

Town Hall Meeting Room & Zoom Virtual Meeting Platform
Municipal Building
Minden Street, Greenville, Maine 04441
Minutes
February 28, 2022

NOTE TO PUBLIC: There is a video recording of this Planning Board meeting available on the Town website: <https://greenvilleme.com/boards/planning-board-meeting-video/>. The video recording is the official record of the Planning Board meeting. These Minutes reflect specific actions taken by the Planning Board (the “Board”) at the meeting and generally identify the discussions at the meeting.

MEMBERS PRESENT: John Contreni, Chair, Lurline Arco, Secretary, Noel Wohlforth, Joanie Withee, Jenny Ward, Dawn Holbrook (Alt. 1), Maureen Hopkins (Alt. 2)

ALSO PRESENT: Mike Roy (Town Manager)
Peter Leathers (Code Enforcement Officer)

GUESTS: Mark Christopher, William Franze, Susan Franze

GUESTS VIA ZOOM: Travis Letellier, Brian Maliszewski, Jess Murray, Brendan Blank

Meeting called to order: 5:00 p.m.

Minutes: Pending receipt of December 7 and 12, 2020; February 8 and 22, 2021; March 8, 2021

Adjustments: Jenny is running approximately 15 minutes late. Approval of February 14, 2022 and April 12, 2021 are moved to “Old Business”

Conflict of Interest with any agenda item by Board Members: None

Report from CEO: Peter reported on the period of 2/15/22 - 2/28/22. Highlights for this period include Red Cross Beach Permit meeting and meeting with the owner of 17 Harmony Lane. He originally had a valid permit for a 288 square foot addition. He has since demolished the house, wants to rebuild in the spring, and wanted the house taken off the tax records avoiding property taxes. He also has outstanding violations for tree cutting near the water. He acted in an unprofessional manner and I asked him to leave the office. Regarding the end-of-year report, I duplicated my predecessor and submitted the report to Beth. Issued two new permits. Permits issued to date: 6

Action Items:

First Item: Planning Board Establishment Ordinance and By-Laws. Jenny wanted to know when the Alternates step in and vote. John to have a meeting we need a quorum of 4. The intent is to have 5 votes to avoid a tie. Anytime a Member is absent, an alternate would fill in. John – we were going to add a heading to the Establishment Ordinance. It is the same as the original but would say “amended”. John asked Maureen to provide him with clean copies that he could pass on to Mike to present to the Select Board.

Second Item: 2 MW Solar Farm near Pollard Road on Route 15. Mark introduced himself. He is with TRC Companies, an environmental and civil engineering consulting company. We are working for Forefront Power, a California based company which develops solar farms throughout the country. Travis and Jess are with TRC. Brian and Brendon are with Forefront Power. Forefront is proposing a 1.99 MWAC solar energy generation of fixed tilt, ground mounted solar arrays which will include a driveway, security fence and gate, transformer, inverter and overhead interconnection line. The proposed project will be located at 385 Moosehead Lake Road. The property is owned by the McBrierty Family Trust and Forefront will have a lease agreement with them for the development area between 20, 25, 30 years. The zoning is in Rural Development 1 and the Scenic Overlay District. The development will be setback 550-600 feet from the center line of Route 15 which there would be limited visibility from the road, if any. The outside footprint of the property will stay forested. The total developed area is 13.5 acres with 10 acres of clearing. The array panels and road area will take up 8.2 acres. We will need to clear 10.4 acres. There will be zero impact on any exiting wetlands. Maine DOT proposed where the road should go for best visibility. The road will be located across from Marsh Farm Road. The road will be of crushed rock and have a three-point turnaround at the site in case of an emergency. There will be a three-phase distribution line. The steel posts are fixed and don't rotate. The panels are fixed tilt. Mowing will be done twice a year in-between panels. The security fence will be 6-8 feet high, chain link. There will be a series of swales to maintain runoff and we will apply for a Permit by Rule for stormwater erosion control. We will provide you with a full set of civil drawings. We will also cover our bases with natural resource and cultural resource issues. Peter asked about a decommission plan. Mark said they will need two DEP permits. One for Stormwater Permit by Rule and a Decommission Permit. We will need a state permit from DOT for the driveway opening. Did not need a permit from the Army Corps of Engineers since there is no wetland impact. We will not clear from June 1st to July 31st in accordance with the Federal Endangered Species Act to protect the Northern Long Eared Bat. Joanie's concerns were about the number of trees to be cut and the wetlands. Mark – the project is 13.5 acres and we would be clearing 10 acres. We could have moved the project closer to the road but the Town would prefer it set back. John asked if the chain link fence could be a farm fence with wooden posts, something more natural looking. The other solar project was going to use this type of fencing. Mark asked if we have any pictures and if so, is willing to review them. Joanie wanted to know if the Town will receive any tangible benefits from the project. Mark – I don't know what Forefront arrangements are. Mike – the tangible benefit we have from the prior project is in lieu of taxes. It would be a consumer's choice if you want to sign up to save 15%. Mark – that would be outside of CMP. Our only connection with CMP is to tap into their grid. Lurline – is power staying in Maine or being disbursed throughout New England. Mark – the power will go into the nearest substation and

would stay local. Intended to serve the community. Jenny – if I remember correctly, the electricity went into a larger grid and then disbursed. You could be getting your electricity from Milo or East Corinth. Mike – do you know how the State figured out how to appraise solar farms. Mark – out of my realm of expertise but will have Brandon follow up and get back to us. Jenny – what is the life expectancy of the project. Mark – common number is 25 years. Peter – regarding decommissioning, will you return to natural state? Mark – Yes. Will regrade if necessary and reseed. We do not replant trees. John – are the posts set in concrete. Mark – I believe so. Corner posts set in concrete; racking posts are driven. Joanie asked about abutters seeing chain link fence. Mark – will have engineers look at it to minimize tree cutting. John – what kind of structures on property? Mark – no structures just a transformer inverter. Jenny asked if the lines can go underground. Mark – lines will go underground to the maximum possible. Needs to come above ground to cross road to access poles. Mike – there is another solar project approximately one mile down the road. Is there enough capacity for two projects on those lines? Mark – If CMP feels there is not enough capacity to support it, won't allow to go forward. Peter – what is the basis for a 6-8 foot fence – will it keep out wildlife? Mark – deer should not be able to jump it and we have can raise the bottom to allow smaller wildlife to get through. Mike – there is usually an escape area. Mark – we can do this if it is a concern. John – you asked about public concern and it was low key. We had a Public Hearing and only one abutter came. He was concerned about visibility from his house and was assured he would not see it. Mark – that is usually the biggest concern. Peter – what is the square footage of buildings and panels. Mark – the road is approximately one-quarter to one-third of an acre and the panels are pushing 7 to 8 acres. Will get the exact square footage. Jenny – what is your time frame. Brian – depending on permitting, we would like to start this year. Three to five months for construction. Could be on-line theoretically next Spring – April-May. John – will you be using local contractors? Brian – looking to hire local contractors for clearing and forestry. As for electricians, need to move further along to answer that. John – what about an escrow fund. Mark – for decommissioning. Mike – for legal review and extra time spent by CEO. Peter – we will need a complete package three weeks before a Public Hearing. John – we hold the Public Hearing right before our Board meeting and we then vote yea or nay.

Old Business:

- Joanie moved to approve the April 12, 2021 Minutes. Noel seconds. Approved 4-0
- Jenny moved to approve the February 14, 2022 Minutes with changes. Joanie seconds. Approved 5-0

A question arose regarding the matter of adjournment. Roberts Rules of Adjournment lays out the different ways to adjourn. One way is “When a body has completed the scheduled order of business at a meeting and there is not further business for the assembly to consider at that time, the chair may simply declare the meeting adjourned without a motion having been made.” Or “In order when another has the floor? No. Requires Second? Yes. Debatable? No. May be reconsidered? No. Amendable? No. Vote required? Majority”. The Members agreed with the second option since this is the way we have been adjourning.

New Business:

- Newt Pierce did not come before the Board
- William Franze – stop work order. Mr. Franze said it was suggested that he come before the Board because he was not issued a permit by Peter which he said was promised to him by the former CEO over two years ago. He could not come to Greenville due to Covid. Joanie said it is her understanding that before the Town could reissue a permit, that a permit had to be issued by the DEP first. Maureen said she did not understand what Mr. Franze wanted. Mr. Franze said the former CEO said he would issue the permit once he was back in Town. Maureen – but you need the DEP permit first. John – Mr. Leathers sent a letter to you in December of 2021 outlining eight steps to be completed before moving on with this project:
 1. Renew your expired DEP permit from 2013, which was for an 8-foot Drive through the wetland only. As well as a Shoreland Earthmoving Permit from the town office. There is clear evidence of a large amount of earth moving activities down on and around the rail bed. Evidence of a possible tributary stream along the old rail bed was visible today and needs a ruling by the NRPA.
 2. Get a permit for Shoreland Tree Cutting Article VII Section 14.
 3. Get a professional re-vegetation plan as you have overcut in the Shoreland zone of 250 feet and needs replanting. Article VII Section 17.
 4. Get an approved application from the Moosehead Sanitary notifying the approval hook up to the sewer.
 5. Letter from Maine water approving the hook up to the water system.
 6. Install proper erosion control measures as the fencing installed partially around the wetland is not silt fence.
 7. Remove all the brush and slash from the wetland area.
 8. Finally apply and receive a Shoreland Building permit for your new construction Project.

If you do those 8 steps and we receive the information, we can act. Without that information, we can do nothing for you tonight. Mr. Franze – so not getting a permit. John – you need to complete those 8 steps for us to consider a complete application. Mr. Franze – if I disagree, is there another process. John – There is an Appeal Board. The information is on the website. Mr. Franz – thank you, I will come into the office.

Items for Next Meeting (3/14/22):

- Lighting Ordinances: Outdoor and signage. Peter said the only thing he felt should be changed is recommendation to requirement. Make mandatory

What's on Your Mind: Jenny, Maureen, Noel, John, Lurline and Dawn passed. Joanie wanted to know when the large pot hole on Lily Bay Road would be repaired. Mike said it was done. John asked about the sunken manhole cover under the blinking light. Mike said it is the Sewer District's responsibility.

Adjournment: Joanie motioned to adjourn at 6:18. Jenny seconded. 5-0.