

**Town of Otisfield  
Planning Board Minutes  
Community Hall  
January 12, 2021  
7:00 PM**

1. The meeting was called to order at 7:00 PM by Chair – Karen Turino.
2. **Attendance:** Members present were Chair – Karen Turino, Vice Chair – Rick Jackson, Stan Brett, Herb Olsen & Otis Brown (Absent - Pauline Flagg – Alternate & Recording Secretary)

Code Enforcement Officer: Fred Collins, Jr.  
Secretary: Tanya Snow

3. **Announcement of Quorum:** Board has a quorum.
4. **Approve Secretary's Report:**
  - A. Regular Meeting Minutes from January 5, 2021. \*Motion to accept minutes. RJ/SB – Unanimous.
5. **Discussion & Comments from public:**
  - A. None.
6. **Residence - Based Business Applications:**
  - A. None.
7. **Shoreland Zoning Applications:**
  - A. None.
8. **Site Plan Applications:**
  - A. Jared Connell, being represented by Chip Haskell, PE CES, Inc. Map R9/Lot 10, “Solar Farm: located at Nutting Ledge, Route 121. KT: FOR BACKGROUND: \*October 13<sup>th</sup> PB meeting there was a Motion to deem this application complete subject to the financial capacity and the decommissioning bond being submitted to the CEO prior to construction. \* Public Hearing was held November 10<sup>th</sup> at 6:00 PM.

Applicant paid a \$2,000 Peer Review Deposit to the Town to pay for Ross Cudlitz.  
Applicant also provided copies of the green certified mail receipts from their notice to abutters for the file.

KT: (November 10, 2020) We ended at Section, 5(A,5,# 8) Special Features of the Development on Page 14. TS reached out to Ross A. Cudlitz, PE, Engineering Assistance & Design, Inc. on behalf of the Town after that meeting. The applicant paid the Peer Review Fees. Ross Cudlitz, Final findings (submitted into public record tonight including the supporting emails between Tanya Snow, Chip Haskell, and Ross)

**Site Plan Review Ordinance, Section 5, Review Standards:**

Starting at Section, 5(A,5,# 9) Exterior Lighting on Page 14.

- 9) **Exterior Lighting:** Discussion: There is no exterior lighting. The Board finds that the above requirement of Section 5, A 9 Exterior Lighting was **N/A** and met the Board's satisfaction. Motion: OB/SB – Unanimous.
- 10) **Emergency Vehicle Access:** Discussion: We need to be sure the FD is alright with the turn-arounds on the access road and the CEO will consult with the FD. The Board finds that the above requirement of Section 5(A,10) was met to the Board's satisfaction based on FD input to be received. Motion: OB/SB – Unanimous.
- 11) **Municipal Services:** Discussion: No municipal services will be provided. The Board finds that the above requirement of Section 5, A 11, municipal services was **N/A and** met the Board's satisfaction. Motion: OB/SB – Unanimous.
- 12) **Surface Water Quality:** Discussion: This is covered by Ross A. Cudlitz endorsement submitted tonight. The Board finds that the above requirement of Section 5(A,12) was **met** to the Board's satisfaction. Motion: RJ/OB – Unanimous.
- 13) **Conservation, Erosion & Sediment Control:** Discussion: This is covered by Ross A. Cudlitz endorsement submitted tonight. The Board finds that the above requirement of Section 5(A,13) was **met** to the Board's satisfaction. Motion: RJ/SB – Unanimous.
- 14) **Phosphorous Export:** Discussion: This is covered in Appendix F and by Ross A. Cudlitz endorsement. The Board finds that the above requirement of Section 5(A,14) was **met** to the Board's satisfaction. Motion: OB/SB – Unanimous.
- 15) **Ground Water:** Discussion: No pollutants going in the ground. They have offered to test wells. All agree to do (3) tests. \*Motion that we have an initial base line well test (acceptable drinking water test) for the abutting *neighbors* (initial test must be requested prior to construction) and follow up annually for 2 years as requested by the Griffins. OB/HO – For (4) and (1) Against-KT. The Board finds that the above requirement of Section 5(A,15) was **MET** in condition with the well testing to the Board's satisfaction. Motion: RJ/OB – Unanimous.
- 16) **Air Emissions:** Discussion: There is no source of air emissions on site. The Board finds that the above requirement of Section 5, A 16, air emissions was **N/A and** met the Board's satisfaction. Motion: OB/SB – Unanimous.
- 17) **Electromagnetic Interference:** Discussion: There will be no electromagnetic interference. The Board finds that the above requirement of Section 5, A 17, air emissions was **met** to the Board's satisfaction. Motion: OB/HO – Unanimous.
- 18) **Odor Control:** Discussion: There are no sources for the generation of odor. The Board finds that the above requirement of Section 5, A 18, Odor Control was **met to** the Board's satisfaction. Motion: OB/SB – Unanimous.
- 19) **Water Supply:** Discussion: No water supply will be required on site. The Board finds that the above requirement of Section 5, A 19, water supply was **N/A and met** the Board's satisfaction. Motion: KT/SB – Unanimous.

- 20) **Sewage Disposal:** Discussion: There will be no source of sewage. The Board finds that the above requirement of Section 5, A 20, sewage disposal was **N/A and met** the Board's satisfaction. Motion: HO/SB – Unanimous
- 21) **Waste Disposal:** Discussion: Waste will be removed off site. The Board finds that the above requirement of Section 5, A 21, waste disposal was **met** to the Board's satisfaction. Motion: RJ/SB – Unanimous.
- 22) **Scenic Locations & Views:** Discussion: Applicant is leaving a buffer along the road. Public was concerned about seeing reflections. Study provided by applicant shows glare is minimal. Nutting *Ledge* is not listed as a scenic view to protect in the Otisfield Comprehensive Plan Update. The Board finds that the above requirement of Section 5, A 22, scenic locations and views was **met** to the Board's satisfaction. Motion: HO/SB – Unanimous
- 23) **Noise:** Discussion: The Town does not have a Noise Ordinance but all agree there is a tree buffer all around the property. At most the sound of a dishwasher level of noise, which all agree is quite minimal. The Board finds that the above requirement of Section 5, A 23, noise was **met** to the Board's satisfaction. Motion: OB/SB – Unanimous
- 24) **Significant Wildlife:** Discussion: The Board finds that the above requirement of Section 5, A, 24, significant wildlife was in Ross A. Cudlitz endorsement submitted tonight and **met** the requirements to the Board's satisfaction with the condition of approval, if approved, that no forest clearing will take place between June 1, and July 31<sup>st</sup> in consideration of Northern Long Eared Bats and their nesting season. Motion: RJ/HO – (1) SB Abstained.
- 25) **Archeological Sites:** Discussion: Submittals Appendix G, section 25. The Board finds that the above requirement of Section 5, A 25, archeological sites was **met to** the Board's satisfaction. Motion: OB/SB – Unanimous.
- 26) **Endangered & Threatened Plants:** Discussion: Submittals Appendix G. The Board finds that the above requirement of Section 5, A 26, endangered & threatened Plants was **met to** the Board's satisfaction. Motion: OB/HO – Unanimous.
- 27) **Conformance:** Discussion: After review, the development is in compliance with the Town of Otisfield Comprehensive Plan Update. The Board finds that the above requirement of Section 5, A 27, was **met to** the Board's satisfaction. Motion: HO/SB – Unanimous.
- 28) **Financial & Technical capacity:** Discussion: All agree CES has the capacity to provide and develop and to complete this project. Performance and Decommissioning bonds have been discussed and a letter from the bank indicating that the guarantee bonds are in effect will need to be submitted prior to building permit being issued. The Board finds that the above requirement of Section 5, A 28, Financial & Technical capacity was met to the Board's satisfaction with the condition of approval that a letter from the bank will be submitted prior to the building permit being issued. Motion: SB/RJ – Unanimous.
- 29) **Site conditions:** Discussion: All agree the points have been addressed in the Erosion Control & Sedimentation plan. The Board finds that the above requirement of Section 5, A 29, site conditions was **met to** the Board's satisfaction. Motion: OB/HO – Unanimous.

\* Motion that this completes the Standards Of Review. OB/SB – Unanimous.

## **Special regulations 5B, Page 20:**

Discussion: The Board reviewed the list of Special Regulations and determined that **5.B.1 and 5.B.3. apply** to this proposed development, and the following in this section do not apply based on the nature and specifics of the proposed development: # 4, #5, #6, # 7, #9, #11 & #12. There is no # 8. (all agree numbering on Site Plan review needs to be edited due to lack of # 8)

5.B.1. The applicant will need permits from DOT and DEP before a Building Permit can be issued. This Regulation will be a Condition of Approval, if approved.

5.B.3. The Board requires as a Condition of Approval, if approved, the applicant to provide a Performance Surety Bond and a Decommissioning Bond prior to the issuing of a Building Permit.

\*Motion that the special regulations, #1 & #3, are the only regulations that apply to this project and will be conditions of approval. RJ/SB – Unanimous.

## **General Provisions:** Section 6, page 24,

\*Motion that Letter B, C & D should be put on the approval letter as a reminder. OB/SB –Unanimous.

\*Motion to approve this application submitted by Jared Connell, being represented by Chip Haskell, PE CES, Inc. Map R9, Lot 10, “Solar Farm: located at Nutting Ledge, Route 121 with the 5 conditions that were determined tonight:

- Approvals from DOT and DEP will be received before Building permit is given.
- The design of access road at both turn-around ends be approved by CEO in consultation with Fire Chief,
- Clearing or taking of trees will not take place during nesting season of the Northern Long Eared Bats which is June 1<sup>st</sup> – July 31<sup>st</sup>.
- Evidence of Guarantee financial bonds will be provided to the town for construction and decommission prior to the issuance of Building permit
- CEO will perform inspections throughout construction and Ross A. Cudlitz, PE, Engineering Assistance & Design, Inc. will perform an active construction inspection.

\*SB/RJ – Unanimous

All agree, Findings of Fact (FOF) & Conclusions of Law (COL) will be done and approved at February 9<sup>th</sup> meeting and sent to the applicant.

## **9. Subdivision Application:**

A. None.

## **10. Upcoming Dates:**

A. Planning Board Meeting February 2, 2021 at 7:00 PM ~ Verizon

B. Planning Board Meeting, February 9, 2021 at 7:00 PM. ~ Solar Farm

## **11. Discussion & comments from Code Enforcement Officer:**

A. None.

**12. Discussion & comments from Board:**

A. Typo correction to the Site Plan Review Ordinance will be made and updated.

**13. Unfinished Business:**

A. None.

**14. Adjournment:** With no further business, the meeting was adjourned at 8:54 PM. RJ/SB -Unanimous.

Respectfully submitted,  
Tanya Snow, Secretary

*Karen Turino*

Approved by: Karen Turino, Chair  
Otisfield Planning Board  
Approved on: February 9, 2021