

TOWN OF WARREN

Planning Board Meeting Minutes

Public Hearing

April 13, 2023

7:00 PM

Present:

Jason Tuorila, Chairman	Shawn Saindon- Vice Chair	Kenneth York
Russell O'Bryan	Thomas Watson	Mark Hilchey
Justin Humes		

Melody Sainio Code Enforcement Officer & Planning Board Secretary Sara K. Davis

Public Hearing opened at 7:01p.n.

Carol, Matthews Brook Road under Site Plan Review the project needs to start within twelve months of approval. Due to the applicant being non-conforming she requests that the extension be denied.

Joseph, Carrol Road agrees does not want extension to be approved. There will be a negative impact and no benefit to the Town. He collected 500 signatures of residents who opposed the Solar project when it was being proposed.

Dick, Hart Road lives just three houses in from 131 and not sure why he received an abutters notice. The border of his property must come within the 500 feet of the property line.

Jennifer, lives in Rockport but an abutter. Hopes the Board doesn't approve extension. Many people are unaware of the project.

Haylee Mank, Eastern Road agrees with the other abutters that the Board should deny request, this project may not meet the proposed new Solar Ordinance.

Seeing no more public comment

Public Hearing Closed at 7:15pm.

Item 1

Open tonight's meeting and establish a quorum.

Call to order at 7:00 p.m. by Chairman Tuorila

Item 2

Public input: limit to ten minutes.

None

Item 3

Old Business

- a. Fuss & O'Neill – proposed Site Plan one (1) year extension of the approval for the Warren Meadow Solar Station project – off Wotton Mill Road (R13/R10, Lots 1, 66, 9, 70 & 1, 52, 53, 74)

Board has been in contact with Town Attorney and MMA. Tuorila, the Project is ready to be started. It is no fault of Warren Meadows, or the Town that they haven't broken ground. The State and DEP that are holding them up. As soon as they get the 'green light' they are ready to start.

Under the Town of Warren Land Use Ordinance, the Board may provide conditions to an application. This is in no way the fault of Warren Meadows. They and the Board spent hundreds of hours on this application and it fits within our ordinance and was approved.

Tuorila, asked members of the Solar Ordinance Committee if this application would comply with the Proposed Solar Ordinance. Alvin Chase, this application would comply and be approved under the Proposed Solar Ordinance.

Humes, how can the Board hold Warren Meadows responsible when they have done their job and are ready to go. It's the State that is holding them up. Nothing in the application has changed, they are simply waiting for State, DEP approval.

Watson, will recuse himself and not vote on this agenda Item.

ACTION:

Motion by O'Bryan; second by Hilchey, I move that due to the fact that the Applicant has not been issued State and Federal permits and licenses which were applied for in a timely manner, it is reasonable and necessary that the Planning Board adopt a "Condition of Approval", in order for the Applicant to

comply with the Site Plan Ordinance, such that the 12 month period within which there must be a substantial commencement shall start to run at such time the applicant has obtained all required permits/licenses from State and Federal agencies with jurisdiction, provided that the Applicant continues to diligently pursue these State and Federal permits, and that the Applicant shall immediately inform the Warren Code Enforcement Officer of each such permit issued.

Vote: 6-0-1 Watson

Item 4

New Business

- a. Sundog Solar LLC - represented by Nick Young to install Solar Electricity for residential use at 1121 Oyster River Road (R05-055) for Holly Tracy.

Proposed is a 7.28kw 16 panel solar electricity for personal use, that is ground mounted and will not be visible from the Road. No abutters.

ACTION:

Motion by Hilchey; second by Saindon to approve Sundog Solar LLC - represented by Nick Young to install Solar Electricity for residential use at 1121 Oyster River Road (R05-055) for Holly Tracy.

Vote: 7-0

- b. William Kinnane & John Petersen – Home Occupation – creating jewelry and office space in existing accessory structure at 97 Rabbit Farm Road (R15-081).

Riley, would like to modify existing shed to create jewelry/ shirts that will be sold online. No customers to the property, no employees.

ACTION:

Motion by O'Bryan; second by Watson to approve William Kinnane & John Petersen – Home Occupation – creating jewelry and office space in existing accessory structure at 97 Rabbit Farm Road (R15-081).

Vote: 7-0

Item 5

Finding of Fact

Completed for all three approved applications.

Item 6

Review Proposed Solar Ordinance

Saindon, there were just a couple edits from the Town Attorney. Ordinance is now ready for the Board of Selectman to review.

Tuorila thanks Solar Ordinance Committee for all their work on this Ordinance.

Alvin, should be noted that the ordinance doesn't call for the panels to be hidden from the Road, just to limit visual impact.

ACTION:

Motion by O'Bryan; second by Hilchey to pass Proposed Solar Ordinance on to the Board of Selectman.

Vote: 7-0

Item 7

Reading and approval of pervious minutes March 9, 2023

ACTION:

Motion by Watson; second by Saindon to approve pervious minutes March 9, 2023

Vote: 7-0

Item 8

Concerns of the Board and CEO

Tuorila, went to the Exiro Minerals open house. They plan to impact 1,000-1,500 square feet on the surface. Underground they will tunnel big enough for trucks to spiral down into the earth, through our water table. All material will be taken to Canada for smelting. When asked about their previous

statement of "If Warren doesn't want it, they won't move forward" They commented that They won't go away easily.

Item 9

Adjourn

ACTION:

Motion by Watson second by Hilchey to adjourn the meeting at 8:18p.m.

Vote: 7-0


Respectfully submitted by Board Secretary: Sara K. Davis




Jason Tuorila, Chairman



Shawn Saindon- Vice Chair



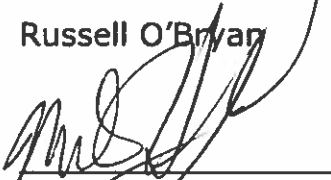
Kenneth York



Russell O'Bryan



Thomas Watson



Mark Hilchey



Justin Humes