



# Town of Eddington

906 Main Road Eddington, Maine 04428

## PLANNING BOARD

June 1, 2023

5:30 pm

## MINUTES

**CALL TO ORDER:** Craig Knight called the meeting to order at 5:30 pm.

**ROLL CALL:** Members present were Susan Dunham-Shane, Craig Knight, Heather Grass and Scott Newhart. David P has an excused absence.

**MINUTES:** Motion to table the minutes of May 23, 2023 to the next meeting.

**By Scott N/Heather G 2<sup>nd</sup>. Vote 4-0**

**UNFINISHED BUSINESS:** The Board will continue their review of the BD Solar Eddington application.

107 Site Plan Application Requirements and Standards, Book 2,

107.1, Approval, Move that we accept applicants reply as complete.

**By Susan DS/Heather G 2<sup>nd</sup>. Vote 4-0**

Move that for 107.2.1 applicant has provided information elsewhere as stated.

**By Susan DS/Scott N 2<sup>nd</sup>. Vote 4-0**

107.2.2 Lease information, Book1 has Lease Agreement, Book 2 has the Sales Agreement. Nick S said the road from Rt. 178 is BD Solar property so there would not be an easement and they intend to be good neighbors and not affect their access. Scott N would like something in writing that they have an agreement with the Seymours and that they intend to allow him access across their property. The updated drawing for C100 shows the additional land purchased.

Motion that we accept 107.2.2 contingent on letter of intent for road usage.

**By Scott N/Heather G 2<sup>nd</sup>. Vote 4-0**

107.2.3, Paperwork demonstrating Financial Capacity, Technical Ability, Appendix J, Book 1, Susan DS asked if the financial statement is strong enough. Nick S said they have a joint venture with Impact, so if they retain ownership of the project it will be owned by Dirigo, BD Solar and Impact. Nick S said with all projects there is a chance that they can be sold to another Company. Whoever buys it will have to follow the same permit requirements.

Motion that we approve the qualifications and monetary capabilities of the applicant as submitted.

**By. Susan DS/Heather G 2<sup>nd</sup>. Vote 4-0**

107.3, Narrative,

107.3.1 Move that we received multiple Site Plan Drawings

**By Susan DS/Heather G 2<sup>nd</sup>. Vote 4-0**

107.3.2 to 107.3.6 – Project location, generating capacity and expected production. They will be using a combination of berms and silt fencing. The drawing says berm, the detail said alternating. They usually leave it up to the contractor, but when there is clearing, they usually use berms with the cleared material. The Silt Fence is supposed to be removed. Sean T will provide the board with the seed mix particulars.

Motion to accept 107.3.5 as presented in narrative with additional information from Haley Ward on ray, berm and silt fence use **By Susan DS**

Amended by Scott N to 107.3.2 to 107.3.6 **Scott N 2<sup>nd</sup>. Vote 4-0**

107.3.7, Book 1 & 2, Appendix D and K

Motion that we accept 107.3.7 as written and delivered

**By Scott N/Heather G 2<sup>nd</sup>. Vote 4-0**

107.3.8, Solid Waste,

Move we accept narrative as provided and Casella Waste letter.

**By Susan DS/Heather G 2<sup>nd</sup>. Vote 4-0**

107.3.9, Agency Responses

Move to accept documents provided in Appendix C, Book 1

**By Susan DS/Scott N 2<sup>nd</sup>. Vote 4-0**

Move to accept 107.3.10, Operations Statement, as clear and complete.

**By Susan DS/Heather G 2<sup>nd</sup>. Vote 4-0**

Move that 107.3.11 as addressed previously in I and provided in Appendix D is sufficient.

**By Susan DS/Heather G 2<sup>nd</sup>. Vote 4-0**

Move that 107.3.12 is accepted as is, pending selection of a maintenance company

**By Scott N/Heather G 2<sup>nd</sup>. Vote 4-0**

Motion that we accept 107.3.13 as complete via Book 1 and Book/Map 3

**By Scott N/Heather G 2<sup>nd</sup>. Vote 4-0**

107.4 Plan and Risk Assessment for Road and Property Use. Susan DS said that she agrees with the residents that the first bridge is narrow and is on a blind curve. Scott N asked them to supply the content of the second Public Hearing as part of the record. Nick S will provide the Power Point. Regarding the GVW limit on the Davis Road Bridges, Susan DS pointed out that the email from Lisa Hughes at the State of Maine stated bridge 5545 is a MS 22.5 load design and is assumed to be safe for all legal loads. Bridge 5546 does not have a load design, but is assumed to be safe for all legal loads. The state inspects bridges biannually and the first two bridges were last inspected in September of 2022. Scott N said that as far as the state is concerned the bridge is capable. Susan DS said that as she thinks about it, you cannot drive through multiple states with solar panels or transformers on a flatbed without going through a weigh station which would know if the truck is legal or not. Susan DS said the big question is what the legal limit for a local road and a major road is. Scott N said his concern is that the developer know what each bridge is rated for so that they can adjust their loads so as not to exceed that weight. He continued that the state has given it a B rating and has said it is designed and assumed to be safe for all legal loads. Heather G is concerned about what will happen to everyone on the other side of the bridge should the bridge go out. Craig K said if the bridge does go out SD Solar will be responsible for the repair and they are aware of that. Sean T said the state does not vary the weight limit by what type of road it is but rather there is just a legal road limit, which he believes is 80,000 pounds.

Move that for Section 107.4 the narrative is accepted as presented with the added request that the applicant provide a copy of the power point presentation of the May 9 meeting which includes discussion of traffic scheduling. **By Susan DS/Scott N 2<sup>nd</sup>. Vote 3 Yes/ 1 No**

Scott N suggested that the developer install traffic mirrors on the corner discussed and Nick S said they could definitely do that.

Susan DS asked Roscoe Kent if he wanted to address the Board and he did. Mr. Kent said that 80,000 pounds is more than what those bridges will hold. The first one on the sharp turn is a culvert deep in the ground and will probably withstand more than the new culverts. They have spent more than \$200,000 on the Davis Road and he does not think it will take the weight of the trucks. He suggests floating a bond for the 20 years they propose to run the unit for a million dollars and if they do not damage the road they will not have to spend that money. Susan DS explained that they can make a recommendation to the Selectmen, but it is their decision. Nick Sampson said that they plan to have a Performance Bond during the construction period, because the heavy trucks will only be during the construction period and then it will just be pickup trucks after that until decommissioning. Roscoe K would like to see them stay on their own land and enter from Rt. 178. Susan DS clarified to Roscoe K that the road from Rt. 178 does not exist. She has seen pictures and it is nothing but some grass and beaver dams for almost 2 miles.

107.4.2 Temporary closure of public way. Not applicable

107.4.3, Damage to Public Way, Included in 107.4

Motion to send a letter of suggestion to the Select Board accompanied by the cost analysis that Shawna H generated regarding a surety bond to cover possible road damage during the construction phase and immediately after the project.

**By Susan DS/Scott N 2<sup>nd</sup>. Vote 4-0**

Nick S asked if they have any idea the amount of the surety. The paperwork had totaled \$500,000 with a million dollars mentioned and Susan DS explained that when it comes to worse case scenarios, if the bridges needed to be rebuilt and the road reconstructed, it would be close to a million dollar to repair with construction costs rising. This decision will be between the Select Board, Shawna H and BD Solar Eddington.

**NEW BUSINESS:**

**PUBLIC ACCESS:**

**AGENDA FOR FUTURE MEETINGS – HOUSEKEEPING:**

**DATE OF NEXT MEETING:**

June 8, 2023 for review of the Applewood Estates Development application.

June 22, 2023 for BD Solar review, Nick S cannot attend, they will start at 107.5

June 27, 2023 for BD Solar review, will decide at the June 22 meeting

**ADJOURNMENT:** Motion to adjourn at 7:15 pm. **By Scott N/Susan DS 2<sup>nd</sup>. Vote 4-0**

Respectfully Submitted,

Denise M. Knowles