TOWN OF WARREN

Planning Board Meeting Minutes

August 11, 2022

7:00 PM

Present:

Jason Tuorila, Chairman	Shawn Saindon- Vice Chair
Albert Overlock	Kenneth York
Russell O'Bryan	Thomas Watson

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

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Item 1

Open tonight's meeting and establish a quorum.

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

Tuorila reminded those in attendance that tonight's meeting is a regular working Planning Board meeting. There have been opportunities to speak at the other Planning Board meetings and last month's Public Hearing. Tonight only new concerns will be addressed with a time limit of three minutes.

Item 2

Public input: limit to ten minutes.

Item 3

Old Business

Watson Abstaining

a. Warren Meadow Solar Station- Glenvale, LLC Off Wotton Mill Road (R13/R10 Lots, 1, 66, 9, 70 & 1, 52, 1, 53, 74)

Jamie, Thanks the Board for their time. Glenvale has placed the decommissioning plan on their website and the Board received a copy. DEP is beginning their review of the plan expected to be approved in the fall.

Tuorila went down a list of concerns that have been brought up by Residents and addressed them again.

Substation sound- will be barley audible at the lot line. 45 decibels is equivalent to a coffee maker or refrigerator.

Visual impact-The plan was re-done to add additional buffering, with visuals that show what it would look like with the additional buffering.

Water runoff- Hydrological engineers have done studies that show no issues.

Chemicals Leaching- When made and recycled there are chemicals from the solar panels, not when in use. One example is floating solar panels on a public water supply.

CMP access- CMP will still have access from their corridor and from Hart Road and Wotton's Mill Road.

Recreational impact- Mr. Hart and family have been very generous with letting people use the property. He still plans to allow access to those with his permission.

Sheer scale of project- It's a big project that produces a lot of energy. Well screened, not visible from any roadway.

Clearcutting- Mr. Hart will be paying a penalty to remove the property from Tree Growth. Currently there are pits and quarrying. May include a clause to establish a tree fund.

Impact to nature and wildlife- any project be it a home, solar etc. will displace wildlife. The Department of Inland Fishery and Wildlife has approved this project.

Quarry access- Mr. Hart has graciously agreed to continue to allow access afterhours.

Property Value- Our Assessor is unable to determine the impact this will have. Studies that have been brought up include solar fields right in people's front yards this will be all screened from view.

Damage to Wotton's Mill and Hart Road- There will be traffic in the beginning, no more weight than the dump trucks of material that are in and out currently.

Supervisor on site- the solar farm will be monitored remotely. It is not necessary to have someone there full time. This is a very large expensive project if they thought they needed someone they would. Board may require initial on site monitoring when the project is turned on. As well as someone within an hour's distance on call 24/7.

Landlocked for Carrol Road lots- was addressed first thing and rerouted around the project, will need sign offs from land owners.

Long term concerns- Residents are attempting to collate the Rifle range and this project. The Rifle range brought in 100x more material than they should have that would be the equivalent of 20 million panels. DEP miscalculated clean up price for the Rifle range. The Board is implying what they have learned from that with conditions for the project.

Why proceed without a solar ordinance- The Town of Warren doesn't have a solar ordinance. They have reviewed other Towns ordinances and the one that is currently being drafted for the Town and the project doesn't raise any red flags.

Monetary benefit to the Town. The fee just to start construction will be 1.25 million with a yearly tax of approximately 1 million.

Does the town get kickbacks- after the two year lag the State will catch up, after figuring what the Town will lose in funding from the State (about 260 thousand) the Town will still have an increase in taxes. When speaking to Farmington the closest big project to us, the only regret they have is not going bigger.

Fire Danger- Fire Chief has signed off on the project, no concerns.

Road repair- Glenvale will sweep the road when needed, both Wotton's Mills and Eastern Road are State roads.

Wind Damage- There may be wind load on trees that haven't has as much but there are no requirements from the State in regards to wind.

Fire Department Training- when it is up and running and again every two years.

Naming the Roads- Fire Chief asked that the Roads be named for ease of fining them.

Source of the solar panels- yet to be determined by Glenvale.

Number of batteries- 60 batteries with self-contained fire suppression.

Number of panels- 200 thousand panels.

Subsidies- no subsidies.

Recycling of panels- Under State statute for Maine all panels must be recycled. Maine is one of the few States that require this.

Tuorila opened up for new concerns.

Resident asked Tuorila where he was from and why he wasn't doing the project there. Questions irrelevant to the project.

Paula Sutton, asked if the Board has considered looking at the solar project under the cell tower ordinance.

Ed LaFlamme, the decommissioning plan wasn't available prior to the Public Hearing to review. Suggests another public hearing to discuss.

Sarah Andrews, the decommissioning only allows for $15 for each solar panel.

Cara Labo, has a petition with 300 signatures opposing the project. Should be brought to a Town vote. What are they going to do with increased traffic going by the school.

Molly Bennett asked about the notice requirements. Tuorila invited everyone to the next meeting a month ago. CEO the only notice required is for the initial application, the Town has sent out curtesy notices for each meetings that were not required. Bennett asked if reginal planner has looked at the project.

Mark Bennett, asked why the Town would be responsible for a tree fund. Tuorila, the town would not be responsible, Glenvale would.

Resident asked if all the information was Tuorila's opinions. Tuorila is relaying information they have learned, Board agrees.

Justin Hume's, asked about chemicals being used to kill the grass. State regulations don't allow this.

Chrystal Robinson asked about the recycling plan. The State requires the solar panels to be recycled.

Resident asked about hunting back there and what would happen if a bullet hit a panel. Glenvale would notice it in an inspection.

Resident asked about fire safety what towns would we pull from for aid. Fire Chief Andrews, Knox and Lincoln County can be called on at any time.

Resident, this is the first meeting she is attending for the project. Her husband and neighbor hunt back there and it's going to be taken away from them, she doesn't want the project here, take it elsewhere.

Tuorila, Glenvale held a Public Hearing in March, the application was submitted back in April, there has been a meeting every month to discuss. The Planning Boards sole job it to apply the ordinance to the application that was voted on by the Residents. If the Project meets the requirements of the ordinance the Board must approve regardless of their feelings for or against the project. The Board has no authority to change an ordinance or impose new rules.

A. Air and Water Pollution

ACTION:

Motion by O'Bryan; second by York that the application meets requirements of section A. Air and Water Pollution of the Site Plan Review Ordinance for the Town of Warren.

Discussion, An Engineer report for Storm Water has been completed.

Vote: 5-0

B. Soil Erosion

ACTION:

Motion by O'Bryan; second by Saindon that the application meets requirements of section B. Soil Erosion of the Site Plan Review Ordinance for the Town of Warren.

Vote: 5-0

C. Traffic Congestion

ACTION:

Motion by Saindon; second by York that the application meets requirements of section C. Traffic Congestion of the Site Plan Review Ordinance for the Town of Warren.

Discussion, Saindon at first there will be increased traffic, there is currently traffic from the pits.

Vote: 5-0

D. Solid Waste and Sewage Waste Disposal

ACTION:

Motion by O'Bryan; second by Saindon that the application meets requirements of section D. Solid Waste and Sewage Waste Disposal of the Site Plan Review Ordinance for the Town of Warren.

Vote: 5-0

E. Scenic and Natural Beauty

ACTION:

Motion by O'Bryan; second by Saindon that the application meets requirements of section E. Scenic and Natural Beauty of the Site Plan Review Ordinance for the Town of Warren.

Discussion, Overlock doesn't agree with this section. Saindon, this project has the most invisible of any solar farm he has seen. Others should approach their projects this way.

Vote: 4-1 Overlock

F. Comprehensive Plan and Ordinance

ACTION:

Motion by O'Bryan; second by York that the application meets requirements of section F. Comprehensive Plan and Ordinance of the Site Plan Review Ordinance for the Town of Warren.

Discussion, Town Manager, the current Comprehensive plan is very outdated was last reviewed in 1991.

Vote: 4-1 Overlock

G. 100 Year Flood Elevation

ACTION:

Motion by Saindon; second by O'Bryan that the application meets requirements of section G. 100 Year Flood Elevation of the Site Plan Review Ordinance for the Town of Warren.

Vote: 5-0

H. Relationship of Structure to the Environment

ACTION:

Motion by O'Bryan; second by Saindon that the application meets requirements of section H. Relationship of Structure to the Environment of the Site Plan Review Ordinance for the Town of Warren.

Vote: 5-0

I. Glare

ACTION:

Motion by O'Bryan; second by York that the application meets requirements of section I. Glare of the Site Plan Review Ordinance for the Town of Warren.

Vote: 5-0

J. Excessive noise at unreasonable hours

ACTION:

Motion by O'Bryan; second by Saindon that the application meets requirements of section J. Excessive noise at unreasonable hours of the Site Plan Review Ordinance for the Town of Warren.

Discussion, Application states hours of construction 6:00am-6:00p.m. in Residential areas hours are 7:00a.m. - 8:00p.m.

Vote: 5-0

K. Performance Guarantees

ACTION:

Motion by Saindon; second by O'Bryan that the application meets requirements of section K. Performance Guarantees of the Site Plan Review Ordinance for the Town of Warren, with understanding provisions will be discussed further later.

Vote: 5-0

VI. Validity and Severability and Conflicts with other Ordinances

ACTION:

Motion by Saindon; second by York that the application meets requirements of section VI. Validity and Severability and Conflicts with other Ordinances of the Site Plan Review Ordinance for the Town of Warren.

Vote: 5-0

VII. Appeals

ACTION:

Motion by Saindon; second by York that the application meets requirements of section VII. Appeals of the Site Plan Review Ordinance for the Town of Warren.

Vote: 5-0

VIII. Violations

ACTION:

Motion by O'Bryan; second by Saindon that the application meets requirements of section VIII. Violations of the Site Plan Review Ordinance for the Town of Warren.

Vote: 5-0

ACTION:

Motion by O'Bryan; second by Saindon to approve Warren Meadow Solar Station Glenvale LLC application with previsions;

1.) Pending all regulatory approvals.

2.) Screening Stipulation, all reasonable screening concerns brought forth shall be addresses in a timely matter to a mutually agreeable solution by the Town, Abutter and Warren Meadows.

3.) Timber Clear cutting, we require Warren Meadows to fund a reforestation account to be dispersed at the discretion of the Town Forest Committee in an amount to be determined by the Board of Selectman and Warren Meadows before construction starts.

4.) No construction on Hart Road. Cleaning for dust control when needed on Wotton's Mill Road.

5.) We require an onsite attendant during working hours Monday-Friday for the first six months. An on call 24/7 contact within one hour from the property for the duration of the project.

6.) Contact information to be posted at entrance to the site.

7.) Construction hours of no earlier than 7:00a.m., no later than 8:00p.m.

8.) Initial training for Fire Department staff and every two years thereafter for the life of the project.

9.) Warren Meadows to maintain current contact information at all times.

10.) Applicant shall pay an initial peer review for Decommissioning bond prior to commencement of construction and pay for a peer review every five years thereafter for the life of the project.

11.) To include Town staff in all construction reporting with the State and any third parties.

12.) To invite Town Staff to any scheduled construction meetings.

Vote: 5-0

Aiden, wanted the Town to know that they should be proud of their Planning Board they are volunteers and they were very thorough throughout the meetings.

ACTION:

Motion by O'Bryan; second by Saindon to adjourn the meeting temporarily to move from the Fire Station to the Town office at 9:54p.m.

Vote: 5-0

Reopen meeting at Town Office at 10:04

Watson joined the Board.

b. Jim Kinney- Establish major subdivision- Depot Road (U08-008-001)

No paving needed all lots will access Depot Road. For density requirements each home needs 2.75 acres not enough for a five lot split Kinney agrees to

do a four lot minor subdivision to meet requirement. There is no need for a fire pond, subdivision is within 1,500' from hydrant.

ACTION:

Motion by Saindon; second by O'Bryan to approve Jim Kinney to establish a Minor subdivision with prevision that lot four gets split no less than 5 years from last date of sale.

Vote: 5-0-1 Overlock

c. Jeff Sholes- Establish a Medical Marijuana Caregiver Storefront- 1288 Camden Road (R10-059)

ACTION:

Motion by O'Bryan; second by Saindon to table until Mr. Sholes is able to provide a complete application.

Vote: 6-0

d. Gray's Oil- Establish propane bulk storage at 17 Depot Road (U08-012)

No abutters. Fully approved by State. Will undergo final inspection by Maine Fuel Board.

ACTION:

Motion by Overlock; second by Watson to approve Gray's Oil- Establish propane bulk storage

Vote: 6-0

Item 4

Update on Solar Ordinance

Item 5

Reading and approval of previous minutes June 9, 2022, July 7, 2022 and July 14, 2022

ACTION:

Motion by Overlock; second by O'Bryan to approve previous minutes June 9, 2022, July 7, 2022 and July 14, 2022

Vote: 6-0

Item 6

Concerns of the Board and CEO

Item 7

Adjourn

ACTION:

Motion by Saindon; second by Watson to adjourn the meeting at 10:55p.m.

Vote: 6-0

Respectfully submitted by Board Secretary: Sara K. Davis

Jason Tuorila, Chairman

Shawn Saindon- Vice Chair

Albert Overlock

Kenneth York

Russell O'Bryan

Thomas Watson