

**TOWN OF SKOWHEGAN  
PLANNING BOARD  
MEETING MINUTES**

June 1, 2021

7:00 P.M.

Conference Room, Skowhegan Community Center

**PRESENT:**

Steve Conley, Chairman  
Steve St. Pierre, Vice Chairman  
Stephen Gould, Secretary (arrived @ 7:18 pm)  
Harvey Austin  
Matt Smith  
Jeff McCabe  
Joel Greenwood, Planner  
Cynthia Kirk, Recording Secretary

**ABSENT:** Brady Chapman

**PUBLIC PRESENT:**

Bryan Belliveau, Code Enforcement Officer		
Joe Tierney, Sunrise Energy	Anne Amadon	Patrick McCaffery
David Pelton, KVCAP	Tim Amadon	Johneen McCaffery
Nancy Bussiere	Will Savage	Carroll Nightengale
John Grohs	Ryan Senatore	Todd Smith, Selectman
Warren Shay	Irene Ketchum	Charles Robbins, Selectmen
Amber Lambke	Amy Verville	Tom Bussiere
Dana Littlefield	Gail Gibson	Jason Gayne

Steve Conley, Chairman opened the public hearing, at 7:00 PM, to hear any comments on the following projects:

Site Plan Application submitted by Sunrise Energy Ventures for a proposed new 4.99 MW AC, 20-acre Solar Garden to be located on Stevens Road. (Assessor's Map 9, Lots 14-1 & 14).

Joe Tierney from Sunrise Energy Ventures gave a brief description of the proposed solar project. He said they have changed the project from a fixed panel system to a tilt system which will decrease the overall footprint of the project. It is now only going to occupy 19.9 acres and they have moved it as far South as they could. They have also added 2 rows of white spruce trees along the western border of the array to block a large portion of the solar array from the view of the abutters.

Steve Conley asked if there were any questions or comments from the public.

Anne Amadon said that her biggest concerns were the construction hours that were originally sent out as well as the effect on their wells and property values. She said the hours stated were 7

days a week until 10 pm at night. As far as her well it is very shallow and has concerns about this construction affecting it.

Nancy Bussiere asked if this is a done deal and a waste of her time being here. Steve Conley said it is not a done deal yet and this is a legitimate meeting for people to voice their concerns. If there is a concern about this project that would make it not in compliance with the town's ordinances then there is something, they can do to rectify that. Mrs. Bussiere stated that this project effects too many people and nobody that lives near there wants it. Steve Conley explained that the people of Skowhegan has chosen over the years to not have zoning within the town. Zoning would be the only way that they would be able to control where these projects could be located. Without having zoning in town, the Planning Board must follow the Site Plan Ordinance guidelines when reviewing these projects.

John Grohs asked where the company building the solar array is from. Mr. Tierney said they are based out of Minnesota. Mr. Grohs asked why they are coming all the way to Maine to build these solar arrays. He said it is probably because there is a lack of regulations for these types of projects in Maine and he feels that the town and the state need to put a moratorium in place to stop them from building until more regulations can be put in place for these solar arrays. Joel Greenwood said that the town has come up with a moratorium and it will be voted on at the town meeting on Saturday June 5th. Joel said it will not affect this project since they have applied before it takes effect.

Tim Amadon said at the first Planning Board meeting it was mentioned to have the applicant contact the abutters to discuss their concerns and work with them regarding buffering. Mr. Amadon said they only received one email from the company and nothing else. He asked if this would be a breach of what the Planning Board had required from the company and if it would affect their decision tonight. Steve Conley said that there was an opportunity for the abutters to attend the site visit and discuss things with the applicant. Mr. Amadon said that those that work during the day weren't able to attend that site visit. Steve Conley said it was not a requirement of the applicant but a suggestion for them. Mr. Amadon asked if a plan has been put in place for when the project has reached its end of life and needs to be torn down. Joel said a decommissioning plan has been included in the application.

Patrick McCaffery stated that he is not in favor of this solar farm, however him and his wife understand that unfortunately there is no zoning in Skowhegan so therefore if someone wants to put something on their property that is not illegal there isn't much that can be done. He has done some research and found that there was a fire at one of these facilities in New Jersey. He said that Skowhegan may want to consider some additional training for the fire department regarding putting out fires on these solar panels.

Jason Gayne said that it seems like one of the major concerns with these projects is the effect it will have on abutting property values. He asked if there is a way to do a study on those effects going forward. Steve Conley said that it would be up to the town assessor to look into the effect on property values and at this time he doesn't believe any such study is being done. He said that at this time they only have one solar array that has been completed within the town so it might be hard to do. Steve said there have probably been other studies done throughout the United States but he isn't aware of what the results are.

Irene Ketchum asked if they are planning on expanding this project in the future since they are only using 19.9 acres right now and that will leave a lot of property unused. Mr. Tierney said that at this time there is no plan on expanding this project past the 19.9 acres at this time. If they

do decide to expand it in the future, they would have to come back to the Planning Board again for approval.

Steve Conley closed the public hearing at 7:32 pm.

**1) QUORUM:**

Planning Board Meeting called to order at 7:32 P.M. Quorum was present.

**2) MINUTES OF THE May 25, 2021 PLANNING BOARD MEETING TO BE APPROVED:**

Motion by Stephen Gould to approve the May 25, 2021 Planning Board meeting minutes as written. Seconded by Matt Smith. Motion passed 4-0-1. (Jeff McCabe abstained)

**3) SITE PLAN / SUBDIVISION**

**A) Discussion and decision on the Site Plan application submitted by Sunrise Energy Ventures for 1 proposed new 4.99 MW AC Solar Garden to be located on the Stevens Rd. (Assessor's map 9, Lots 14-1 & 14)**

Joe Tierney stated that across the country there have been studies regarding property values and they have found that there is no real impact to abutting land and property values. He said these projects are low to the ground, don't make any loud noise or cause an increase in traffic so essentially, they are pretty good neighbors to have. Mr. Tierney said that there is a storm water plan included in the application which they are required to follow. Therefore, if there is any damage to a spring in the ground, they are required to fix it and if there are any issues with water runoff, they are required to fix that as well. As far as any road damage during construction, they would definitely be required to fix that as well. Mr. Tierney also addressed the changes to the plans since the original meeting. He explained that since there were several abutters on the western side of the project, by downsizing the footprint it moves the solar array further from their property lines and allows them to increase the tree buffering between the project and the abutters. They will also be able to maintain the existing tree lines that are on the property which will help with buffering.

Steve Conley asked if Planning Board members had any questions.

Harvey Austin asked what size buffering will they have as far as any drainage issues that might occur. Mr. Tierney said that it is all the way to the property lines where they would have to fix any issues with drainage. They have also set the solar panels back 75 feet from the property line on the western side and 50 feet on the southern and eastern sides of the project.

Steve St. Pierre asked if they could deviate from the planned construction hours because 10 pm is quite late to be driving pilings into the ground. Mr. Tierney said that if the Board would like to place a condition of approval to change the hours of construction that would be fine.

Jeff McCabe asked about the days of construction. Mr. Tierney said their application does say 7 days per week, however they typically don't work 7 days a week. That is just in there so they have that option if they are behind in construction. Jeff asked if they could work with a 6-day work week. Mr. Tierney said they could.

Steve Conley asked when they are planning on starting construction. Mr. Tierney said their timeline is to start construction the beginning of summer next year.

Harvey Austin asked how many projects they have going in Maine. Joe said this is the only project in Maine that they are actively pursuing.

Joel asked about the fire hazards of this type of project. Mr. Tierney that for standalone solar project the risk of fires is much lower. He said they have made sure that any roads within the project area are wide enough for fire trucks and also provide areas big enough for fire trucks to turn around in.

Stephen Gould said that this is a 4.99 MW solar array but throughout the application it states that it is 5 MW. Mr. Tierney said that that was a typo error and it is in fact a 4.99 MW project. Joel said that the official approval document will be the findings of facts so it will be stated in there as a 4.99 MW project.

John Grohs asked if there is a performance bond required for this project. Mr. Tierney said that there is a performance bond with the contractors for construction but the town does not require one. Joel Greenwood said that the town usually only asks for a performance bond for projects that involve an improvement to the town's infrastructure.

Anne Amadon spoke to the concern that she has about the impact this project would have on the abutter's shallow dug wells. Cindy received a message from Bryan Belliveau CEO that couldn't be here tonight regarding wells. He stated that if there is any impact to anybody's wells then it would be a civil matter and not anything that he could enforce.

Harvey Austin asked if the company uses any chemicals on the lawns under the solar panels. Mr. Tierney said they do not and they maintain the lawns by just mowing them.

Motion by Stephen Gould to approve the Site Plan application submitted by Sunrise Energy Ventures for a proposed new 4.99 MW AC, 20-acre Solar Garden to be located on Stevens Road. (Assessor's Map 9, Lots 14-1 & 14) with the following conditions:

1. The construction days will be limited to 6 days per week and construction times shall be limited to 7:00 am - 8:00 pm.
2. Any damage done to the Stevens Road during construction shall be repaired by the contractor and repairs shall be approved by the road commissioner.

Seconded by Jeff McCabe. Motion passed 5-0.

Joel Greenwood read the findings of facts.

**B) Discussion of the Site Inventory & Analysis submitted by Dave Pelton on behalf of KVCAP for the Mary Street Apartments project.**

Dave Pelton from KVCAP presented the proposed project. He explained that this project is the same project that was presented and approved by the Planning Board about 18 months ago. Nothing has been changed between then and now. Mr. Pelton explained that this project is in fact not low-income housing. He feels that has been misunderstood from the beginning. This is housing for everyone. He said it is sometimes referred to as work force housing because it is geared towards people that work in the community. Dave said that is has been mentioned throughout several economic studies over the years the need for housing

within the town. It is also mentioned in the Comprehensive Plan. He said they are not looking to compete with existing landlords within in town.

Harvey Austin stated that this is a ten-million-dollar project that from what he understands will not be taxable in the end. Dave Pelton said that is no correct. Currently the building is being used by KVCAP for office space. KVCAP is a currently tax exempt. By doing this project it will actually change this property to a for profit entity which in turn will be taxable. Harvey said he is glad to hear that. Dave Pelton said that the town did approve a TIF last year for this project so it won't be fully taxable until that TIF runs out. The agreement with their funders is that KVCAP will be involved with this project for 49 years, therefore there will be plenty of fully taxable years with the town.

Joel asked if they could review the number of units and the makeup of the units. Ryan Senatore stated that the current building will have 16 units and the new building will have 24 units. He said it will be a mix of 3-bedroom, 2-bedroom, 1-bedroom and studio apartments. Joel Greenwood brought up the memo from Greg Dore and the town's Sidewalk Committee regarding this project. Will Savage said that there will be additional sidewalks within the plan of the two buildings as well as utilizing the existing sidewalks and ramps on the current building. They have not included any sidewalks off of the building site because the closest public sidewalk is approximately 2800 linear feet away.

Steve Conley asked if they understand the memo from the Greg Dore and the concern of having the people living in these new 40 units having no way to walk safely into town without a sidewalk. Ted (KVCAP's attorney) said that they have reviewed the memo from Greg Dore and the Sidewalk Committee. He said they are sympathetic to these concerns however the issue they have with this request is that the location that they are requesting KVCAP to put a sidewalk on is quite away from the project area and it is on land that is not owned by them. Ted said they would be happy to work with the Planning Board regarding the sidewalks within their site location however it would be quite impossible to convince their funding sources for this project to agree to pay for a sidewalk that is so far from the project site.

Harvey said he thinks that we owe it to the people that will be living in these apartments to have a safe way for them to walk into town. Joel said he isn't sure if this is something that can required since it is such a long way from the actual project property. He said that they could see if they could work something else out with KVCAP.

Steve Conley asked if anybody knew how much it would cost to construct such a large portion of sidewalk. Joel said it would tens of thousands of dollars.

Jeff McCabe said he agrees that Mary Street and Norridgewock Avenue are in need of sidewalks for the safety of the public however what they need to figure out is who should be responsible for paying for it all. Harvey said that the town will be putting in a sidewalk from Elm Street up to the Margaret Chase Smith Library already. So, the sidewalk they are asking KVCAP to do would be from the library up to Mary Street.

Dave Pelton said that the Somerset Explorer bus service currently goes up to Mary Street to pick up people to bring them to stores and other places in town and that will continue even after these units are built. He also said that in other towns that he has worked in, he has seen similar concerns and one thing that some have done is restripe the roads to allow for a wider walking/ biking area on the road.

Jason Gayne said that there is currently a large apartment building already on Mary Street that houses a lot of elderly people. When that apartment building was put in, they weren't required to build a sidewalk down Norridgewock Avenue so why would KVCAP be responsible for putting one in now. He doesn't think that burden should just be placed on them now when those other apartments have been up there for quite some time.

Harvey said it worth having a discussion about.

Steve Conley said he doesn't think it should be a burden on just KVCAP to do this and maybe other people on that street should pitch in towards the sidewalk as well. Dave Pelton said he has seen other towns create a sidewalk fund in which developer in the area that needs a sidewalk pitch in a certain amount towards the construction over a course of ten years and then the sidewalk can be built. Harvey said the town could even pitch in as well.

Amber Lambke said she just wanted to stress the need for work force housing in the town and hopes that a compromise can be made to allow this project to move forward. She has quite a few employees that she has had to help find housing and in some cases in can affect her being able to keep employees.

Harvey said that maybe Dave could have a conversation with Greg Dore to see what solutions they can come up with. Dave said he can do that.

**4) ITEMS BY THE PUBLIC:**

**5) COMMUNICATIONS:**

**A. Memo from Greg Dore regarding the KVCAP Mary Street project.**

Was discussed in above item.

**B. Memo from Jeff Hewett regarding the façade grant.**

Steve Conley said he isn't sure what project this is for. Joel said that if it is just for façade improvements then typically additional permits aren't required but he would have to see the details. He said Bryan could review the proposed projects and report back to them. Steve St. Pierre said there should be some sort of criteria for these façade grants where the owners also have to work on the most deteriorated part of the building like broken windows on the upper floors on a lot of these buildings. Stephen Gould said he is on that committee and he will bring that up at the next meeting.

**6) NEW BUSINESS:**

None

**7) UNFINISHED BUSINESS:**

**A) Review final draft of the Solar Ordinance**

Joel said based on the last time they reviewed this draft he has made the necessary changes and reviewed them. He thanked everyone for their hard work on this ordinance.

Motion by Stephen Gould to pass the draft of the proposed solar ordinance onto the Selectmen for review. Seconded by Steve St. Pierre. Motion passed 5-0.

**8) COMPREHENSIVE PLAN UPDATE:**

None

