



Town of Eddington

906 Main Road Eddington, Maine 04428

PLANNING BOARD

April 21, 2022

6:00 pm

MINUTES

CALL TO ORDER: David Peppard called the meeting to order at 6:01 pm.

ROLL CALL: Members present were David Peppard, Craig Knight, Susan Dunham-Shane and Scott Newhart. Heather Grass has an excused absence. Scott N has been voted by the Selectmen to be a permanent member of the Planning Board. David P thanked Scott N for preparing everything for the new Solar Ordinance. The Board all agreed that he has done a great job. (Shawna Hinkley provided the Board with her famous chocolate chip cookies)

MINUTES: Table the minutes to the next meeting. By Susan DS/Scott N 2nd. Vote 4-0

NEW BUSINESS:

UNFINISHED BUSINESS: This is a workshop for the Board to continue their work on the Solar Ordinance. They will review the last draft from Scott N and the items he added.

1. Added Battery Energy Storage Systems to definitions. Lars said that they are increasingly seeing stand-alone storage that is not tied to solar projects where there isn't grid capacity. They will place a battery, connect it to the grid, charge it at night when electricity prices are low and send it out peak hours. He suggested that they may want to add wording for this. Scott will add standalone wording in definitions. Board Approved.
2. 105.8, Signage – Added first sentence "Signage shall be placed on all access points from public roads to identify the owner of the PSES." Remove "Said information shall be depicted within an area no more than eight square feet." Board Approved.
3. Added 105.12 Battery Energy Storage (BESS), explaining what is needed to meet code. Board Approved
4. 107 Remove "Site Permit Application and Review:" and add "Site Permit Application Requirements & Standards:" Board Approved
5. 107.2 Plan and Risk Assessment for Road and Property Use Section was added from the Wind Ordinance. Susan DS thinks it is too strict for Solar Projects in 107.2.1.1 through 107.2.2 and they need to insert Performance Guarantee that is part of the Maine Zoning Ordinance for anything that impacts Public Ways. Scott N will work on this wording.
6. Added 107.3 Security Plan and Requirements: Board Approved
7. Added 107.4.1 and 107.4.2 Fire Prevention and Emergency Response Plan and Requirements. Board Approved. Lars G said they could provide training for the Fire Department to orient them to the site and provide keys to the Department. They will provide additional training if batteries are added to the sight.
8. 107.5 Emergency Shutdown Plan and Requirement – Similar wording in 105.11. Scott N will verify the wording to make sure it is all in 105.11.

9. Added 109 Expiration of Site Permit Approval and SES Operational License: In 109.1, at the end of the first sentence, add “and the applicant must reapply.” Board Approved
10. Added 110, Violations, Complaints and Penalties–move 110.2.1 to 110.1 Board Approved
11. Section 110.2.2, change the last sentence to “Such complaints shall be forwarded to the Code Enforcement Officer.” Removing “Planning Board”. Board Approved.
12. Sections 110.2.2 to 113 should be referred to the attorney. Board Approved
13. 111.3 Scott reworded the last sentence. Board Approved
14. 111.4 Remove, “tower collapse, catastrophic turbine failure” and “to the tower base thrown blade or hub” Board Approved
15. 111.5 Board Approved wording
16. 112 – Severability; Conflicts with Other Ordinances, Laws and Regulations; Appeal: Susan suggested moving this section to the end. They will leave it here for now.
17. 113.3.1 thru 113.3.5 – Capitalize the first word in each section – 113.3.2 Remove everything after solar energy, “including a signed Mitigation Waiver with financial remuneration” 113.3.3 solar energy should be 2 words. 113.3.5 solar development should be 2 words. Board Approved
18. Add 113.3.6 Members of reviewing Board who meet requirements of Planning Board Bylaws Section 4.4 “Conflict of Interest”. Board Approved
19. Section 114 – Administration and Enforcement: Scott N will pull Chapter 2, Section 201 and 202 from the Zoning Ordinance and insert here. Board Approved
20. Denise K gave each Board member a copy of the Comprehensive Plan Zoning Map that she found in the old CEO computer. The Board members do not understand this proposed map. The current Zoning Ordinance is the current active Zoning Map.
21. David P wants to discuss that he wants to see certain zones not be eligible for this type of development, such as Conservation.
22. Scott N said that Ben Birch has suggested that they stay away from using “in Lieu of Tax” wording.
23. Section 108 – Change title to: “Application, Permit and Operational License Fees”. Add “See Town of Eddington Fee Schedule” David P would like added to this section “In Lieu of Property Taxes?”, to get some guidance from Charles Gilbert. Lars explained that if a project falls under 5 megawatts it qualifies under the Community Solar Program to be exempt from property tax and the state refunds a small percentage to the municipality. Scott N said that they have to make sure there is language in the ordinance to cover both types of solar projects.
24. Susan suggests they work on the Zoning, Fees and her other notes on the ordinance at the next meeting. She will type up the proposed road rules. She also said that Section 107 needs the requirements for the paperwork that has to be done. She will work on it and email to everyone. They will see where they are on Tuesday, April 26, 2022 and if they are ready to send it to the town attorney, Charles Gilbert. They would like Denise to give Charles Gilbert a heads up to save time on the review.
25. The Moratorium expires May 30, 2022. Susan DS will draft a letter to the Selectmen requesting a Moratorium Extension. The Selectmen will have a Public Hearing for the Extension. Susan thinks: Letter to Selectmen May 3, 2022, Public Hearing for Moratorium on the 17th, Planning Board Public Hearing on new Ordinance May 24, 2022, Selectmen have their Public Hearing June 7, 2022 and gets into the Warrant as an added article. She believes that an article can be added after a Public Hearing.

AGENDA FOR FUTURE MEETINGS – HOUSEKEEPING: Scott N will forward the latest copy of the Ordinance to Denise K to print off colored copies for the Board Members. David P is leaving April 29, 2022 and will be gone for two weeks.

DATE OF NEXT MEETING: The next meeting will be Tuesday, April 26, 2022.

PUBLIC ACCESS:

ADJOURNMENT: Motion to adjourn at 7:45 pm. **By Susan DS/Craig K 2nd. Vote 4-0**

Respectfully Submitted,

Denise M. Knowles