



# Town of Eddington

906 Main Road Eddington, Maine 04428

## PLANNING BOARD

March 22, 2022

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, Susan Dunham-Shane, Heather Grass and Scott Newhart.

Motion to make Scott a voting member this evening.

By Susan DS/Craig K 2<sup>nd</sup>. Vote 4-0

**MINUTES:** Motion that we accept the minutes of March 8, 2022 as presented.

By Susan DS/Craig K 2<sup>nd</sup>. Vote 5-0

The Board could not meet March 10<sup>th</sup> because 2 members were ill.

Motion to accept the minutes of March 15, 2022. By Heather G/Scott N 2<sup>nd</sup>. Vote 5-0

## **NEW BUSINESS:**

**UNFINISHED BUSINESS:** Scott N and Susan DS put together all of the items the Board had agreed on for the Solar Ordinance to create the first draft and each Board member was given a copy. Sections 101-104 are all voted on. Sections 105 to 111 contain just what has been covered and agreed on.

Section 105 needs the most work and is the largest section in most ordinances. They need to add #6. Vegetation from the March 8, 2022 minutes to the Proof of Interconnection and Fencing that they have in Section 105 now. Section 106 needs Zoning Districts information from the chart they discussed. Section 107 is Site Plan Application and Review and needs Board input. They will add the information on Storm Water from the March 8<sup>th</sup> minutes. Susan DS will update the Decommissioning Plan Financial Requirements section for the next meeting. Scott N will research tracking panels and have information for the next meeting. Susan DS does not feel that the setbacks for tracking panels should be double the regular setback now.

1. The Board reviewed Section 311-3 from the Rumford Solar Ordinance and made the following decisions for their ordinance:
  - A. Utility Connection - Scott N suggested changing the wording to read “Overhead or pole-mounted electrical wires shall be avoided to the extent possible.” (eliminating “Utility Connection and within the facility” from the original wording. It will go in Section 105 of our ordinance. Lars G said that Dirigo Power will bury lines within the array and outside of they will be overhead.
  - B. Safety. The solar energy system owner or project proponent shall provide a copy of the site plan review application to the Planning Board for approval and to the Code Enforcement Officer and the Fire Chief for review and comment. The Code Enforcement and the Fire Chief shall base any recommendations for approval or denial

of the application by the Planning Board upon review of the fire safety of the proposed system. Use this wording in Section 107.

- C. Certification of the EPA Toxicity Characterization Leaching Procedure (TCLP) shall be provided, along with proof that all electrical equipment used at the facility must be UL-listed. No substitutions of other certifications for the UL listing or the TCLP shall be permitted. Use this wording in Section 107
  - D. Visual impact. Reasonable efforts, as determined by the Planning Board, shall be made to minimize undue visual impacts by preserving native vegetation, screening abutting properties or other appropriate measures, including adherence to height standards and setback requirements and to reduce glare in the direction of abutting or neighboring properties or streets. Goes in Section 105
  - E. Already in the vegetation section (Lars G clarified that they will be clearing only where the panels will be going)
  - F. Setbacks. The Fence setback from abutting property lines shall be 100' for small, medium and large P-SES. A-SES shall conform to the setback of the zone where they are located in accordance with the Eddington Zoning Ordinance- Wording is in the March 15, 2022 minutes. After abutting property lines add "or the right of way of a public way" under Setbacks in Section 105.
  - G. Fencing – already done
  - H. Signage. A sign shall be placed on the solar energy system to identify the owner and provide a twenty-four-hour emergency contact phone number and equipment specification information. Said information shall be depicted within an area no more than eight square feet. As required by the NEC, disconnect and other emergency shutoff information shall be clearly displayed on a light-reflective surface. A clearly visible warning sign concerning voltage shall be placed at the base of all pad-mounted transformers and substations. Will go in Section 105.
  - I. Roads. A mid- or large-scale ground-mounted solar energy system owner or operator shall maintain a road for access to the facility to accommodate emergency vehicles. – Use in Section 105 – Lars G said that they have seen in other ordinances wording like: If you are using a private road that is used by others, they have to sign a Shared Use Agreement with the other road users that will lay out how maintenance of the road will go. Heather and Scott will prepare the Road section wording.
  - J. Removal – Covered in decommissioning
  - K. Abandonment – Covered in decommissioning
2. David P asked Lars G if after the life span of their project is it likely that it will be upgraded. Lars G said their contract with Versant is for 20 years and if they were able to renew that contract, they would probably put in higher efficiency panels and keep going.
  3. Section 311-4 from Rumford – Replace large-scale with P-SES throughout this wording and put it into Section 105.

**Additional standards for large-scale P-SES-solar energy systems.**

~~Large-scale P-SES~~ ground-mounted solar energy systems shall not be considered accessory uses.

- A. Operations and maintenance plan. The project proponent shall submit a plan for the operation and maintenance of the ~~large-scale P-SES~~ ground mounted solar energy system, which shall include measures for maintaining safe access to the installation as well as other general procedures for operational maintenance of the installation.
  - B. Emergency services. The ~~large-scale P-SES~~ ground-mounted solar energy system owner or operator shall provide a copy of the project summary, electrical schematic and site plan to the Code Enforcement Officer and Fire Chief. Upon request, the owner or operator shall cooperate with the Code Enforcement and/or Fire Department in developing an emergency response plan. All means of shutting down the system shall be clearly marked. The owner or operator shall provide to the Code Enforcement Officer the name and contact information of a responsible person for public inquiries throughout the life of the installation.
4. Susan researched Fee Policies of other towns. A lot are considering Solar Projects as building permits for unfinished space and charge from 10 cents to 35 cents per square foot. They will have an additional Application Fee. Not many are charging a yearly fee. Dedham is charging \$1500.00 plus \$900 per megawatt. Rumford charges \$100 for small up to 5 megawatt systems and above 5 megawatts they charge \$1000 per megawatt up to \$25,000. Susan continued that there is a new state law that says if a project is under 5 megawatts the town cannot charge real estate tax. The state will reimburse the town a percentage of the lost revenue. Ellsworth charges an Electrical Permit for ½ of the full project electrical cost, 20 cents per square foot of panel as a building permit fee and the real estate tax is exempt under 5 mg, but if it is leased land the owner will pay taxes which they will pass the cost on to the lessee. Holden does not have a separate ordinance and they charge \$250 per Site Plan Permit plus a minimum of \$500 per developed acre including roads. Scott N feels that the Board will want to work with Ben Birch, the tax assessor, to see what he will be charging before they develop their fees. Susan DS continued that they should remove their fees from the Wind Ordinance and any mention of fees in the Solar Ordinance should reference the Fee Schedule. Lars G said in regards to ongoing fees, they feel they are paying those fees in the form of property taxes. Some towns have added the wording that if a project is exempt from real estate tax, they have to pay an excise amount for so much per megawatt produced each year, generally around \$2000. They do not pay any tax to the state on their production.
  5. David P thanked Scott N and Susan DS for their extra effort, Heather for some very good input and Lars G for coming to the meeting.

**AGENDA FOR FUTURE MEETINGS – HOUSEKEEPING:**

**DATE OF NEXT MEETING:** The next meetings will be Tuesday, March 29, 2022 and Thursday, March 31, 2022 at 6:00 pm.

**PUBLIC ACCESS:**

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

Respectfully Submitted,

Denise M. Knowles