation of 16' gates corrected to reflect 20' gates.

Edward made a motion to accept 719 Main Street FOF with corrections, Michael second the motion.

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

Vote: 7 Agree, 0 Disagree; 719 Main Street FOF accepted with corrections passed.

➤ **41 Sokokis Trail, E. Waterboro – NBD Solar Maine LLC**

Lori Anthony requested a motion to remove this from the table in order to continue discussion and vote on NBD Solar LLC located at 41 Sokokis Trail.

Edward Zelmanow made a motion to take 41 Sokokis Trail off the table and continue discussions, second by David Christensen.

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

Vote 7 Agree, 0 Disagree, motion to continue discussion passes.

Shawn Meehan stated that the realtor information requested by David Watson was provided as well as Mr. Watson obtaining his own information from a local realtor regarding property values from abutting solar arrays and is happy with the findings and no problems with the project moving forward.

There was no further discussion regarding the project. Lee Jay reviewed the conditions set forth for the project

Lee Jay stated that the only conditions that would need to be in place were conditions 1,4,5, and 7, and 9 as 2,3, and 6, and 8 had already been placed on updated plans. The conditions needing to be placed on the project would now read:

1. Based on the information within the decommissioning plan as submitted by the applicant, a Surety instrument in the amount of \$190,269.13 be provided to the Town of Waterboro as the entity able to call in or collect on the non-performance of the work proposed. This surety shall be placed in a non-interest bearing account and held for the life of the project. This must be submitted and approved by the Town of Waterboro Board of Selectmen prior to the release of any permits on this project.
2. NBD Solar Maine LLC shall provide formal training to the Waterboro Fire Department on safety and operational procedures in the event of an emergency response to the facility for fire, electrocution, and/or other common issues at a solar facility.
3. Any gates on the property and buildings requiring fire department access in an emergency shall have Knox Box Padlocks and/or a Knox Box with marked keys inside the box.
4. All new trees for the buffering plan carry a 4 year guarantee. If the trees die within that period of time, they shall be replaced by the solar farm owners.
5. The applicant retain a third party inspector to be on site during tree cutting in order to ensure over cutting of the site does not occur.

Lori requested a motion to approve the application for 41 Sokokis Trail, E. Waterboro – NBD Solar Maine LLC project.

Kala Godard made a motion to approve the application with the conditions set forth.

Michael Provencher second the motion to approve the application for 41 Sokokis Trail, E. Waterboro – NBD Solar Maine LLC.

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

Vote 7 Agree, 0 Disagree, application for 41 Sokokis Trail, E. Waterboro solar array by NBD Solar Maine LLC, passes.

V. MINUTES

- September 16, 2020
- October 7, 2020
- October 21, 2020
- FOF 719 Main Street, Waterboro – NBD Solar Maine LLC

VI. COMMUNICATION

VII. MISCELLANEOUS

VII. ADJOURNMENT

- David Christensen made the motion to adjourn at 7:44pm. Michael Provencher second the motion. No discussion.

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

Vote 7 - 0 in favor. Meeting Adjourned.

VIII. ITEMS NEEDING SIGNATURE

Approved Date: _____

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