

Baldwin Planning Board Meeting Minutes 11/14/2019

I. Call to Order

Strock called the meeting to order at 7pm

II. Roll Call

Nichol Ernst, David Strock, Matt Fricker, Matt Sanborn. Selectmen Dwight Warren and Gerry Brown. CEO West Sunderland

III. Reading of the Minutes From Last Meeting

Motion by Strock to accept minutes from last meeting as emailed. Fricker seconded. Ernst abstained due to being absent from the meeting. Passed unanimously.

IV. Open Business

A). Nature's Wilderness CUP submitted. Issue on the table is to decide if willing to accept the application as submitted, at which point we will need to schedule a site walk and public hearing. Strock stated that Lee Jay Feldman from SMPDC was not able to attend this meeting, but was able to review prior meetings and updated application. He sent a memo (see attachment). He suggests that the application should be deemed complete and the board should accept it as submitted. Discussion ensued. Fricker made a motion that we deem the CUP application completed and move forward with scheduling a public hearing and a site walk. Sanborn seconded. Unanimously approved. Discussed possibility of a public hearing would be Thursday, December 12th. Agreed to set the public hearing for December 12th. Notice to abutters should go about by 22nd of November. Warren stated that Danielle will mail abutters notices if the secretary sends a copy of the required letter electronically. Also discussed that ad to the shopper's guide by November 22nd. Discussion then ensued regarding whether to do the site walk before or after the public hearing. Applicant expressed a desire to do the site walk before the public hearing. Agreed to set a site walk for December 7th. Discussed wanting to see the main entrances to common areas, ATV trails from Marston's to upper pond, also flagging out the size of a campsite, as well as all entrances onto the town road. Agreed upon 9am. (2 upper Twain works on a GPS). Also discussed inviting Lee Jay Feldman to the site walk and the public hearing. Advised applicant that the more specialists or people at public hearing to address public concerns the better.

V. New Business

A) Discussion with Sean Frank and Pat Jackson re: solar farm at existing Maietta pit. Strock asked selectmen regarding back taxes on Maietta Pit, and selectmen confirmed that there are back taxes due. Pat Jackson from a company called SunRaise came for a preliminary discussion about the permitting process and to give an overview of the project. He referenced LD1711, which is an act to promote solar energy projects, which has created a framework for commercial solar energy projects in Maine. According to Jackson, State of Maine is looking for projects to be on rooftops and previously disturbed land (such as a gravel pit). Appropriate power lines exist near by the Maietta pit. Also, the substation from the dam is just up the road and is ideal from an electrical infrastructure perspective without upgrades to the grid. Jackson states it will provide commercial tax revenue. The exact structure is not yet clear. Sean Frank discussed using the area from 113 to the railroad tracks. Frank stated that DEP views it as the repurposing of a previously disturbed area. In terms of traffic Frank reports a pick up truck that checks on things a few times per year. Frank stated meeting with the DEP scheduled for next week to amend the current DEP permit for this site. Jackson stated that SunRaise is based out of Portsmouth, NH, and has lots of projects in Massachusetts, Vermont, California and New Hampshire. Reiterated that new legislation in Maine makes it more likely for future projects in Maine. Jackson clarified no liquid, heat transfer fluid, turbines or any such thing. There are zero moving parts. Panels absorb sun and that is it. Fricker asked about any fire hazard concern. Jackson discussed fire hazard being extraordinarily rare. Discussed third party engineers having to review all connections to avoid arcing of electricity causing fire. Jackson stated that they have never had a fire at any of their projects. Jackson estimated the project will cost approximately \$5 million dollars. Discussed that this site is in the rural zone. Discussed a basic site review plan. Discussed the more the project can be a “good neighbor” the better. Also, discussed the possibility of a performance bond if this project starts and does not continue and leaves the town with some kind of environmental problem. Discussed using local electricians and local excavators. Discussed shade, dust and ash as enemies to solar. Jackson discussed sometimes doing a wash of solar panels. Discussed that this fits best as an “essential service” and will require a CUP, with an accompanying site plan review of what they are planning to do with the property. Strock mentioned concern re: radio frequency. Fricker discussed that the practice has been for the owner to sign off on the application.

B). Van Hertel subdivision proposal by BH2M (Berry, Huff, McDonald, Mulligan) Andy S. Morrell was the representative. “Sand Pond Woods”. 22.6 acres in the rural zone. 5 lots of Sand Pond rd and 2 lots off of 107. Completed a boundary survey and topo, had a wetlands study done by Mainely Soils. 75 ft setback on either side of the stream, also a wetland area between lot 6 and 7. Discussed that this is the pre-application meeting for a major subdivision. Article 12 A(1) discussed no access onto arterial streets, which will make lot 6 and 7 an issue as they driveways would go to 107. 12.2 discusses access points to existing roads vs. internal roads. Strock stated ideally internal road is where all lots access to minimize traffic on existing roads. Ernst asked about mother property and when the lot was created. Morrell stated that lot was created by Van Hertel Sr. purchasing land

from Van Hertel Jr. in March of 2019. It is possible that Van Hertel Jr's property could have to be considered as part of the subdivision. Discussed that the lots on either side of Sand Pond Rd would be considered separate lots. Also discussed "Freemont Woods" 18.6 acres in size (across sand pond rd from previously discussed property). Van Hertel Sr. also owns land north of this subdivision. Discussed that that will be considered part of the subdivision. 7 total lots. No wetlands found in developable area, but a wetland in remaining land. Discussed that ordinance pushes towards internal roads rather than emptying out onto Freemont and the applicant will have to convince the board that this is necessary. Strock stated that internal roads might make more sense given that the applicant has significant property to work with. Discussed that the applicant paid \$150, but it was only necessary to pay \$25. Applicant offered to donate the difference. Discussed holding the remaining \$125 for future possible expenses related to the subdivision. Asked if Morrell wants to spend more time developing design based on feedback tonight, or move forward with plan to schedule a site walk. Discussed that plan can still change later and getting the board out for a site walk before snow. Stated that it must be done in 30 days of this meeting and there needs to be less than a foot of snow on the ground. Discussed a site walk for December 7th at 1:30pm. Discussed that we are not going to notify abutters. Intersection of 107 and Sand Pond Rd.
D) Sunderland asked about mass gathering ordinance and Strock stated that for the time individuals can come get a time limited CUP.

VI. Adjournment

Fricker made a motion to adjourn at 9pm, Sanborn seconded. Approved unanimously.

Submitted by: Nichol Ernst