



# Town of Eddington

906 Main Road Eddington, Maine 04428

## PLANNING BOARD

March 29, 2022

6:00 pm

## MINUTES

**CALL TO ORDER:** David Peppard called the meeting to order at 6:03 pm.

**ROLL CALL:** Members present were David Peppard, Craig Knight, Susan Dunham-Shane and Scott Newhart. David P thanked Scott N and Susan DS for coming up with a skeleton ordinance to start working with.

Motion to make Scott a voting member for this evening.

**By Susan DS/Craig K 2<sup>nd</sup>. Vote 3-0**

Heather Grass arrived for the meeting.

**MINUTES:** Motion that we accept the minutes of March 22, 2022 as presented.

**By Susan DS/Scott N 2<sup>nd</sup>. Vote 5-0**

## **NEW BUSINESS:**

**UNFINISHED BUSINESS:** The Board continued their work on the Solar Energy Ordinance. The following items were changed or added:

1. Page 8, Setbacks, add “minimum of” before 100’ and remove “small, medium and large” before P-SES. (Bob Cleaves explained that the flyers received in the mail are for medium sized projects and he feels they will largely go away and you will not see any new ones in Eddington because they can only be connected to 3-phase lines and there are only a limited number coming through this town and he believes the capacity has mostly been taken up. Though the lines could be updated in the future. The under 2 megawatt, under 10 acre projects may continue.)
2. Scott N informed the Board that the information in Sections 105 and 107 has just been put into the section and has not been reviewed or organized.
3. Susan DS prepared the following wording for Page 12, Performance Guarantee, e. **Return of Decommissioning Fund: The principal and any earned interest shall be returned to the operator of record when the decommissioning is completed, unless the municipality has found it necessary to draw on the account. In the latter case, the residual from the account, if any, and its earned interest will be returned to operator proportionately.** From our Zoning Ordinance, Chapter 710.2.5, after “In addition” (If we copy and paste from the Zoning Ordinance, it has “reclamation” instead of “decommissioning” and “developer” instead of “operator”) Susan DS asked everyone to read sections 710.3 through 710.6 to see if they agree with her that they are not necessary in the new ordinance.
4. David P suggested changing Page 11, Performance Guarantee, a. remove “4 feet” and replace it with “6 inches below any element of the project” and everyone agreed. Scott will replace all foot or inch marks with the words.

5. Page 11, Performance Guarantee, c – Susan DS read the wording and everyone agreed with it. **c. The decommissioning plan must be signed by the party responsible for decommissioning and the landowner (if different) and said plan must be filed in the Penobscot County Registry of Deeds prior to the approval of the solar array plan.**
6. Susan DS’s second sheet, Section 107, Site Plan Application and Review. #4. The Board agreed to add the wording from Section 2008.1.5 of the MEO Addendum to the Zoning Ordinance. **“The Planning Board shall consider financial capacity, technical ability, and prior performance in its review of any application. If the applicant, owner, or operator is found to be deficient in any of these areas it may deny the application.”** (Bob C said that it is highly likely that a solar project will change ownership.)
7. Susan suggested adding the following wording to the Definitions Section: **“For additional definitions not specific to this ordinance, refer to Chapter 11 of the Town of Eddington Zoning Ordinance.”** And everyone agreed
8. Scott N added the following wording to the Roads Section on page 9 and everyone agreed: **“Whenever a “Shared use road” is used to access the P-SES a written agreement between landowners and the facility owner or operator for road maintenance must be agreed upon and presented to the Planning Board in conjunction with the Site Plan Application.”** And they agreed to add **“Roads shall be kept in accordance with Chapter 9 of the Eddington Zoning Ordinance where applicable.”**
9. Denise K asked if since they have their skeleton ordinance to work with now, they still need me to take minutes. I do not mind taking them, but Shawna and I were talking and I told her I would ask. Scott N appreciates me taking them so that he can review them to make sure that he has got everything put into the new ordinance. Susan DS also prefers having minutes to compare to her notes.

**AGENDA FOR FUTURE MEETINGS – HOUSEKEEPING:** Scott N asked everyone to review the Zoning Districts Chart in the draft and the other town ordinances for additional items they need. (additional standards for Section 105) Susan DS said they need to do Application and Permitting Fees and review our Wind Ordinance. David P would like to have Ben Birch, Tax Assessor, back after next week, Tuesday, April 12, 2022. Denise K will check with Ben B to make sure the 12<sup>th</sup> is a good day for him. Susan DS will send everyone her information of fees from other towns.

**DATE OF NEXT MEETING:** The next meeting will be Thursday, March 31, 2022.

**PUBLIC ACCESS:**

**ADJOURNMENT:** Motion to adjourn at 7:35 pm. **By Susan DS/Craig K 2<sup>nd</sup>. Vote 5-0**

Respectfully Submitted,

Denise M. Knowles