



Town of Eddington

906 Main Road Eddington, Maine 04428

PLANNING BOARD

November 9, 2021

6:00 pm

MINUTES

CALL TO ORDER: David Peppard called the meeting to order at 6:04 pm.

ROLL CALL: Members present were David Peppard, Craig Knight and Susan DS. Heather Grass, Jeff Argleben and Kristin Wilson have excused absences.

Public Hearing

Motion to open the Public Hearing for Solar Energy System's Moratorium.

By Susan DS/Craig K 2nd. Vote 3-0

David P explained that they scheduled this Public Hearing to get input from the residents regarding the proposed moratorium. He continued that there has been interest in town to establish a Commercial Solar Array and we do not have an ordinance that addressed Solar Power. Because of that, the Board thought it was in the town's best interest that they request a moratorium, to allow them time to research them and develop an appropriate set of ordinances. He asked that anyone that has any input on this to let them know at this hearing. The following are comments from the audience:

David McCluskey, 15 Coffey Hill Way thinks this is a good idea to allow the Board to research ordinances and put something in place.

David P further explained that Dirigo Solar has stated that they are willing to work with them in developing an ordinance. The Board has several ordinances to review to use to work on an ordinance to best suit our town after this public hearing.

Susan DS explained that there has been no formal application brought to the Board. Dirigo Solar, a subsidiary of a Danish Company, shared with them the packet they are submitting to the DEP. They understand that 180 days is the standard time for a moratorium and that it may not take that long to develop an ordinance. She continued that they have seven ordinances from various municipalities, paperwork with guidance regarding municipal regulations, a model site plan and other information developed by Maine Audubon to assist them.

Roscoe Kent, Main Road asked where this project is located. Susan DS answered that it is off Riverside Drive, on a 400 acre parcel which they plan on using about 100 acres for a 20 megawatt solar facility. I runs down close to the Davis Road.

Roscoe Kent asked if they would be staying west of the power line and David P answered yes and he showed him the proposed location from the map in the application.

Therese Anderson, 678 Riverside Drive asked if the access if going to be from Riverside Drive and David P answered yes. Susan DS said the land belongs to Hilglen, Inc.

Lars Gunderson of Dirigo Solar was in attendance and would be happy to answer any questions. He said that what the Board as said so far is true. They will be on the eastern side of the power line about 2 miles in from Rt. 178.

Sam Ketterman, 526 Riverside Drive said that other than looking at this as to how it affects the neighbors and the possible nuisance fencing, he feels that we should have the least amount of

regulations as possible and hopes that when they review other town's ordinances that they look at ordinances from towns that have the same rural atmosphere at Eddington. He thinks that the town should embrace solar power, but at the same time take into consideration the affect it might have on neighbors abutting it and the view around it. Susan DS listed the towns that they have Ordinances from to review (Dedham, Thorndike, Greenville, Winslow, Ellsworth, Rumford and Washington and others.) They will use pieces from any they feel fits Eddington. Susan continued that they will want strongly worded performance guarantee, decommissioning and storm water runoff.

Sam Ketterman asked if there will be any effect on property taxes and David P said that they will have to look at the impact in other towns as they work on the Ordinance, along with if there will be any direct benefit to electrical users in town. He felt that Dirigo Solar was also concerned about buffers. David P said there are about 4 solar arrays in the Pittsfield/Madison area that are not buffered from the road. Sam K said that Cianbro has installed a Solar Array in Hermon that is well buffered.

Lars Gunderson, Dirigo Solar, said that in regards to taxes, they estimate that the assessed value will be between 5 and 10 million dollars with no burden on municipal services. In regards to buffering, he said that the panels are designed to absorb light so that glare is typically not a big issue. Their project will not be visible from Rt. 178 and they plan to have it buffered well from the Davis Road properties. They plan to leave 100' from the property line of forest intact and then plant an evergreen buffer in the 6' range of height.

Ray Wood, Coffey Hill Way, wanted the board to keep in mind that the ordinance should not be written for just the Dirigo project which has buffers, but also for solar arrays that could be proposed for any land in town. Susan DS explained that any time the Planning Board works on an ordinance, it is their job to deal with all possible situations in town.

Sam Ketterman asked if this moratorium was just for Commercial projects. David P said that right now that is what they are looking at. Susan DS said that anyone installing solar panels for personal use would not be affected by this moratorium.

David McCluskey asked if these were stationary solar panels or will they rotate as the sun crosses the sky. Lars G answered that theirs will be fixed and set in place at a 30 degree angle. He continued that rotating does not work in Maine with the snow because it gets too heavy and weighs them down.

Roscoe K stated that it could be a two year project. David P said they should be able to craft an ordinance in 3 to 4 months, then get it passed and then review the Dirigo application. He felt they could be looking at 1 ½ years to the conclusion of their application. Susan DS said they respect Dirigo's time request and will keep that in mind as they develop the ordinance.

Sam K asked Lars G is they have any other projects in Maine that the Eddington Board could look at. Lars G answered that they currently have 4 projects completed, 4 in construction and 20 in various stages of development. The closest is in Brewer, projected to be built next year. There is one under construction in Hancock that is about the same size.

Roscoe K asked how much land they will be using for the project. Lars G said the parcel is about 400 acres, they are buying 350 acres and using 100 acres for the solar project. They have spoken with the University of Maine Experimental Forest and they may be interested in using some of the land for their purposes with the plan for it to remain as is.

Lars G explained that their paperwork so far is a preliminary proposal and they expect to adjust their plan to what the ordinance says. In regards to the electricity the project will generate, they are proud to have a power purchase agreement with Versant power, selling to them at a rate of 2.9 cents per kilowatt hour. Versants current rate is 6.5 cents. Overall that will result in a 20 million dollar rate payer savings with Versant power customers. They have a 20 year contract and the power will be used in Maine. He anticipates some rate payer savings, but does not know if it will offset the increase Versant has planned.

Susan DS said that only so much can fit on the grid. The reason Dirigo Solar has picked this location is because they can hook into the power line that runs through the property with Versant approval. They will have an interconnect agreement with Versant which gives them the contract to sell power.

Roscoe Kent asked how close they will be to the power line. Lars G answered that they are about ½ mile so they will run a line to the corridor and tap into a line on the corridor. They have an agreement with the current property owner to buy it next year.

Sam K asked if there will be a storage facility and Lars G said that this project does not contain storage at the moment. Currently the batteries are not cheap enough but could be considered in the future. Sam K wants to make sure that the ordinance addresses this possibility. Lars G agreed that it should be included in the ordinance. In the future they may consider it and they would be stored in semi-truck sized containers on the property. Sam K continued that there could be a concern of batteries breaking or leaking and affecting the ground water. Secondary containment should also be addressed in the ordinance. Lars G said there would be a bond with the site plan material to cover such situations to cover cleanup. Sam K would like it included in the ordinance that if there is any leakage, people in the immediate area should be notified.

David P explained that hopefully the moratorium will pass and then the Board will be in the process of creating an ordinance. They will then bring it to the residents and if they feel they have missed anything they will be able to let the board know.

Lars G stated that they fully support the moratorium and the process of creating an ordinance. They have provided some information and will be happy to help and provide additional information. They have worked with 5 to 10 towns on ordinances and are glad to help. Their concern is with time as they have considerable deposits due to Versant and they would like to have some indication on the permit by that time.

Motion to close the Public Hearing.

By Craig K/Susan DS 2nd. Vote 3-0

UNFINISHED BUSINESS: Everyone in the audience left. Lars G approached the Board and inquired as to if they were going to be working on the solar ordinance at this meeting. He offered to stick around. The following items were discussed with Lars G:

Susan DS asked for some of the towns Dirigo Solar has worked with. Lars said Hancock, Ellsworth, Palmyra, Winslow, (which is a model ordinance for many towns) Waterville, Fryberg and Scarborough.

Craig K said that at the Selectmen meeting they had said that this project was in the works for 2.5 years, but Eddington was surprised they had heard nothing until just recently and he asked if they have any other projects in town. Lars G said they do not have any other projects in town and he apologized if they felt blindsided by them. The reason for the delay is that in order to determine if they have a viable project it takes about two years of study with Versant power and ISO New England regarding grid capacity and if it is possible to connect with the grid. They figured that out about 3 months ago, about when they came to the Board. Craig K said the town found out about this from the Bangor Daily News.

Dirigo Solar had emailed paperwork to the town and Denise printed it off for each of the Board members tonight. Susan DS wanted to pass along that they need time to review information, so that anything that comes to the board should be received 7 days earlier. It would be even longer for applications.

Dirigo Solar provided a spreadsheet with information about the ordinances and standards for each town listed. Their next step is the interconnection agreement with Versant within the next 3 to 4 months. When that happens they will have a roughly ½ million dollar deposit due to them to cover about 20% of the cost for interconnection.

Craig K asked about the buffer mentioned. Lars said they plan to leave a 100' forested natural growth buffer inside their property line, then an evergreen buffer, the fence and then about 50' to the solar panels. He continued that a lot of the land they will be using is forest, it has been logged in part. It has not been logged to the residential property lines. Craig K continued that he worries about having a buffer zone for wildlife and this setback is good for the animals.

Susan DS mentioned that some of the other ordinances they have to look at have 0" to 10" clearance under the fence. This will allow the smaller animals to get through. She asked Lars if he was involved in the other solar constructed projects. He said yes he was in Milo, Oxford, Augusta and Palmyra. He said some towns went to the ground and others wanted a foot clearance under the fence. Lars continued that Rumford spent a lot time on the wildlife section. He said their objective is to bring environmental and economic benefit to the towns and have their solar arrays be as animal friendly as possible. In some towns there have been bee hives, sheep and pollinator friendly plants among the solar panels. Craig K wants in the ordinance that there is no use of herbicides. Lars suggested they look at the Rumford ordinance.

Denise K asked if during the two year study with Versant anything had been said about the amount of solar energy a power line could handle. Craig K continued that they will be researching this with Versant. Susan DS said she had asked this and Lars had said there was a finite amount of capacity on the lines. Lars continued that each line can have capacity on it or it cannot. They looked at a couple of lines in the area and this is the one that had the 20 megawatt capacity. He answered that maybe there could be other projects. They are building a utility scale solar farm and are hooking to high voltage transmission lines. There are also distributed generation projects that connect into the local power lines along streets and that requires a three phase power line not just a single phase. It could be a home owner or up to a five megawatt project that is participating in the state net metering program. There may also be capacity for 1 to 5 megawatt three phase projects.

Craig K asked if he knew where the line goes that they are connecting to. Lars said that their substation is about 2 miles away across the river in Veazie. The power will go to the substation and then be distributed to the customers. (The line they are connecting to goes across Eddington, by the Merrill Road and out by the old Leon Williams Company. Another line comes from Veazie through Eddington, Brewer, Orrington and Bucksport.) Lars said he believes that in the corridor there are two 345,000 volt lines coming in from New Brunswick. Those lines are off limits because they are too expensive to connect to, federally regulated, etc. Also in that corridor there is a 69,000 volt line which is the one they connect to.

Lars said they can email Nick or himself with any questions as they work on the ordinance. The Board thanked him for staying and talking with them. He thanked the Board for mentioning that they felt blindsided by the application. That was not their intention and he will pass the information on.

David P asked if anyone had zeroed in on any particular sample ordinance yet. Susan DS said they have to decide if they are doing an addendum or separate ordinance.

Susan DS feels the following items need to be addressed:

1. Buffering, vegetation cover, pollinator friendly plantings, stormwater.
2. Purchase of power or tie in.
3. Performance guarantee for installation and the decommissioning.
4. Specific language about notifying the town if there are any changes in land or project ownership. Any conditions of acceptance should be specified on the project paperwork for future owners.
5. If the project proposes moving panels the setbacks should be required to be larger from protected locations because of possible noise.

Craig K feels that if the power plant in Veazie shuts down as some politicians are proposing, solar farms and windmills will be everywhere.

David P would like Denise K to send a notice to the Selectmen that they held a Public Hearing and there was no opposition to the moratorium and they would appreciate their scheduling a Special Town Meeting.

They would also like Denise K to email them each a copy of the Rumford Solar Ordinance and make copies for them.

MINUTES: Motion to table the minutes of October 26, 2021 to the next meeting.

By Susan DS/Craig K 2nd. Vote 3-0

NEW BUSINESS:

UNFINISHED BUSINESS:

AGENDA FOR FUTURE MEETINGS – HOUSEKEEPING: The Board will be reviewing the Site Plan that they received tonight from David Pooler for Darric Hammond as the next meeting.

Start working on the Solar Power Ordinance from the parts of the sample ordinances that they each like. Craig K would like the Planning Board to also work on the fee schedule for Solar Energy and possibly receive an annual fee. They will then recommend it to the Selectmen. David P said they will have to research the annual fee. Susan will start working on the performance guarantee, decommissioning fund and wording about ownership changes.

DATE OF NEXT MEETING: November 23, 2021

PUBLIC ACCESS:

ADJOURNMENT: Motion to adjourn at 7:40 pm.

By Craig K/Susan DS 2nd. Vote 3-0

Respectfully Submitted,

Denise M. Knowles