

**Town of Otisfield
Planning Board
Public Hearing Minutes
January 19, 2023**

1. **Call to Order:** The Public Hearing was called to order at 7:00 PM by Chair - Karen Turino.
2. **Attendance:** Members present were Chair – Karen Turino, Vice Chair Scott Arn, Stan Brett, Herb Olson, John Ywoskus and Alternate-Sarah Burnham.

Planning Board Secretary: Tanya Snow

3. **Announcement of Quorum:** Board had a quorum.
4. **Flag Salute:** Audience and Board members saluted the flag.

5. **TOWN OF OTISFIELD SOLAR ENERGY GENERATION SYSTEMS ORDINANCE**

KT: Welcomed everyone to tonight's Public Hearing. For background, the BOS requested the PB members DRAFT the Solar Farm Ordinance. BOS were looking for this to be a stand-alone Solar Farm Ordinance. AVCOG was available as a resource in this process. They called an informational Public Meeting in early February of last year to see if Otisfield needed an Ordinance to protect the overall nature of the town. A Special Town Meeting was held to approve a Solar Moratorium until an ordinance could be developed for Commercial Solar farms. The PB was tasked with writing the ordinance and looked at similar neighboring towns for sample ordinances. After nine months, a preliminary draft of this proposed ordinance was sent to the BOS in early December, after multiple reviews, including by the Town Attorney. Tonight, we are putting it before you for your review. Copies have been available at the Town Office, and it was also posted on the Town Website. There will be a Special Town Meeting next Thursday, January 26th to vote on this Ordinance one way or the other.

6. (OPENED UP FOR PUBLIC DISCUSSION):

George Gallant: I am opposed to this ordinance; I don't like the writing of the ordinance. It reads to be difficult for anyone to comply with it and I disagree completely with the acreage. Residential setbacks are insufficient. It's arbitrary. What will be the effect on the town if the ordinance does not get enacted.

Scott: We did go through calculations, allocations of 100 acres with a max of 20 acres and that is based on avg. predicted output. The 100 acres can power 3 towns the size of Otisfield. We used publicly available data and if the town decides they want more, at a later date, the Ordinance can be amended.

Mike Thorne: If I read this ordinance as proposed, no more than 100 acres in the entire town can be used for a solar farm. Is that correct? **PB:** Yes. Each farm can be no more than 20 acres, so that gives 5 solar farms. **Scott:** The logic in the restrictions, Otisfield uses 11,000 megawatts as a town per year and the allocation can provide 3 x the amount that Otisfield uses. The Ordinance can be amended at any time. We used the following Towns for guidance: Bethel, Freeport, Lovell and Mechanic Falls.

Phillip Morrow: If you want to have a solar farm in range of normal confines that's fine, we're tackling solar because it's an issue. We'd like to look at the benefits and the detriments of solar farm. I have a few minor amendments I would like to be considered i.e.: unanticipated glare, visualization from other roads, these are definite reasons to not want to have solar ordinances. I have others I would like to have you review if you would. **KT:** You can email the items to us, and we'll gladly consider them.

David Hyer: I felt it was a well written document for a first pass, my first reaction was 20 acres is too small of an area, but then I wondered how much is the proper exposure of sun time. As long as we can come back in 2, 5 or 10 years to review or amend, if necessary, I'm comfortable with it. I also had a question about the word "perimeter" it is used 3 times in the ordinance and I'm not sure if you are talking about the fenced in developed area or the lot lines. **KT:** We remembered the confusion in the past and perimeter is only used to mean the lot lines.

Jeff Jacobs: I'm in favor of Solar Farms, for comparison's sake, do you know how big the nutting property is? **PB:** the Nutting Solar Farm is 19.7 acres.

Lenny Adler: I'm not going to comment on the Ordinance, but wanted to point out the BOS cannot just amend the ordinance, but the BOS can initiate the process. If it doesn't work, it's not difficult to amend it and the amendment process can start immediately. It's a good first step and I appreciate the PB's time and effort on this.

Darryl Johnson: I agree with many on the restrictions and eliminating the 100 acres. This is discriminatory to residential. That's not practical for all of us. Water lots have less than 2 acres. **Scott:** It was not our intention to be restrictive on residential properties. The intent of restricting residential to a half acre was to prevent a resident from applying for a personal solar system and then selling to another larger entity which sells back to CMP. (PB members agree this can be looked into). This was an oversight and can be amended.

Jim Howard: Thank you all for bringing a product of this quality to our attention. My suggestions would be to reconsider having the single-family restrictions for residential. There are duplexes and multiple family residences that should qualify as residential. Do installations generally have light? **PB:** No. **JH:** On Pg. 12, 6.A. If an installation was approved but couldn't begin construction or completion within the allowable time, an extension might not be allowed if it kept another applicant from moving forward. This should be stricken. There are many reasons, including supply chain issues, that affect those dates. **PB:** This was taken into consideration when given two and three years. At this stage the CEO is involved in enforcement and could allow an extension. **JH:** Allow the flexibility to grant extensions, and I too am struggling with the 100 acres. Is there tax value in the solar farm? Consider this thought if we limit it to 100 acres. **KT:** We needed to limit it in some way, and this was just a starting place. **JH:** Consider the income aspects or the advantages or disadvantages. I recommend 300' setback rather than 150'. Is the 10' limit on height of panels high enough, especially if dual use is involved? Under Applicability, exclude the Town of Otisfield. **Scott:** how much land does the Town own? **Lenny Adler:** We have a pretty sizeable amount of acreage on Swampville Road, Hidden Lake Road, small lot at Spurr's Corner and top of Heniger Park. Tax revenue, as town owned revenue. **Scott:** If you exclude "Town Owned" from this, it's wide open. **JH:** The single family residential is making it complex. **Scott:** The CEO reviews residential applications. The concern is not single family. It is only a way to distinguish the building as residential rather than Commercial. The CEO could still review the residence. **JH:** Thank you all for your time and effort on this ordinance.

Darryl Johnson: Would like to remind everyone of the benefits of Nutting Road Solar Farm, we have new power poles on Powhattan Road, the grid needed to be updated and we have a more resilient grid. That's a benefit that didn't cost the town.

Rick Micklon: I'd like to address the process, as a BOS and former PB Chair. Sometimes people say I didn't know about a meeting. This process has been going on for 9 months. Any time there's a meeting, you can have the agendas and minutes sent directly to you by going to the Town Website and subscribing to Town agenda's or minutes. It's important to stay informed and this information would have been helpful months ago. The PB has done a great job getting to where they are, it's not perfect and they know that, but they did the best they could with the time and resources they had. It's been to legal