

LIMERICK PLANNING BOARD MINUTES – Approved 10-7-20

September 16, 2020

Dottie opened the meeting at 6:30 pm. with Laura and Jim present also Wendy joined the meeting via phone because of Covid 19 and Aaron was absent.

PUBLIC HEARING:

NBD Solar Maine hearing took place at 6:30 after the board attended the site walk at 5:00 pm, Dottie, Jim and Laura were in attendance at the site walk; Wendy joined the meeting at that time of the start of the public hearing via telephone.

There were about 25 people in attendance at the meeting with everyone social distancing. Christian Loranger addressed the crowd and gave a brief overview of the 18.4 acre project and asked those in attendance for questions.

Lovedy Alexander asked what the life expectancy is for the solar panels.

Mr. Loranger stated 25 to 27 years for the panels and the tables the panels are attached to 40 to 45 years; the recycling of the panels were discussed and they are completely recyclable. The town will be given a bond to cover the cost of dismantling the facility if the company defaulted and didn't live up to the terms of the ordinance and the area will be returned to field land. Mr. Loranger also added that the power will be benefiting all CMP customers not anyone in any other state and the added benefits are no services are needed for example no children to school.

Catherine Tarbox asked about sound, noise, light and vibration.

Mr. Loranger stated the only noise would be from the inverters and they were rated at fifty (50) decibels at a distance of thirty (30) feet and the inverters are located five hundred seventy (570) feet from the nearest house; he also stated that there will be no lighting at the facility and no reflection from the panels.

Sarah Downs asked about snowplowing and removing snow from the panels.

Mr. Loranger stated that there is no snow removal around the panels and they are angled in such a way so the snow will slide off.

Deborah Carmel was concerned about her property loosing valuation.

Mr. Loranger stated that in other areas where there have been projects he has seen no change in valuation to abutting properties.

Dottie stated that the company had provided a letter from a realtor that there would not be a significant change in abutter valuation due to the project.

Michael Connolly was asked to speak to his involvement by deeding some of his property to the project.

Nevin Brackett Rozinsky and R. Binney Brackett had questions concerning wildlife and voltage interference respectively.

Donna Alger also spoke to interference.

Mr. Loranger stated that the power this project will generate is not nearly as much power as is currently running through the transmission lines used by CMP.

The above are those in attendance who had questions and after hearing no other questions Dottie closed the hearing at 7:20 pm.

Dottie opened the regular meeting with the Pledge of Allegiance at 7:20 PM after closing the public hearing for NBD Solar Maine.

MINUTES:

Laura motioned and Jim seconded the motion to accept the minutes for August 19, 2020.

Vote 4-0 In Favor

.WALK-INS:

None

CORRESPONDENCE:

None

OLD BUSINESS:

.None

NEW BUSINESS:

The review for NBD Solar Maine

It is noted here that the applicant answers to the sixteen (16) conditions, CU 1. Thru CU 16. are included herein and are a part of these minutes and will be referenced to as we proceed to the answers for the motions.

CU 1. Conformance to Limerick Zoning Ordinances

The proposed development conforms to the regulations and dimensional standards outlined in the Town of Limerick Zoning Ordinance. A Conditional Use application will be filed since the proposed use is not currently specified within the Zoning Ordinance for the RFF district. As demonstrated in the following responses, the proposed use will fit the character of the

zone and not negatively impact the community. The proposed solar facility will provide electricity to the local electrical service provider and will support Maine's initiative to progress to greener energy solutions and the betterment of the Town of Limerick. These factors will contribute to the general welfare of the public and provide a service to all residents of Limerick. The development of the site will also come at no expense to the Town of Limerick and require no public utilities.

CU 2. Noise, Vibrations, Fumes, Odors, Dust, Light, and Glare Impacts

The proposed solar facility will not create any noise, vibrations, fumes, odors, dust, light, or glare impacts. Once the site is constructed, it will require minimal maintenance with only the occasional service vehicle. There is no proposed exterior lighting for the solar facility as access to the site is not anticipated at night. The proposed development will be set back from Doles Ridge Road/New Dam Road and feature new landscape plantings for screening in the existing meadow area. The new plantings include 29 spruce trees, 3 magnolia trees, and 15 winterberry shrubs. In additional areas, a tree buffer will be maintained along the roadway to provide screening.

CU 3. Adverse Impacts on Abutters

The development of the site will not have a significant adverse effect on adjacent or nearby properties. Although there are some residences within proximity to the site, the residences have vegetated buffers between the road and their property and are also setback from public roads. The proposed development will be setback from the road as well and will be screened by landscaping to reduce the sight of the proposed ground mounted solar facility. With these measures in place the proposed site should not have a significant adverse effect on adjacent properties. As required, a letter from a real estate broker is also included in the submission to certify the proposed development will have no adverse effects to the value of neighboring properties.

CU 4. Hazards to Pedestrian and Vehicular Traffic

Due to the nature of the proposed development, there will be no significant hazard to pedestrian or vehicular traffic. Since no buildings are proposed on the site there will not be an increase in traffic volumes that would result in significant vehicular congestion in the vicinity of the development. The development will also be fenced off from pedestrians for their safety and to deter any unauthorized person from entering the site.

CU 5. Fire Danger

The proposed development of the site will not result in a significant fire danger. All electrical work will be completed in compliance with all applicable codes.

CU 6. Flood Hazards, Ground or Surface Water Contamination, or Soil Erosion

The proposed development of the site will not result in significant flood hazards or flood damage, drainage problems, ground or surface water contamination, or soil erosion. The development employs a stormwater management and erosion control plan that controls the runoff created by the development and is designed to not create erosion problems. The

proposed development is not located within a flood zone per FEMA maps.

CU 7. Accessibility to the Site for Emergency Vehicles

The proposed development will have a 14' wide gravel entrance with 15' radii and a turnaround at the end of the access road. This entrance will provide any necessary access for emergency vehicles and will not create a safety hazard.

CU 8. Exterior Lighting

The proposed development does not have any proposed exterior lighting that would cause or create hazards to motorists on adjacent public streets. Maintenance and other technicians accessing the site are expected to be using the site during the day and not during the night. Since no exterior lighting is proposed for the site, there is not expected to be a negative impact on the usability or value of adjacent properties.

CU 9. Onsite Buffers or Landscaping

The proposed development will employ the use of the required setbacks and screening to provide adequate protection to neighboring properties. During development of the site, an effort will be made to keep as much of the existing vegetation as possible; this includes along the public roadway. Landscaping is also proposed to the front of the site to aid in buffering the proposed development from the road.

CU 10. Vehicular and Pedestrian Circulation within the Site

The internal access road and spacing between panels and electrical equipment provides adequate circulation for maintenance vehicles and personnel within the site.

CU 11. Disposal of Wastewater or Solid Waste

Due to the nature of the development, wastewater and solid waste disposal services are not required. Any waste materials generated during construction will be disposed of by the hired contractor conforming to the standards set forth by the Maine Department of Environmental Protection.

CU 12. Erosion and Sedimentation Control

The proposed development of the site will utilize the Maine Department of Environmental Protection (MEDEP) Best Management Practices (BMP's) and techniques to reduce and control erosion both during and after construction is complete. During construction, silt socks or erosion control berms will be constructed around the limits of work, slopes will be lined with protective matting and a stabilized construction entrance will be constructed to control sediment from leaving the site and to prevent erosion.

CU 13. Stormwater Run-off and other Drainage

The development will not alter the site grades or change the direction of stormwater flow. The area around the panels will remain impervious and stormwater runoff will sheet flow to the surrounding vegetated buffer as in current conditions. Erosion control matting will be installed below the drip edge of the panels to prevent any erosion.

CU 14. Adequate Water Supply

The proposed development does not require a water supply.

CU 15. Transportation, Storage and Disposal of Hazardous Substances

It is not anticipated that the site will require the need for the transportation, storage, and disposal of any hazardous materials.

CU 16. Significant Scenic Vistas and Significant Wildlife Habitats

The proposed development of the site will not have any adverse impact on significant scenic vistas or on a significant wildlife habitat. The site plan has been reviewed by both the Maine Department of Inland Fisheries and Wildlife and the Maine Natural Areas Program to determine if any significant wildlife or wildlife habitat will be disturbed in the development of the site.

NBD SOLAR MAINE LLC

Article VII – Conditional Uses

A. A conditional use permit is designed for those uses, which may be permitted as a service to the community or for the benefit of the town’s general welfare. The standards of this provision are designed to ensure adequate control of the location, design and operation of conditional uses.

B. The Planning Board may approve an application for a Conditional Use Permit if the applicant demonstrates that the proposed use:

1. Will meet the definition and specific requirements set forth in this ordinance for the specific use; Laura motioned and Jim seconded the motion that based on the answer supplied by the applicant this condition has been met.

Vote 4-0 In Favor

2. Will not have a significant detrimental effect on the use and peaceful enjoyment of adjacent or nearby property as a result of noise, vibrations, fumes, odor, dust, light, glare or other cause; Laura motioned and Jim seconded the motion that based on the answer supplied by the applicant and the discussion during the hearing this condition has been met.

Vote 4-0 In Favor

3. Will not have a significant adverse effect on adjacent or nearby property values; Laura motioned and Jim seconded the motion that based on the answer provided by the applicant and the letter from a realtor this condition has been met.

Vote 4-0 In Favor

4. Will not result in significant hazards to pedestrian or vehicular traffic or significant traffic congestion; Laura motioned and Jim seconded the motion that this condition has been met based on the applicants answer and information at the site walk.

Vote 4-0 In Favor

5. Will not result in significant fire danger; Laura motioned and Jim seconded the motion that based on the applicants answer and the authorization from the fire department this condition has been met.

Vote 4-0 In Favor

6. Will not result in significant flood hazards or flood damage, drainage problems, ground or surface water contamination, or soil erosion; Laura motioned and Jim seconded the motion that based on the applicants answer this condition has been met.

Vote 4-0 In Favor

7. Will not create a safety hazard because of inadequate access to the site, or to the buildings on the site, for emergency vehicles; Laura motioned and Jim seconded the motion that based on the applicants answer and the site walk this condition has been met.

Vote 4-0 In Favor

8. Will not create hazards to motorists traveling on adjacent public streets, is adequate to the safety of occupants or users of the site and will not damage the value and diminish the usability of adjacent properties; Laura motioned and Jim seconded the motion that based on the applicants answer and the explanation in a letter from a realtor this condition has been met.

Vote 4-0 In Favor

9. Makes provisions for buffers and on-site landscaping, which provides adequate protection to neighboring properties from detrimental features of the development; Laura motioned and Jim seconded the motion that this condition has been met based on the applicants answer and the site plan.

Vote 4-0 In Favor

10. Makes provisions for vehicular loading and unloading and parking for vehicular and pedestrian circulation on the site and onto adjacent public streets which neither create hazards to safety nor impose significant burdens on public facilities; Laura motioned and Jim seconded the motion that based on the applicants answer this condition has been met.

Vote 4-0 In Favor

11. Makes adequate provision for disposal of wastewater or solid waste and for the prevention of ground or surface water contamination; Laura motioned and Jim seconded the motion that based on the applicants answer this condition has been met.

Vote 4-0 In Favor

12. Makes adequate provision to control erosion or sedimentation; Laura motioned and Jim seconded the motion that based on the applicants answer this condition has been met.

Vote 4-0 In Favor

13. Makes adequate provision to handle storm water run-off and other drainage problems on the site; Laura motioned and Jim seconded the motion that based on the applicants answer this condition has been met.

Vote 4-0 In Favor

14. Provides for a water supply that will meet the demands of the proposed use; Laura motioned and Jim seconded the motion that based on no water supply use this condition is N/A.

Vote 4-0 In Favor

15. Makes adequate provisions for the transportation, storage and disposal of hazardous substances and materials as defined by State law; Laura motioned and Jim seconded the motion that there will be none by the answer given by the applicant.

Vote 4-0 In Favor

16. Will not have an adverse impact on significant scenic vistas or on significant wildlife habitat, which could be avoided by reasonable modification of the plan; Laura motioned and Jim seconded the motion that this was approved by Maine Department of Inland Fisheries and Wildlife therefore this condition has been met.

Vote 4-0 In Favor

SPECIFIC CONDITIONS OF APPROVAL:

Dottie read Sections C, D and E under Article VII Conditional Uses to be part of these minutes and also to insert the Paragraph for all Conditional Uses per the Town Attorney Natalie Burns:

This approval is dependent upon and limited to the proposals and plans contained in the application and supporting documents, including the supplemental and revised plans, the oral representations submitted and affirmed by the applicant, and conditions of approval imposed by

the Board. Any variation from the plans, proposals and supporting documents and representations, except a change determined by the Code Enforcement to be a minor change that does not affect approval standards or conditions of approval, is subject to the review and approval of the Planning Board prior to implementation.

Dottie asked for a motion to approve.

Laura motioned and Jim seconded the motion to approve the conditional use permit for NBD Solar Maine LLC.

Vote 4-0 In Favor

ADJOURNMENT:

Laura motioned and Jim seconded the motion to adjourn the meeting at 7:50 PM.

Vote 4-0 In Favor

Dottie announced the next meeting will be October 7, 2020.

Respectfully submitted:

Joanne L. Andrews

Planning Board Secretary