



Town of Eddington

906 Main Road Eddington, Maine 04428

PLANNING BOARD

January 10, 2023

5:30 pm

MINUTES

CALL TO ORDER: David Peppard called the meeting to order at 5:31 pm.

ROLL CALL: Members present were David Peppard, Scott Newhart, Heather Grass, Craig Knight and Susan Dunham-Shane.

Motion to adjust the agenda to do the Election of Chair and Vice Chair at the end of the night after Public Access.
By Craig K/Heather G Vote 5-0

MINUTES: Motion that we accept the minutes of September 22, 2022, the Public Hearing for the Solar Ordinance, as complete and correct
By Susan DS/Craig K 2nd Vote 5-0

Motion that we accept the minutes of September 27, 2022 as written.

By Susan DS/Craig K 2nd Vote 4-0-1

David P abstained because he was not at the meeting

Motion that we accept the minutes of December 13, 2022 as written.

By Heather G/Scott N 2nd. Vote 5-0

NEW BUSINESS: David P informed the Board that Denise K had provided them with a copy of the notice for a Planning Board and Board of Appeals Webinar training. Rick L is certified until January 31, 2025, at which time he plans to retire.

Nick Sampson of BD Solar Eddington and Sean Theis of Haley Ward were present for the meeting. David P explained the purpose of this meeting is to begin the initial review for completeness of the BD Solar Eddington, LLC application for a proposed Solar Project located between the Davis Road and Riverside Drive, prepared by Haley Ward, Inc. The proposed project would be located on Map 9 Lot 19 in Eddington.

David P told them that he was impressed with the application. He and Susan DS have a couple items they questioned. Susan DS pointed out the the application was received on December 27, 2022 so there was enough time for the review and to schedule for this meeting. Susan DS complimented them on the Site Application and said it was the best Narrative they have ever received. Susan DS questioned the following items:

1. Site Plan Review Application, location says Davis Road, this is not the location of the access road on the initial directive application. Susan DS said they will need to contact the Town for a street number for the project. The project will have an access easement off of the Davis Road. The property has not had an address because there is currently no building on the lot. Susan DS explained that they provided Map 9 but need to provide a copy of the new Tax Map 10 also to give a complete picture of the new easement.
2. In #7 they list the project as approximately 100 acres. Susan DS questioned whether this included the wetland. They explained that the 100 acres is the land within the 2 fenced in areas. One of them may contain a small wetland. Susan DS reminded them that the Solar Ordinance does not allow a solar farm over 100 acres.

3. Map drawn to scale showing location: Susan DS requests that either on Map 10 or one of the others if would turn off the solar panel layer to see the topography and fence areas better because the topographical lines are impossible to read currently.
4. Drawings C100 and C102, access drawing, Susan DS said it is not clear which property the access is located, Map 10 Lot 24 or Map 24 Lot 24-1. Also the abutters are not showing on the map.
5. Review Criteria, Applicant Narrative, The application did not include a copy of the application sent to MDEP for wetland impact. Sean T said that there should be a copy here at the Town Office because they usually send a copy to the Town when they submit one to the State along with the NERPA application. Scott N thought that they had looked at one previously. Denise K will check in the Office for copies of the documents. If we cannot find them, they can replace them.
6. Craig K asked if they were aware that chain linked fence is not allowed. Sean T said they will change it to agricultural.
7. Susan DS verified that they will need a copy of the SLODA when it is approved. Haley Ward will email a copy to Rick L.
8. H. No hazardous pollutants, Appendix D, Susan DS asked if they are using the cooper units which they included in the appendix. He said that yes it is his understanding that they are. Susan DS asked that they send them a notation of how much fluid each unit has.
9. I, No impact on local roads or traffic, Susan DS said this is true after construction, but this is 100 acres of equipment starting with logging equipment and followed by excavating equipment, grading equipment, heavy duty trucks, cement trucks and tractor trailers. Before the gravel road they go down a town road that just got rebuilt and is totally residential. At the end of the Town Road it turns to dirt as a private way. Residents on the private way are responsible for their maintenance and plowing. Susan DS said that it is an impact on local roads and traffic. She continued that the Zoning Ordinance has a provision for Performance Guarantees that is to protect against any damages to a public way of the town. Craig K said they will not be able to access the road when it is posted. Rick K's concern is the new bridge and what it is posted for. Rick L asked why they had switched from the Riverside Drive access to the Davis Road and they said it was because of easier access and less impacts on wetlands and natural resources. Scott N pointed out that there also needs to be an agreement with the property owners for their dirt section before there is any access on the road. Susan DS asked Shawna H if we post the Davis Road and she said yes. The roads will be posted roughly from February through April. The developer is familiar with road postings and does not think it will be a problem. They need to provide the weight limit for the new bridge from Shawna H or MDOT and get it to Sean T. The Board has concern with the amount and type of traffic on the Davis Road during construction.
10. L, Will comply with local noise standards. Susan DS asked that they confirm that the model of the inverter is where they get the dba level. They need to confirm that they are using the Cooper inverter and transformer and that the dba listed is correct. And if it is for the transformer and convertor together.
11. Chapter 8, Environmental performance standards, Susan DS asked for more information than "not require significant earth moving". They said they will not be hauling in or hauling out material. They continued that the chipped trees and stump grindings will be used for an erosion control berm. Rick L asked if they knew what they had for soil on the side and they answered that they are not aware of outcropping. For what they have had to do to date, it is just using SES soils mapping.

They have not done any geo-tech work. They continued that if they run into ledge, they will be using ground screws that will go right into the ledge. (they will use piles or screws as the soil requires)

12. 106.9, Roads, The drawings list a 12' road in the project but under erosion control (e) it describes a 16' wide road. They will verify
13. 107.2.2, Lease Option, They received the lease option paperwork on the 400 acres, but did not receive a lease or sales document or deeded right of way for access from the Davis Road going across Map 10 Lot 24 or Lot 24-1. Also, according to Exhibit A, property description, there are 40 acres on the west side of the Versant switcher to Rt 178 and there is no lease or right-of-way deed for access through that 40 acres. They will provide paperwork on an amendment of the purchase and sales agreement of that area. They are going to own it and Versant will have access to the transmission line.
14. I. Emergency Response, Susan DS said that there is a google earth drawing that is the only item showing protected locations set-back from project property lines. Susan DS was surprised that this is the only place this map is and not with abutter information. She continued that the emergency response document lists different inverters than in Appendix D. They will update Appendix I.
15. Appendix N, Decommissioning Plan and Financial Assurance, There is no mention of overhead utility line or poles decommissioning. They need to describe the plan for that. Susan DS also asked if the interconnect yard would also get disassembled and was told that that would be a question for Versant. Susan DS said they would need to know as part of the decommissioning plan.

The Board agreed that Susan DS did a great job reviewing the application.

Scott N stated that in their diagrams there are 10 BESS listed and there is nothing addressed in the plan. He continued that there is a lot of hazardous material in a BESS and none of that is addressed either. No BESS was in the original plan and they were told a lot of times that they would not have any BESS. They need to provide design spec sheets and hazardous containment. They will provide specs for it all, secondary containers information, hazmat information (depending on the hazardous material used in them) and an emergency response plan. BESS is the number 1 hazard on the site.

Susan DS said this information will be an addendum to Appendix D. The applicant asked how they should submit the needed information. Scott N said they could do one complete book for the town and change sheets for the Board.

Heather G questioned:

1. The last page in Appendix A, Inspection and Maintenance Plan for Storm Water Management Structures, She asked if this is a blanket plan for all solar projects and they said yes, it lists any storm water management plans that could be used on a site, but they are not all on this site.
2. Appendix I, Emergency Response, Page 4, 1.4 Site Access, The proposed site is further out the Davis Road than what shows. They will provide a more accurate map.
3. Page 6, Additional Training, Will there be additional training provided to the Eddington Fire Department at no cost to the Town? Susan DS reminded the Board that Craig R of the Eddington Fire Department had said at a prior meeting that they would respond to the fence area and keep the fire contained to the project, but would let the site burn. Heather G would like them to be educated on what to leave alone

and what not to. Scott N said that they specify training in their paperwork in Section 402.1

4. Maps, How many vehicle gates are on the property? They will have a gate where the two sections come together and at the fence from the Davis Road. Scott N said that the ordinance specifies that there be a gate with a sign at the entrance, per Section 106.8, Signage, "Signage shall be placed on all access points from public roads to identify the owner of the P-SES and provide emergency 24-hour contact information and equipment specification information."
5. 102, Showing proposed road, William and Bonnie Sloan are shown but the property owner on the other side is not listed. Susan DS has asked for a new reference of property owners.
6. Will they own the access road – no they have an option for a 50' wide easement. They will provide a copy of the easement.
7. They do not need an application for their access road. The applicant is building the road, a portion of it is on their property for the solar arrays, and the rest is the easement from the private land owner. When the site is decommissioned, the road will belong to the land owner. Rick L said the maintenance and upkeep of the road will be determined and monitored by the CEO and Fire Chief because the Fire Department still has to be able to go in there, so it has to be maintained by the developer. Construction of the road will be between the land owner and the developer. Scott N asked if it is the intent of the developer to keep and maintain the road through the life of the project and was told yes. We will need a Performance Guarantee on the Public part of the road. When they provide more detail of the abutting property owners, they will also have more detail of their road and exactly where it comes out on the Davis Road. The stabilized area of the road will be 20' x 50' for the service entrance and the continuing road is 16'. The developer will get a driveway permit when they pull their building permit. Rick L explained that they can do it as part of their submittal for the project. There is a road from Rt. 178 to the switch yard/transmission line, which is maintained by Versant. They will never be using that road to access the Solar Project. Scott N said that the property owners need to come to agreement on the maintenance on that road.

Motion that we elect David Peppard as Planning Board Chairman

**By Craig K/Scott N 2nd. Vote 4-0-1
David P abstained**

Craig K thanked Scott N for becoming a Planning Board member. He has been a wealth of information. He then asked him if he would be interested in being the Vice-Chairman of the Board. Scott N does not have the time right now to take the position. He continued that possibly next year he will have more time. David P informed the Board that this is his last year.

Motion to elect Craig K for Vice-Chairman of the Planning Board

**By Heather G/Scott N 2nd. Vote 4-0-1
Craig K abstained**

The Board is in need of two alternate members. David P asked Denise K to work on posting and emailing notice for the needed members.

UNFINISHED BUSINESS:

PUBLIC ACCESS:

AGENDA FOR FUTURE MEETINGS – HOUSEKEEPING:

DATE OF NEXT MEETING: The next meeting will be Thursday, February 16, 2023 at 5:30 pm to review what was requested tonight, determine if complete and then set a Public Hearing. Susan DS is adamant that they have a site walk, particularly the Davis Road entrance. They can set up a time for the site visit at the next meeting.

ADJOURNMENT: Motion to adjourn at 7:22 pm. **By Scott N/Craig K 2nd. Vote 5-0**

Respectfully Submitted,

Denise M. Knowles