

Town of Turner, Maine
Planning Board Minutes
April 21, 2021

1 CALL TO ORDER

Called to order at 6:06 pm by Mr. Bill Bullard, Chairman. Those Members present were, Mr. Bill Bullard, Mr. Kelvin Youland, Mr. R. Edward Morris and Mr. Donny Hinkley, Mr. Richard Lee. Those Absent Mr. Brian Emmons. Sarah DelGizzo, Town Planner and Mr. Kurt Schaub, Town Manager were also present.

2. VERIFICATION OF QUORUM

Mr. Bill Bullard stated that there were 6 Board Members in attendance which constitutes a Quorum.

3. PLANNING BOARD MINUTES FROM March 17, 2021.

Mr. Morris made a motion to accept the March 17, 2021 minutes and it was seconded by Mr. Lee. (6 ayes)

4. PUBLIC HEARING:

Barrell Solar, LLC

The Applicant gave information and a history on their company. They have been business since the 1980's. They are in 37 states and in Canada at this time. The benefits are clean energy, and give another option for power and help provide jobs. Darren Stowe who is a certified planner and an environmental planner. This project will be 2.25 mega lots and 12.25 acres. The property will be on property owned by KRY, Inc. Revised site planes were provided since the workshop. Snowmobiles and ATVS will still have access to the land and they will plan to have a fixed knot fence that will be around the project but will not block access on the transmission lines. They will be asking for a waiver because there will be a few panels that will be in the wet land zones. They will be fixed panels and they will not be more than 10 feet tall. They project will be unmanned and remotely monitored and have very little impact with noise pollution. There will be no parking on the property and will have little impact on the site. They have applied to MDOT for the project. The wetland itself is lower on the property but because it is still in the 75 ft setback it will be needed for the panels only. The applicant also provided an aerial view that showed where the nearest house would be to the project and that it would have a wooded buffer and would not be visible to the surrounding area. The project cost and decommission would be around \$108,000 construction to start in November 2021 and finished in March 2022 and a decommissioning plan was provided.

The applicant spoke on behalf of the State permitting. He is certified in environmental impact. They have avoided impacts on the streams near by and because of the vernal pool that are state required they have avoided the same to the best of their ability. Chris Bakers ECT, project engineer discussed the steps they have as regards to meadow buffers that improved meadow quality and erosion. They site will be mowed 2 times a year. He also discussed the best management practices that will be done on the property.

Mr. William Bates questioned how the Auburn water shed would be handled and this project would not affect the watershed.

Mr. John Hinkley questioned the life cycle of the project and it is 20-30 years. He also questioned if the road could be moved out of the wetlands. The applicant stated that because of the topography it would not be able to be moved.

Mr. Morris stated the panels would be recyclable. Mr. Lee questioned if the project would be built without the CMP connection and the project would need an agreement prior.

Round Pond Solar, LLC

Darren Stowe spoke on behalf of the project. 2.25 mega watt facility. The project will have access on Stone Road. He went over the location of the site. Revised site plans were provided since the workshop held earlier in the month. Snowmobiles and ATVS will still have access to the land and they will plan to have a fixed knot fence that will be around the project but will not block access on the transmission lines. The Solar panels will be fixed and anti-reflected and will not be higher than 10 feet and the fence will not be over 7 feet. They project will be unmanned and remotely monitored and will have little noise pollution. There will be no parking on the property. There will be limited impact on the location and they will only be cutting tree that would shade the panels. The applicant also reviewed the visual impact for the location to those who own property nearby. A decommissioning bond was provided as well as a security plan.

The Applicant discussed the environmental aspects of the project. There are a few wetlands with a steep ravine and a permit by rule has been filed but the project will not impact the same. They stated that a storm water management plan was provided and that the site would be converted to meadow buffers. It is within the Auburn water shed and as long as the pervious area is under the thrush hole they would qualify and this project would have limited impact and is within the stated guidelines per MDOT permit by rule.

Mr. Morris questioned if there would be any buildings on the property. No building would be built only and inverter and electric permit would be through the State.

No Public comments.

5. OLD BUSINESS

Youland Barrell Solar, LLC

Ms. DelGizzo reviewed the plan with the Board. She discussed that at the last meeting the Board had discussed two waivers that were requested and the Board had decided the drive would not be required. They also decided that the Board would accept the waiver for panels being within the 75 ft setback if approved by the State. After the site walk it was determined that there would be no impact on the same. The decommissioning bound will be with the property owner and the ATV and Snowmobile trails will continue to have access.

Mr. Bullard question if there was a condition that could be place that if the project was sold the new owner would need to come to the Board and prove financial capacity. He also questioned on what would be done in case of an emergency on the property. Mr. Kurt Schaub stated that there are a lot of ways to go about this but there should be a plan at the Town Office and they training be provided to the Emergency Department prior to being done.

Mr. Morris questioned the zone for the project and where it is a Public Utility Facility that requires a site plan review and brought to the Planning Board.

Ms. Twitchell made a motion to find the Checklist complete and it was seconded by Mr. Hinkley. 5 ayes, Mr. Kelvin Youland abstained due to conflict of interest.

Conditions would be added to the Finding of Fact that would include that if the project is sold the new owner will need approval and proof of financial capacity, a Safety and operations plan will be on file and trained will be done. and #6 will be deleted. Mr. Lee Motioned to accept the Finding of Fact and Conclusion of law with the above changes and it was seconded by Mr. Hinkley. 5 ayes, Mr. Kelvin Youland abstained due to conflict of interest.

Round Pond, LLC

Mr. DelGizzo reviewed the project with the Board and the requests asked by the Board from the Workshop. The decommissioning bound will be with the property owner and the ATV and Snowmobile trails will continue to have access.

The Applicant reviewed the lease agreement with the Board where the access road will be the same as the building parcel.

She reviewed some changes in the Findings of Fact and a Mylar will not be needed, #7 in the checklist will be removed. There is also a typo within the Findings of Fact and will be updated.

Mr. Bullard questioned what aspects of the project was taken into consideration for the impervious area. The applicant stated the access road, inverters, the pile and fence post were taken into consideration.

Mr. Morris questioned if there would need to be an updated lease for this project to be done. The Town would not issue a permit if the condition was not completed.

Mr. Hinkley questioned the zoning where it is General Residential I but is considered as a Public Utility project.

Ms. Twitchell made a motion to find the checklist complete for Round Pond Solar, LLC and it was seconded by Mr. Lee (5 ayes), Mr. Kelvin Youland abstained due to conflict of interest.

#5 and #7 were removed from the Finding of Facts and 2 conditions were added that if the project is sold the new owner will need approval and proof of financial capacity, a Safety and operations plan will be on file and training will be done.

Mr. Lee motion to find the Findings of Fact and Conclusion of Law complete with the above changes. 5 ayes, Mr. Kelvin Youland abstained due to conflict of interest.

VGJR Industries, LLC

Ms. DelGizzo reviewed the updated checklist and Findings of Fact with the Board. An updated caregiver card was provided to the Board. Mr. Hinkley questioned if a ramp will be built. There are Handicap parking signs but no ramp. The Applicant stated that he will be putting in a ramp but was having a hard time finding materials.

Mr. Schaub stated that it would be beneficial for the Board to have a condition that a ramp must be built before licensing that way it would not be forgotten. The Board agrees on the same.

Ms. Twitchell made a motion to find the Checklist complete and it was seconded by Mr. Youland. 6 ayes.

Ms. Twitchell made a motion to find the Finding of Fact Complete with the two Conditions discussed and it was seconded by Mr. Youland. 6 ayes.

Highmark Farms, LLC

Ms. DelGizzo reviewed the Application with the Board. An updated lease has been provided to the Board that has both buildings being leased to Highmark Farm, LLC. The Applicant has requested to only have cultivation included in the lease and will not be moving forward with a retail location at this time. The Applicant spoke with the Board regarding parking lot stripping and was requested to talk to MDOT to where they will be a change in business. The Applicant will also ensure all the property lighting and security requirements are met.

Mr. Morris questioned why some of the requirements were not addressed in the application. Where this is a prebuilt construction and have already been through site plan review, they are not needed. This building has already been through site plan and the previous plan has already been submitted.

Ms. DelGizzo stated that the Applicant has also provided a safety plan for the building. Ms. Twitchell questioned on how the driveway entrances and exits for the driveways would be handled. The Board will have a condition will be put into the plan for this issue to be addressed.

The Board will not need a site walk where it has already been through site plan review.

Ms. Twitchell made a motion to find the application complete and it was seconded by Mr. Youland. (6 ayes)

The Board discussed having a Public Hearing at the next meeting if the room is unavailable for the normally scheduled meeting next month.

6. New Business

None

7. Other Business

Mr. Lee questioned the application for Turner Investment Proprieties, LLC with a possible grow facility. That will be discussed at the next meeting.

8. REPORTS

None

9. PUBLIC COMMENTS

None

10. ADJOURNMENT

Mr. Lee made a motion for adjournment and it was seconded by Mr. Youland and the Board unanimously accepted. The meeting adjourned at 7:42 pm.

Respectfully submitted by, Megan L. Ricker, Secretary.