

## Planning Board Meeting Minutes

May 23, 2022

Minutes prepared by Kandice Talbot

Members present: Chairman Keith Emery, Vice Chairman Baldinelli, Craig Lefebvre, Scott Warchol and Victoria Hugo-Vidal

Members absent: None

Attendees: Roger Tracy, Patrick Dufresne, Andrew Tracy, Andy Dufresne, Jim Logan, Longview Partners, LLC, Nyome Baldinelli, Jim Dearborn, Bill & Linda Fuller, Jonathan Wilcox, Patrick Hanna, Stephen Landry, Cliff Thomas, Jeff Wetherby, David Brenneman, Flycatcher, LLC, Colin Sexton, BlueWave, Jeffrey Roubo, Jason Vafiadas, Atlantic Resources, and Mark Blier.

**Minor Amendment:** BlueWave Little River Solar is proposing a minor amendment for the proposed facility off of Groveville Rd. The changes include shifting solar panels from one side of the site to the other and fence adjustments within the permitted footprint. The project will be located off Groveville Rd, consisting of 19.04 acres of open fields and woodlands. The project will connect to an existing Central Maine Power distribution line on Groveville Road. The property is in the Village, Residential and Rural Districts.

David Brenneman, Flycatcher, representing BlueWave Little River Solar, explained the applicant is proposing to relocate a number of the solar panels because, as approved, are crossing two parcels that were previously subdivided. Adding a lease onto those properties would encumber them with subdivision requirements. When we discovered this issue, we looked into what would be the best action to take those panels off the parcels on the approved plan. We found an area to move them to and also need to adjust the fence line.

Chairman Emery asked if the piece of property where they are shifting the panels to, is still within the leased area from the original landowner. He also asked if anything else was changing.

Mr. Brenneman said he was correct that we are still on the same property and they had no other proposed changes.

Seeing no public comment, Vice Chairman Baldinelli made a motion to approve the amended plan as shown and dated May 11, 2022. Mr. Lefebvre seconded the motion. The Board voted 5-0 to approve.

**Preliminary Review:** RAAP Industries, LLC is proposing a 4-lot Commercial Subdivision located on Narragansett Trail. The site is identified as Map 9, Lot 27 and is zoned Business Commercial District. The property is approximately 31.57 acres in size and will be reviewed under Article 13 Subdivision.

Jason Vafiadas, Atlantic Resources, was representing RAAP LLC and stated this was a creation of a 4-lot commercial subdivision. We have passing septic system for each lot. The reason why we have not divided lot 2 into more lots is because more than 5 lots and over 20 acres needs a site location development review from DEP and we are trying to stay under that get a stormwater permit by rule. We have one small stormwater pond which is located on Lot 4 and this will be used to treat the stormwater that comes off the road.

Ms. Hugo-Vidal asked if they had any businesses in mind for this development yet.

Mr. Vafiadis said at this point they are just creating the lots.

Vice Chairman Baldinelli mentioned this 30+ acre parcel is part of a 70+ acre parcel and the other portion of the property has had an application submitted, which is Buxton Motor Toys. My question is since the original lot has been split and you are creating 4 additional lots, does it pull in the other lot as a 5<sup>th</sup> lot, or if sold within so many years does this make it a 5-lot subdivision, rather than a 4-lot subdivision.

Mr. Vafiadas said he did not believe it did. Because this original property has not been split in the last five years, then you can create a split and the parcel that is split off becomes its own parcel, under purview of subdivision law. Approximately 6 months ago, the owner of the original lot created those two lots that you seen on the plan, each of those two lots now starts as it own lot and is not common scheme because both sides will have new owners and they start out fresh with that piece of property. He said it is two separate ownership and because of that it is not circumventing the law.

Chairman Emery said he remembers this is correct from a previous project. Because the original owner only technically created two lots. And now they have their own 4 lots.

Mr. Lefebvre asked if any of the test pits had been done for the lots. He didn't see any in the book.

Mr. Vafiadas said they did do them and he'll provide them for the next meeting.

Jim Logan who did the test pits said they have all been completed and he wanted the Board to know the ridges on this property is good land and the soils map indicated that as well.

Mr. Warchol said he saw they had put the Business Commercial Overlay Zone on this plan. He also recommended they have a peer review done for this development.

Mr. Vafiadas said it was put on there so anyone who purchased the lots would be aware they would have to come back to the Board for Business Commercial Design Standards review.

Vice Chairman Baldinelli asked if they had come up with a road name yet and is this road proposed to be private and are you going to have some type of road agreement for the people on the lots or are you proposing to have the Town take it over.

Mr. Vafiadas said they have designed the road up to Town standards and its possible they would request the Town to make it a public road.

Mr. Warchol asked if Sheet C-100 was the plan showing the septic. He did not see those, and would like them to be made more obvious.

The Board then discussed whether they could hold a site walk or wait until more information is provided.

Vice Chairman Baldinelli made a motion to hold a site walk on Tuesday, May 31, 2022 at 6:30 p.m. Mr. Lefebvre seconded the motion. The Board voted 5-0 to approve.

Mr. Warchol made a motion to have Wright-Pierce do a peer review of the subdivision proposal. Vice Chairman Baldinelli seconded the motion. The Board voted 5-0 to approve.

#### CEO Report

No CEO Report.

#### Approval of Minutes

None at this time.

#### Approval of Bills

None at this time.

#### Communications

No communications.

### Other Business

Mr. Warchol wanted to mention they had received correspondence from Ms. Peabody, however he hadn't had a chance to review it, but they did receive it.

### Attendees may address the Board

Selectman Blier spoke to the Planning Board regarding the zoning ordinance changes for Shoreland Zoning that the Planning Board had asked to have put on the June warrant. He discussed he was all for following State regulations but he was also very much in favor of property rights. These proposed ordinance changes go way to far in taking away rights of property owners in the Town.

Selectman Blier and the Planning Board then went on to discuss why are these items proposed and do we have to follow State law.

Mr. Warchol said he would like to see the Board become more educated in Chapter 1000 so they can better educate the residents.

Vice Chairman Baldinelli suggested that when they go back to look at this they should have one of the Selectmen in on the discussion.

Jeff Wetherby, resident, Spruce Swamp Rd, said the reason they were here tonight was to see if this would be voted on in June and he didn't feel it was appropriate for everything to get so heated.

Chairman Emery said the reason why the Board gets heated is because they have been working on shoreland zoning for years. It is mentioned on the website that we are holding meetings to discuss shoreland zoning and I have not seen anyone of you here during the time of discussion. The only time someone shows up is at the time of the Public Hearing and it interferes with them.

Mr. Warchol said Mr. Wetherby was correct. These meetings shouldn't be heated. But Keith does have some valid points. And the question is how we get the residents involved prior to the public hearing. Now we have heard the concerns and we can only move forward.

Mr. Wetherby said he has been here 9 years and he never heard about any discussions on Shoreland Zoning. He said there has to be a better way to communicate to the residents what is being discussed. He suggested maybe there would be some way to post something on the Board

as you come into Town Hall. Because everyone has to come here. Not everybody likes social media.

Linda Fuller, Spruce Swamp Road, asked if it was definite that nothing was going to be on the warrant regarding Shoreland Zoning.

The Board stated there was nothing regarding Shoreland Zoning on the warrant.

Mr. Lefebvre said he has been on the Planning Board for 4 years now and we have been talking about Shoreland Zoning and it has come up every year. My feeling is we were all having a hard time with it so we brought Mike Morse in who is supposed to be a professional and he brought this map forward and it caused an upheaval. We should be looking at this and only put the properties are on that map that are detrimental. We should map the '99 map to only do what will make the State happy.

Cliff Thomas, resident, said there is a lot of stuff in the shoreland zoning and should be looked at and there should be a review committee.

Mr. Lefebvre made a motion to adjourn at 8:08 p.m. Vice Chairman Baldinelli seconded the motion. The Board vote 5-0 to approve.

Approval Date:

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Keith Emery, Chairman

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Date