

PLANNING BOARD MEETING MINUTES
PUBLIC HEARING/MEETING of the PLANNING BOARD
TOWN of DAMARISCOTTA
November 8, 2021 6:00 P.M.

MEMBERS: Jonathan Eaton, Chairperson; Jenny Begin, Neil Genthner, Wilder Hunt and Ann Jackson

ALTERNATES: Gary Rosenthal, and Dan Day

ABSENTEES: None

STAFF PRESENT: Robert Faunce, Interim Town Planner; John Roberts, Fire Chief; Lynda Letteney, Recording Secretary

PUBLIC PRESENT: Melinda Costello, Rachel Clar (via Zoom), Larry Sidelinger, LCTV

II. CALL TO ORDER

The meeting was called to order at 6:05 p.m. by **Chairperson Eaton**

III. MINUTES:

Minutes of October 4, 2021 – Not yet available

Minutes of Site Visit October 14, 2021- Not yet available

IV. OLD BUSINESS

A. PUBLIC HEARING

1. Damariscotta 1 Solar – Site Plan Review Application and Public Hearing

Jonathan Eaton opened the Public Hearing asking if there were other issues other than a fire extinguishing/rescue plan in place. **Melinda Costello** representing Syncarpha along with **Rachel Clar** (via Zoom). **Melinda Costello** said she was here to go over the solar application, sited along Route 1 on the Damariscotta/Nobleboro line. **John Roberts**, Fire Chief, was the first to speak stating that many arrays are smaller than this. Everyone has the same concern on this size array. “Solar projects have been skating through with little safety oversight,” **Chief Roberts** stated that the Fire Department had been trained for small roof-top arrays, but not for anything close to this size. There is a shut off on roof systems, but not on ground systems. He would like to see a written document describing the level of training needed, or do we let it burn itself out. **Bob Faunce** said he thought the Chief was asking for a formal response to the three questions he posed to Rachel Clar to be reviewed and approved by the Fire Chief, before any conditional approval. He would like the response to come from an engineer.

Chief Roberts questions:

- 1.) How to safely respond to a person who has been (or is being) shocked or electrocuted, and how to safely conduct a rescue?
- 2.) How to safely respond to and extinguish a small fire (arcing panel, shorted electronics, etc.)
- 3.) How to safely respond to and extinguish a large fire (full panel involved or larger)

Jenny Begin stated she thought that as long as there was light, there was a charge going through it. **Chief Roberts** responded that you cannot “shut down” a solar panel. **Melinda Costello** said they have applied for a DOT permit for a driveway north to south. There are 44 acres, 18 acres of which will be developed. A 7’ fence encloses the array and both the Damariscotta and Nobleboro chiefs will have master keys. She also stated that they have DOT permits for wetlands and vernal pools. Erosion control will be done in varying stages ending with berms and fencing. During construction addition control is in place. **Robert Faunce** asked **Melinda** to explain the setback area. **Melinda** said that they have pulled the fence line in so it is now a straight shot. When asked about the traffic and fence distance, she said it 239’ from the travel-way to the fence. **Jonathan Eaton** asked if there was a DOT entrance permit. Response was that it falls under the “special access road” requiring a special permit. It will have a bar fence at the entrance and that section needs to be paved.

Neil Genthner was concerned about decommissioning and associated fees. **Melinda** said Legislation on this was recently approved. Removal of above ground features such as wiring, posts, array panels, fencing. Access road will stay. Conduit stays. They will calculate at the end of 20 years, per a bond between owner and the State, the cost of decommissioning. **Neil** asked if it was 1% plus the cost of the project. **Melinda** said the present day value is calculated at 2.5% the current inflation rate. **Jenny Begin** asked about a recycling effort (salvage value). **Jenny** also asked about there being heavy metals. **Melinda** responded that 70% of the material is recyclable; 29% is other material which is salvage and 5% goes to waste. **Neil** asked, “Can we figure area decommissioned as in off the tax map? **Bob Faunce** responded yes. He said a 2.5% rate could be a future value of 4.5%. The Town ordinance and the State calculation is the basis for the bond which has to be approved. It is a 20 year bond.

Wilder Hunt asked if they consulted with local transfer station as to whether or not they can handle this. **Melinda** said she would have to get back to him on that. **Jenny Begin** felt handling decommissioning of these arrays will be a business unto itself. She felt it was unlikely it would go to the local transfer station. **Wilder** said it was concerned about the 5%. He said you only have to look at the atomic energy plants that can’t be decommissioned.

Hearing no other comments, **Chairperson Eaton** closed the Public Hearing at 6:30 p.m.

2. BUSINESS MEETING

Jonathan Eaton began the Board discussion by saying there was nothing about what we do with physical waste; no plan for 20 years out. **Wilder Hunt** felt that it was a good idea to have a plan in place, **Neil Genthner** said they have to have a plan. **Rob** from Weston/Sampson (via Zoom) addressed the heavy metal question. In the early stages of array development had heavy metals. Today it is silica and glass and sealed. Majority of the array is recyclable, keeping in mind a lot of this will improve over the next 20 years. He does not envision any impact on local transfer stations. **John Roberts** would like his 3 questions answered. **Jonathan Eaton** said he didn’t know what system they used, but do they require any maintenance. **Jenny Begin** asked about

the grass underneath. **Melinda** said panels are cleaned by rain water and snow melt; grass is mowed 1-2 times a year.

On motion to approve permit contingent upon the fire chief's approval of the answers to his questions, and bonding at 1.5 times the project or at 2.5% whichever is greater.

Discussion:

Bob Faunce recommended that the "contingent upon" include language to the effect: 1.) They have all DOT permits; 2.) The bond calculation be whichever is greater by Town ordinance and State calculation; and 3.) they satisfy the fire chief's concerns. **Wilder Hunt** said that over and above any concerns, the plan is not complete. He believes at this stage it should be an up or down vote- complete or not complete. The contingencies are too great to issue a permit.

Melinda asked if the bond in the ordinance had to be issued before getting a permit. **Bob Faunce** said Stan Waltz has the entrance permit but we need a plan for the fire chief from the company (authorized by engineer). **Ann Jackson** said she was okay with conditions. **Jenny Begin** said even though it's not complete. But, she would be okay if conditions 1-2-3 were met. **Jonathan Eaton** said if they could have this by December 6th, it could be approved within this year (a major deadline for getting the grant monies). **Melinda** asked, "If we can't satisfy the Chief, can we still get the permit?" **Jonathan** responded, "No" you must have a plan."

B. NEW BUSINESS:

1. 137 Cottage Pt. Road – Dock with Float – Rick Isling

Mr. Isling said all regulations have been met; the neighbors are okay. The purpose of this dock/float is to accommodate kayaks and canoes for people using the water; a public use dock. **Jonathan Eaton** said they need to schedule a site visit. **Neil Genthner** asked about code enforcement. **Steve** has looked at it. As the temporary enforcement officer, he will accompany the Board on the site visit. **November 15, 2021 at 4:00 p.m. Bob will post the visit.**

2. Update on Information Booth- Chamber of Commerce - John Roberts

John Roberts began by saying that we have the draft transfer deed (State to Town). The Selectmen have approved lease agreement with the Chamber. A storm water drain plan will be ready Dec. 6th meeting or Jan. 7, 2022, meeting. They need to have a public hearing. Plan is to break ground in the spring. He would like preapproval to begin; and, when storm drain plan is ready, complete final approval. There were questions about the parking lot; Stan Waltz has said it was okay, **Bob Faunce** said the issue was the design connection. **John Roberts** replied that time was the issue. There were meetings with engineers last week. **Bob** said if the only issue is the storm drain connection, come to December 6th meeting for public hearing. **Neil Genthner** said that would be a good time to rehash the whole plan as it has been a long time since the presentation. **Jenny Begin** said that she hoped there was landscaping. **John Roberts** replied that there will be, just not big trees. **Public hearing scheduled for December 6th 2021.**

3. Planned Unit Development (PUD) Provisions: Amendments to PUD Provisions and Dimensional Requirements to Improve Utilization of Sewer Accessible Land for Residential Development - Robert Faunce

Bob began by saying that he would be talking about the main points as they pertain to work force and senior housing, Access to public sewer is an important factor influencing the potential for new housing development in any community. Damariscotta is served by the Great Salt Bay Sanitary District, which is limited in its service to undeveloped and non-developed land in Damariscotta. Staff is recommending changes to the PUD provisions to provide for better utilization of sewered land and hopefully improve the economic climate for new housing development in the community, particularly in C2.

Currently the minimum lot size is 10,000 sq. ft. for the first dwelling, 20 units per 2 acres. This ties up a lot of land. Proposal changes this to 10,000 for the first dwelling and 6,000 for subsequent dwellings. **Jenny Begin** asked, “Generally, where do we want more swellings?”

Bob responded that they are looking at already sewered areas. **Jenny** asked about the capacity of the sewer district. **Neil Genthner** where on the sewer line is there room? **Bob** said for work force housing infrastructure costs are a development issue. Using the existing formula you can have 20 units, if modified it could be 40 units. We are better off utilizing land for housing as the town is growing. **Jenny Begin** was concerned about schools being “maxed out.” **Ann Jackson** expressed concern over the added use of roads and their maintenance. **Jenny Begin** said there were a lot of bottlenecks along the corridor. **Neil Genthner** suggested more use equates to more traffic lights. **Jenny Begin** asked if we would see commercial buildings with housing on top. **Neil Genthner** added that the Town needs taxable income. There is a lot of non-taxable land in Damariscotta. A portion of Route 1 is non-taxable. DRA has a lot of non-taxable land on the tax map. **Bob Faunce** said senior housing is taxable. He has reviewed these ordinance changes with the Selectmen as a “first listen”, open for further discussion. He would like to advertise a public hearing. **Jenny** suggested to have an article in the newspaper ahead of the Town Meeting. **Bob** asked if January was okay for Public Hearing. **Neil Genthner** was all for it. **Bob** said it is still a work in progress, but a good start. **Wilder Hunt** asked how many possible lots did Bob feel this would create on undeveloped land on the sewer line. Secondly, how much growth do we want? **Bob Faunce** concluded by saying that he’ll do his work to get ready for a public hearing in January.

C. OTHER

- 1. Questions from the Public - None**
- 2. Housekeeping - None**
- 3. Planner’s Report- None**

D. Adjournment

On motion (Hunt/Genthner) to adjourn the meeting at 7:40 p.m.

Minutes of the Planning Board (November 8, 2021) cont'd:

Respectfully submitted,

Lynda Letteney
Recording Secretary

We the undersigned approve the minutes for the Planning Board Meeting of November 8, 2021.

Jonathan Eaton, Chairperson

Jenny Begin

Neil Genthner

Wilder Hunt

Ann Jackson

Minutes for the Planning Board Meeting of November 8, 2021 (cont'd)

Daniel Day (alternate)

Gary Rosenthal (alternate)

Minutes for November 8, 2021 signed _____
Date

