

**Town of Turner, Maine  
Planning Board Minutes  
May 27, 2020  
Virtual Meeting via Zoom**

**1 CALL TO ORDER**

Called to order at 6:05 pm by Mr. Bill Bullard, Chairman. Those Members present were, Mr. Bill Bullard, Mr. Brian Emmons, Mr. Donny Hinkley, Ms. Shirley Twitchell, Mr. Richard Lee and Mr. Kelvin Youland. Those Absent, Mr. R. Edward Morris. Mr. Bob Folsom, Code Enforcement and John Cleveland, Town Planner were also present.

**2. VERIFICATION OF QUORUM**

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

**3. PUBLIC HEARING:**

**Kolby Youland Lot , Minor Subdivision, Mike Gotto, Sandy Brook Consultants**

Mr. Cleveland stated the Board received a request from Kelvin Youland and Dawn Youland to divide a portion of their 42 acres on the Conant Road to their Son, Kolby. They purchased the property in 2017 and built a home on the property. They recently had a part of the lot divided to their son, Kyle and are looking to give additional land to their other son. In order to divide the property further they must get permission for a subdivision from the Board where they have already divided the land within the last 5 years. Ms. Twitchell stated she was an abutter to the property and has no conflict on interest on the project. Kelvin Youland stated that he has a conflict of interest on this project and will not be voting on the same.

**CSG, LLC Solar Project – Chris Byers, Boyle Associates**

This proposal is for a Solar development that will be on Route 4 in an existing sand pit that abuts the Northland Shopping Plaza. The project will have solar panels on post driven poles. There will be equipment on the property to help monitor the panels. This project will be in the Commercial Zone 1 district which allows for this project. Mr. Chris Byers spoke on behalf of the project and thanked the Board for coming out for a site walk on May 26, 2020. He spoke with Steve Blake who did the survey work and they plan to get stakes in the ground soon to help show the Board where the project will be positioned and has an updated plan for the Board that lays out the site on the plan that was submitted to the Board. Mr. Lee stated that he is concerned that once the excavation is done what it will look like after the project is done. Mr. Byers stated that because of the D.E.P. permit they will need to put a base down to help with storm run off and will need to maintain the grass. This would help improve the current condition of the lot. Mr. Youland questioned if it is typical to only mow 2 times in the year? It was stated that because of DEP permits they tend to only mow 2 times.

**4. OLD BUSINESS**

**Borrego Solar, Solar Farm on Sandy Knoll Road, CES, Inc.**

Ms. Twitchell stated she is co-owner of the property for the proposed project and will abstained from voting due to conflict of interest.

Mr. Cleveland stated that this is a proposed for a 20 acre site on 127 acres owned by Mr. Gard Twitchell. The project will sit back on the road and is not visible and has a buffer.

The application was submitted February 14, 2020 the Board. On March 11th the Board walked the site and on March 18<sup>th</sup> the Planning Board was set to meet but due to the restriction from Covid-19 was unable to meet. There was a Public meeting on May 13, 2020 and the Board reviewed the application further.

Today, the Board will review the Findings of Fact. The project will be in a Rural 1 zone. The applicant is in good standing with the Town. The entrance driveway was permitted in March off from Auburn Road. There are no buildings proposed for the site only the panels, fencing and housing for the equipment. There are no setback requirements for the property. There will be lighting for the equipment house and they will be motion activated and will be positioned for the equipment area only. There will be some noise but they fall within the guidelines. The site has been cut recently and there will need to be some fill and some removal of additional trees. The applicant will provide the Board with a plan for the grade and additional information on the site at that time. The Project will not need traffic data where there will not be daily traffic to the site. The applicant has provided a financial statement for the project. There is a condition within the project that if the project is sold to a different developer that the new owner must get Board approval prior to starting the project. The Applicant plans to grind the stumps from the cleared land and use on site. The area will be graded and seeded for erosion control.

The following conditions for the project are required to communicate and review with the Emergency Department on protocols, if the project is sold the new owner must come to the Board to show financial capacity, the applicant must provide a decommissioning bond to the property owner. Mr. Hinckley question on why the project states Beal's Pond Road but is referred to as Sandy Knoll. The applicant submitted the plan as Beal's Pond Road but the location near Sandy Noll.

Mr. Folsom questioned if the applicant will give safety and procedures and review the same with the local Emergency Management Department Heads to review the same with them. Mr. Albrecht stated that they would come out prior to start up of the panels they would have someone come for onsite training.

Mr. Cleveland stated that there are a few changes that will need to be done. The Board could meet on June 3<sup>rd</sup> and vote on the project of the Board can vote today with changes and he can send the same out for review if they would like.

Mr. Lee motioned to find the Application Complete and accept the Findings of Fact and Conclusion subject to changes and it was seconded by Mr. Hinckley. (5 ayes and Ms. Twitchell abstained)

### **Kolby Youland Lot , Minor Subdivision, Mike Gotto, Sandy Brook Consultants**

Mr. Cleveland stated that on May 13 the Board first reviewed the project. The subdivision is in the Rural 1 Zoning District. The applicant applied for the subdivision in March but due to the Covid-19 the Planning Board was unable to meet. The Board did not have a site walk because the Board is familiar with the property. Mr. Cleveland stated that the subdivision plan submitted is not proposing open space or common spaces. The area meets the current Comprehensive Plan. There are no proposed streets in this plan and that there will be a driveway only for the site. The lot is not in the 100 year flood plan and meets all the requirements. The applicant will plan on a drilled well and underground electric.

The applicant submitted the appropriate letters to IFW, DEP and the Maine Archeological and Historical departments and there were no issues of concern and the standard have been met.

The Applicant provided a Financial Statement and has built many subdivisions and homes and is well known in the community and the standard has bee met.

Ms. Twitchell made a motion to find the Application complete and it was seconded by Mr. Emmons (5 ayes, Mr. Youland abstained).

Ms. Twitchell motioned to approve the Findings of Fact and Conclusion of Law and it was seconded by Mr. Emmons (5 ayes, Mr. Youland abstained)

### **CSG, LLC Solar Project – Chris Byers, Boyle Associates**

Mr. Cleveland stated that this will be a 10 year lease with the chance for two 5 year lease extension on the property. The Power will be distributed to the CMP grid. There will be about 10,000 panels that will be on the site. This is on a Commercial 1 zone. The application was submitted on March 18 and due to Covid-19 State restrictions the project was not able to be heard until now. The Board discussed the application on May 13, a site walk took place on May 26 and today May 27, a public hearing took place.

Mr. Cleveland reviewed the Findings of Fact and Conclusion of Law with the Board.

There is no lighting proposed for the site and there will be some noise generated but will not exceed the zoning decimals.

The Applicant plans seed the site and there will be vegetation to control erosion on the site. Mr. Cleveland stated that there are some concerns that are unclear with easement on the property regarding turn around areas and State easements. There will be no traffic impact on the site. There is a requirement for the Applicant to provide a letter to the State on traffic impact. Mr. Cleveland stated that the Board will need a letter of Financial Capacity from the Applicant. There will be some clearing on the Land and that there is a permitted driveway on the site that will provide access to the 15 acres. Mr. Cleveland stated that he is unaware if a snowmobile trail is on the property but there is an ATV trail on the site and that the Board may want to discuss this issue further. The Applicant will also need to ensure that a decommissioning bond be placed on the Lease.

There is a marked snowmobile trail on the site but it is not an I.T.S. trail and is maintained by the local Turner Ridge Riders. There could be conversations had with the property owner to allow access or to make an alternate route. Mr. Murray stated that the ATV and Snowmobile Club have used the trail in the past to have access to Irish Snowmobile Shop and he has never given permission in the past and but has also never had an issue in the past. He will reach out the local clubs to see if there is a way to find alternate access and will have the information for next meeting on June 3, 2020.

Mr. Cleveland questioned if the Applicant got information back from the State's Historical and Archeological Departments.

Mr. Cleveland also requested a sand and aquafer map from the Applicant to show the flow of water. The applicant stated it was included with the Storm Water information and will resend the same.

Mr. Cleveland stated that there were a few issues within the sketch plan that is an issue with setbacks. The Applicant stated that they will look at their map and try to bring the same into compliance. The Applicant questioned that they could do if they were unable to move those boundaries to be in compliance. Mr. Cleveland stated that per the Town's Ordinance that an acceptance could be made with the property owner's permission in writing an Planning Board approval.

The applicant stated that they intend to spread and level the site but do not intend on moving anything on or off the site. Mr. Cleveland questioned the big boulders and the Applicant stated those could be moved to the back of the site and would not be an eye sore.

Mr. Cleveland questioned on if the Applicant has reviewed the easements on the site. The Applicant stated that in their research and are working on removing the easements on the property that are not needed on the site to help keep the property clean and have the control needed on the site.

Mr. Cleveland questioned if the Applicant would be ok with submitting the electrical plans and Mr. Folsom stated that he would like a disconnect plan in the event of a fire. The Applicant stated that they would have no problem submitting the same to the Board.

Mr. Cleveland requested a letter be submitted from the Applicant's Bank on Financial Capacity.

Mr. Cleveland stated that in the application that there is a clause in the lease that if the Town does not request a decommissioning bond that one is done with the Land Owner. Mr. Cleveland stated that the Board would like to see one a Bond be between the Applicant and Land Owner.

The Applicant will plan to meet with the Board next week to try to get this plan complete for the Applicant to present the same to the State in time for the deadline.

### **Wiley Subdivision**

Mr. Cleveland stated that he sent an approval for a lot to Mr. Wiley. He stated that if the Planning Board approved the Findings of Fact and Conclusion of Law prior but if it could be added again to be voted on.

This would be an amendment vs a subdivision.

Mr. Emmons motioned to approve the Findings of Fact and Conclusion of Law and it was seconded by Mr. Lee.

### **5. New Business**

### **6. Other Business**

None

### **7. PLANNING BOARD MINUTES FROM January 15, 2020.**

Ms. Twitchell motioned to accept the May 13, 2020 minutes and seconded by Mr. Youland (6 ayes)

### **8. PUBLIC COMMENTS**

None

## **9. ADJOURNMENT**

Mr. Hinckley made a motion for adjournment and it was seconded by Mr. Youland and the Board unanimously accepted. The meeting adjourned at 8:30 pm.

Respectfully submitted by, Megan L. Ricker, Secretary.