

FARMINGTON PLANNING BOARD

**153 Farmington Falls Road
November 8, 2021 – 6:00 p.m.
Minutes**

Planning Board members present: Clayton King, Lloyd Smith, Gloria McGraw, Craig Jordan, Jeff Wright, Mike Otley and Judith Murphy.

Alternate members present: Michael MacNeil.

Members unable to attend: None.

Others present: Town Manager, Christian Waller; Board of Selectmen Chair, Matthew Smith; Code Enforcement Officer, Steve Kaiser; Code Assistant, Kate Foster; consultant Randi Jackson from TRC representing Farmington Solar; applicants Cory Boyker and Jessica Boudreault; Eben Baker from Stantec, Allen Tate and Yannick Tamm from EDF representing Clearwater Solar Partners; abutters Adrian Harris, Junior Turner, Marie Turner, Chris Leeman and other members of the public and press.

Mr. King opened the meeting at 6:00 p.m.

1. Designate alternate members, if needed

All voting members present.

2. Review minutes of October 18, 2021

Mrs. McGraw made a motion to approve the minutes of October 18, 2021 as written.
Mr. Wright seconded the motion.

VOTE: 6 – Affirmative 1 – Abstained
Motion carried.

**3. 18-SR-11, 18-SS-09, 19-SR-17, 19-SS-09
Farmington Solar & Switchyard
Farmington Falls Road / 2/27
Addition of 3 – 20’x8’ Conex & 2 – 20’x20’ carports**

Mr. King introduced the modifications.

Ms. Murphy made a motion to accept the proposed additions to the applications.
Mr. King seconded the motion.

VOTE: 7 – Affirmative
Motion carried.

Randi Jackson from TRC introduced herself in place of Dana Valleau and Jessica Murray who are usually present representing any changes. She stated she spoke with NextEra representatives the morning of the meeting and they asked to have 3 – 40'x8' Conex boxes and 1 – 30'x20'x14' carport instead of the originally proposed 3 – 20'x8' Conex and 2 – 20'x20' carports, and to put them closer to the fence where there is a power connection.

Mr. Jordan asked how long Ms. Jackson has been aware of these changes.

Ms. Jackson replied she was made aware that morning.

Mrs. McGraw stated there is always something changing or being added and it is getting frustrating especially bringing these additional changes to the Board the day of the meeting.

Mr. Smith verified with Ms. Jackson that these were going to be just inside the fence since they looked to be outside it by the Hovey Road.

Ms. Jackson gave the Board an image.

Mr. Wright asked how many people would on site permanently once the project is completed.

Ms. Jackson replied three, to do maintenance like snow plowing.

Mr. Otley asked if there would be any cement pads.

Ms. Jackson said no, but they may lay down some gravel under them.

Mr. King asked what will be stored inside the containers.

Ms. Jackson replied only general maintenance equipment, no chemicals, and they would take the proper steps needed if anything changes.

Ms. Jackson stated NextEra representatives have also requested to move the fence near the Hovey Road west ten feet, so the panels aren't crowded by the Conexes and carport.

Mr. King asked why they couldn't move the Conex boxes ten feet instead.

Ms. Jackson replied then the turn radius needed for trucks wouldn't clear the panels.

Ms. Murphy asked what would happen if these changes were denied.

Ms. Jackson stated she would go back and discuss this with NextEra and others and return with an improved plan because they need the storage space for maintenance vehicles and equipment.

Mr. Otley stated he didn't know why they didn't think of this need at the outset of the project.

Mrs. McGraw made a motion to deny the additions to the applications as presented.

Mr. King seconded the motion.

VOTE: 7 – Affirmative
Motion carried.

Mr. King asked Ms. Jackson to come back with a better plan.

4. 21-MJ-04
Cory Boyker & Jyssica Boudreault
184 Farmington Falls Road / U10-66
Medical store – addition of Jyssica Boudreault

Mr. King introduced the application.

Ms. Murphy made a motion to accept the application for review.
Mr. King seconded the motion.

VOTE: 7 – Affirmative
Motion carried.

Jyssica Boudreault introduced herself, stating they needed to add her name to the license/permit granted by the Town as OMP advised them that in order to comply with State rules and regulations for her to sell out of the store they needed to do so.

Mrs. McGraw asked Mr. Kaiser that this change affects the numbers in the Ordinance.

Mr. Kaiser said no, this is just adding Jyss' name to the same Medical Store license/permit already approved under Cory.

Ms. Murphy asked if it was just an oversight.

Ms. Boudreault replied yes, after Cory Boyker got his approval and they spoke with OMP they realized they needed to come back to the Town for the addition of her name.

Mr. Wright made a motion to approve the application as complete.
Ms. Murphy seconded the motion.

VOTE: 7 – Affirmative
Motion carried.

5. 21-SR-19, 21-SS-13 & 21-SE-03
Clearwater Solar Partners, LLC
414 Farmington Falls Road / U4-39
4.99 MW solar facility

Mr. King introduced the application.

At this time Mr. Jordan stepped down from the Board for the review of these applications due to being an abutter.

Mr. King designated Mr. MacNeil as a voting member for the applications.

Ms. Murphy made a motion to accept the applications as complete.

Mr. King seconded the motion.

VOTE:7 – Affirmative

Motion carried.

Mr. King reviewed the Planning Board process with the applicants and residents, and stated what options there were, explaining that residents will get a chance to speak after the Board completes their questions. He asked everyone to be respectful of whoever is speaking.

Mr. Tamm introduced himself as a representative for the project, stating he is from EDF Renewables, a turnkey developer of solar projects up to 30 MW, and gave an overview of the project. He explained the four EDF business sectors which are – energy distribution, grid-scale power, onsite solutions, and asset optimization - with 30 years of experience.

Mr. Tamm reviewed the general project aspects: will be a 5 MW solar facility of roughly 33 acres - 15 times smaller than the Farmington Solar project; will be connected to CMP's distribution systems via the existing 34.5 KV line; will be started in mid to late 2022 and completed in 2023; will be predominately in existing open field areas with only six acres to be cleared of trees; has been designed to last for 25-35 years; and the electrons produced will largely be consumed locally by CMP customers due to its size.

Mr. Tate added that that contracts for the energy produced have been made with entities within Maine.

Mr. Tamm stated they have spoken with abutting residents and agreed to move the panels back over 500' from the nearest residence. He said it was going to be 441' away but was increased to 521' from Adrian Harris' and was going to be 1261' from the Martin residence but was increased to 1336'. Mr. Tamm added that there is a thick wooded buffer that won't be cut and will be maintained, and the access road has been widened from 16 to 20 feet wide and moved so it is 350' from the neighborhood.

Mr. Tate added that there are no wetland impacts, and the closest panel will be 2,000' from Farmington Falls Road.

Mr. Baker stated the project requires a Public Hearing for their DEP submittal and this meeting is serving that purpose as well as for hopeful approval by the Board. He said they reached out to IF&W and DEP, did assessments of wetlands, vernal pools, and streams, and there are no species affected including bats and salamanders. Mr. Baker continued, saying, they did historical and archaeological assessments and there were no issues with MHPC or the Penobscot Nation. He said they moved some of the arrays to avoid wetland and stream impacts, and they filed project application for their DEP permits which will be available for review on November 23rd, of which the Town will receive a copy. Mr. Baker continued, stating they are also filing a NRPA/PBR with DEP, and there is no review/approval by ACOE required.

Mr. Tamm explained other aspects of the Project: there will be no impact on public utilities; there will be 5 poles set at the back [north] of the project to connect into CMP's lines; there will be Knox boxes at each of the 5 gates; snowmobile access will be preserved with ample space between the property line and fence; they're surrounding the panels with 8 foot fencing with 6 inch openings for smaller animals to go through; the project will take approximately nine months to construct; and, the decommissioning bond is estimated to be a total of \$136,843, not including any salvage, and will be updated every 15 years. He added that this renewable energy project will remove 7,000 metric tons of CO2 from the atmosphere annually - which is the equivalent of the CO2 output of 1,500 conventional vehicles, and the energy created can power the equivalent of 1,200 homes.

Mr. MacNeil stated he appreciated the applicants listening to the neighbors and residents and sees that they have met all regulations.

Mr. Otley stated the project looks good and asked where the snowmobile trail was.

Mr. Tate responded that as far as he knows, it's just through the fields in general, and he pointed out the 50-foot-wide trail between the fence and property line on the west.

Ms. Murphy said the applicants did a wonderful job with the information they presented, she is very pleased with the environmental positives, and the public's interests were well balanced with the property owners' rights.

Mr. Wright asked how long the applicants have been working on the preparation for the project.

Mr. Tate said they have been working on it for 8 months and they had their first discussions with the Town on August 30th.

Mr. Wright asked if there was going to be anything left on the project site other than the panels after it is complete.

Mr. Tate replied only the two transformers shown on the plans.

Mr. Smith said he would like to see more definite answers rather than "approximate" regarding items like acreage, and asked Mr. Kaiser about the updates.

Mr. Kaiser replied that the Board will vote on their additional submittals along with the original applications and amendments.

Mr. Tate said they would like to have at least a conditional approval tonight due to the changes they made in favor of the abutters and their time constraints with DEP.

Mr. Smith asked how wide the access road would be.

Mr. Baker replied 20 feet.

Mr. Smith asked how much noise the project would generate and how much noise there would be from the snowmobiles, and if this would affect the houses nearby.

Mr. Tate replied the inverters will only make noise during the day when the sun is out and the panels are producing electricity and they won't be heard past the property line in compliance with State law.

Mr. Smith asked how often the decommissioning bond will be reviewed.

Mr. Tate stated State law is at least every 15 years.

Mrs. McGraw said she is glad the power is going to be consumed locally and asked if they were going to hire local workers and contractors.

Mr. Tamm said they will definitely try to hire as much as they can locally.

Mr. King asked if there was going to be any logging, and stump grinding for mulch.

Mr. Baker replied that roughly six and a half acres will be cut, marketable wood will be sold, and grindings used for erosion control mulch.

Mr. King asked if the panels would be put on cement pads and if there would be any blasting.

Mr. Tamm replied there would not be any pads, the panel brackets would be pounded or screwed into the ground, and added it seems there is shallow bedrock there.

Mr. King asked if they have done any test pits.

Mr. Tate said they have had geotechnical engineers analyze the site on which the plans are based.

Mr. King asked about the poles in back.

Mr. Tamm pointed out the tie-in with CMP on the plans.

Adrian Harris, an abutting resident, asked how loud the humming off the converters would be.

Mr. Baker said it is roughly the same as a transformer and will not be audible past the property line.

Chris Leeman, a Farmington resident, asked how close the road to the project would be to the nearest property line.

Mr. Tamm stated it is approximately 150' from the nearest property line.

Junior Turner, an abutting resident, said he has always enjoyed looking at the cows on the

property, and asked what it was going to look like once the project is complete.

Mr. Tate stated the cows, which are Marc Bailey's, will be relocated during construction but brought back to the front fields once construction is complete, and the property owners are considering pasturing retired draft horses there as well.

Mr. Turner asked if they're installing any additional fencing.

Mr. Tate said none in addition to the panel fencing.

Mr. Harris asked if they happen to hit ledge and have to do any drilling, will they repair broken foundations.

Mr. Tate said he has never heard of that happening.

Marie Turner said she is very appreciative of how much the applicants have listened to and worked with residents and asked if they were planning to expand the project in the future.

Mr. Tate stated it's really hard to expand these projects once approved by the State and he doesn't see that happening at any point in time.

Mr. King asked if they could do photo sims.

Mr. Kaiser said they did provide some of these tonight in their visual presentation.

Mr. Tate said time is a factor.

Mr. Smith suggested a possible site walk.

Mr. Otley asked what would be gained from a site walk.

There was discussion among Board members on these suggestions.

Mrs. McGraw didn't see any reasons why the project should be held up.

Mr. King asked if there was any other discussion or questions and if not, for a member to make a motion.

Mr. Otley made a motion to approve the applications as amended.

Ms. Murphy seconded the motion.

VOTE: 7 – Affirmative

Motion carried.

6. Other Business

Mr. King verified with the Board that they would be okay with conducting the Pledge of Allegiance before meetings.

There being no further discussion or updates Mr. King called for a motion.

Mr. Smith made a motion to adjourn the meeting.

Ms. Murphy seconded the motion.

VOTE: 7 – Affirmative

Motion carried.

The meeting adjourned at 7:15 p.m.

Minutes respectfully submitted by Kate Foster.

Planning Board

Date