

Town of Lincolnville
Planning Board Meeting Minutes
October 12, 2022
7:00 PM

1. Call to order: The meeting of the Planning Board convened at 7:00 pm in the Selectmen’s Room in the Town Office. These minutes are a summary of the Board’s discussions. A video of the meeting is at the Town Office as well as the option to view the meeting on Channel 22.

Members present: ◇ Dick Butler, Chair	Others: CEO Frank Therio
◇ Dick Vermeulen	Mark Bergeron, TRC
◇ Janis Kay	Mark Chrisos, SRE
◇ Earl Brown	Allen Mathieson, Coastal Land Surveying, LLC.
◇ Bill Norfleet, alternate	Nancy Weser, Scribe
◇ Jay Foster, alternate	George Knutson
	8 Citizens of Lincolnville

Chair Butler welcomed those who came to participate in the meeting and asked the Board to introduce themselves. Chair Butler appointed Bill Norfleet to be a voting member for the meeting.

First agenda will be the final approval of the Major Northpoint Lincolnville, LLC subdivision. Owner: Evan Colman

Location on Beach Rd, map 35 lot 4.

Registry of Deeds: Book 4808/ Page 285

Presenting: Allen Mathieson.

The Board conducted a Site Walk of the proposed property on September 22, 2022.

CEO Therio informed the Board that notices to the abutters were sent as well as notices in the newspaper for two weeks and notices could be viewed in the Town Office, Library and Post Office.

Chair Butler asked if the fee had been paid, Allen excused himself long enough to retrieve the check in his car. The amount for the project fee to the Town was \$1250.00.

CEO Therio informed the citizens present, that this would be the time, to ask questions or give comment on this proposed subdivision.

Finding of Facts

Chair Butler stated the Board would be going through LUO Article 10 Review Criteria

“ In approving subdivisions in the Town of Lincolnville, the Board shall consider the following criteria in this ordinance, and the criteria set forth in Title 30-A M.R.S.A. § 4404 and other related provisions in the state law concerning subdivisions.” “All such standards applicable to the subdivision under review shall be met by the applicant as criteria for approval by the Board”.
“Before granting approval the Board shall make written findings of fact that the provisions of this ordinance and the statutory review criteria have been met.”

10.1 Pollution: “The proposed subdivision will not result in undue water or air pollution.”

Allen Mathieson stated the proposed property isn’t in a flood plain, and a licensed soil evaluator has designed the test pits to make sure there was adequate support for waste disposals.

D. Vermeulen made a motion the criteria for 10.1 pollution has been met by the applicant and should be approved, seconded by B. Norfleet. Motion passed by a vote of 4, 0 opposed.

10.2 Sufficient water: “The proposed subdivision has sufficient water available for the reasonably foreseeable needs of the subdivision.”

Surveyor’s notes on the plat plan states there are 3 independent wells existing with subsurface waste disposal systems. Lots 3 & 4 will have independent wells and subsurface waste disposal Systems, too. D. Vermeulen made a motion the criteria for 10.2 sufficient water has been met and the Board approves 10.2, seconded by B. Norfleet. Motion passed by a vote of 4, 0 opposed.

10.3 Municipal water supply: “The proposed subdivision will not cause an unreasonable burden on an existing water supply.”

The proposed subdivision will not be using a municipal water supply, water usage will be from private wells. D. Vermeulen made a motion the criteria for 10.3 municipal water supply has been met and the Board approves 10.3, seconded by B. Norfleet. Motion passed by a vote of 4, 0 opposed.

10.4 Erosion: “The proposed subdivision will not cause unreasonable soil erosion or a reduction in the lands capacity to hold water so that a dangerous or unhealthy condition results.”

Allen Mathieson submitted a letter in the original packet stating, “All proposed or existing lots will not involve grading and or timber harvesting which changes drainage patterns and the addition of impervious surface such as roofs and driveways is less than the 5% of the 52.9 acre area of the subdivision.” B. Norfleet made a motion the criteria for 10.4 has been met and the Board approves 10.4 Erosion, seconded by D. Vermeulen. Motion passed by a vote of 4, 0 opposed.

10.5 Traffic: “The proposed subdivision will not cause unreasonable highway or public road congestion or unsafe conditions on existing or proposed roads. If the proposed subdivision requires entrance onto to state or state aid highway the applicant is required to provide documentation indicating that the driveways or entrances conform to Title 23 section 704 and any rules adopted under this section.”

CEO Therio stated the current existing lots which enter onto a State Rd have been approved by the DOT. The remainder lots will not enter onto a State Road. B. Norfleet made a motion the criteria for 10.5 has been met and the Board approves of 10.5 Traffic, seconded by D. Vermeulen. Motion passed by a vote of 4, 0 opposed.

10.6 Sewage disposal: “The proposed subdivision will provide for adequate sewage waste disposal and will not cause an unreasonable burden on municipal services if they are utilized.”

It has been determined that each lot has a subsurface water disposal system. No use of municipal sewage disposal. B. Norfleet made a motion 10.6 Sewage disposal criteria has been met, and the Board approves of 10.6, seconded by D. Vermeulen. Motion passed by a vote of 4, 0 opposed.

10.7 Municipal solid waste disposal: “The proposed subdivision will not cause an unreasonable burden on the municipality’s ability to dispose of solid waste, if municipal services are to be utilized.”

It has been determined there is no municipal solid waste disposal thus 10.7 is considered non-applicable. J. Kay made a motion that 10.7 is non-applicable, the Board determined there is no municipal service, seconded by D. Vermeulen. Motion passed by a vote of 4, 0 opposed.

10.8 Aesthetic, cultural and natural values: “The proposed subdivision will not have an undue adverse effect on the scenic or natural beauty of the area.”

The Board determined from the Site Walk on September 22, 2022, no aesthetic, cultural and natural values were present on the lots for the subdivision. J. Kay made a motion that no shoreline, no feedback from state agencies, no scenic view and no historic, criteria for 10.8 has been met, Board approves of 10.8, seconded by D. Vermeulen. Motion passed by a vote of 4, 0 opposed.

10.9 Conformity with local ordinances and plan: “The proposed subdivision conforms with a duly adopted subdivision regulation or ordinance, comprehensive plan, development plan or land use plan.”

CEO Therio stated that the Board approved the submissions for the proposed subdivision at the previous Board meeting. The Board conducted a site walk to clarify questions on the turf, grade and slope of the lots. B. Norfleet made a motion that 10.9 Conformity, criteria has been met and Board approves 10.9, seconded by J. Kay. Motion passed by a vote of 4, 0 opposed.

10.10 Financial and technical capacity: “The subdivision has adequate financial and technical capacity to meet the Standards of this section.”

A letter was in the packet, explaining from the owner, the financial capacity to meet the standard 10.10. J. Kay made a motion that from information that has been submitted, the criteria for 10.10 has been met and Board approves, seconded by D. Vermeulen. Motion passed by a vote of 4, 0 opposed.

10.11 Surface waters; outstanding river segments: “10.11 A. (2) The frontage and setback provisions of this paragraph do not apply either within areas zoned as general development or its equivalent under shoreland zoning, Title 38, chapter 3, subchapter I, article 2-b or within areas designated by ordinance as densely developed. The determination of which areas are densely developed must be based on a finding that existing development met the definitional requirements of section 4401, subsection 1 on September 23, 1983.”

A letter has been sent to the Department of Environmental Resources on the 45 acre lot 4 which has wetlands present on the property and A. Mathieson is waiting for a response from the DEP for comment/approval of the designated lot. CEO Therio stated that the proposed subdivision is in general development in the Town and there is no zoning in Lincolnville. A. Mathieson informed the Board that lot 4, will be sold as one lot, if in the future this lot will be divided the owner and contractor will have to come back to the Board for consideration on a new plan on lot 4. D. Vermeulen made a motion that the criteria for 10.11 has been met Board approves 10.11, seconded by B. Norfleet. Motion passed by a vote of 4, 0 opposed.

10.12 Ground Water: “The proposed subdivision will not, alone or in conjunction with existing activities, adversely affect the quality or quantity of ground water.”

A. Mathieson stated there will be no plan for activity that will affect the ground water other than the design of independent wells. J. Kay made a motion that the criteria for 10.12 has been met, and Board approves 10.12, seconded by B. Norfleet. Motion passed by a vote of 4, 0 opposed.

10.13 Flood Areas: “Based on the Federal Emergency Management Agency’s Flood Boundary and Floodway Maps and Flood Insurance Rate Maps, and information presented by the applicant whether

the subdivision is in a flood-prone area, the subdivider shall determine the 100-year flood elevation and flood hazard boundaries within the subdivision.”

The Board determined that the proposed subdivision is not on a FEMA map as a flood zone, 10.13 doesn't pertain to this development. D. Vermeulen made a motion 10.13 is non-applicable, for the criteria for this standard, seconded by B. Norfleet. Motion passed by a vote of 4, 0 opposed.

10.14 Freshwater wetlands: “ All freshwater wetlands within the proposed subdivision have been identified on any maps submitted as part of the application, regardless of the size of these wetlands. Any mapping of freshwater wetlands may be done with the help of the local soil and water conservation district.”

The Board determined that the requirements for 10.14 were designated on the plat plan map. B. Norfleet made a motion the criteria for 10.14 has been met, Board approves, seconded by D. Vermeulen. Motion passed by a vote of 4, 0 opposed.

10.15 River, stream or brook: “Any, stream or brook within or abutting the proposed subdivision has been identified on the maps submitted as part of the application. For purposes of this section, “river, stream or brook” has the same meaning as in Title 38 section 480-B subsection 9.

Board reviewed the submitted plat map and identified the stream and as well as identifying the wetlands during the Site Walk. B. Norfleet made a motion the criteria for 10.15 has been met, Board approves, seconded by D. Vermeulen. Motion passed by a vote of 4, 0 opposed.

10.16 Storm water: “The proposed subdivision will provide for adequate storm water management.”

A. Mathieson stated there will be no development of roadways, Board determined storm water will not be an issue. B. Norfleet made a motion the criteria for 10.16 has been met, Board approves, seconded by D. Vermeulen. Motion passed by a vote of 4, 0 opposed.

10.17 Spaghetti lots prohibited: “If any lots in the proposed subdivision have shore frontage on a river, stream brook, great pond or coastal wetland as these features are defined in Title 38, section 480-B, none of the lots created within the subdivision have a lot depth to shore frontage ratio greater than 5 to 1.”

It was determined the proposed subdivision has no shore frontage. Existing lots have no frontage of a river, stream, brook, great pond or coastal wetland. J. Kay made a motion the criteria for 10.17 has been met, Board approves, seconded by D. Vermeulen. Motion passed by a vote of 4, 0 opposed.

10.18 Lake Phosphorous concentration: “The long-term cumulative effects of the proposed subdivision will not unreasonably increase a great pond's phosphorous concentration during the construction phase and life of the proposed subdivision.”

J. Kay made a motion that there is no great pond on the proposed subdivision property, thus 10.18 standard is non-applicable for this subdivision, seconded by D. Vermeulen.

10.19 Impact on adjoining municipality: “For any proposed subdivision that crosses municipal boundaries, the proposed subdivision will not cause unreasonable traffic congestion or unsafe conditions with respect to the use of existing public ways in an adjoining municipality in which part of the subdivision is located.”

J. Kay made a motion 10.19 is non-applicable due to the fact the proposed subdivision doesn't cross municipal boundaries, Board approves, seconded by D. Vermeulen. Motion passed by a vote of 4, 0 opposed.

10.20 Lands subject to liquidation harvesting: "Timber on the parcel being subdivided has not been harvested in violation of rules adopted pursuant to Title, section 8869 (14). In reviewing this criteria, the Board shall consider the provisions of Title 30-A, M.R.S.A. §4404 (20)."

A. Mathieson stated there won't be any timber harvesting. There is a certain amount of clear cutting allowed, accordance to DEP, 20%. B. Norfleet made a motion the criteria for 10.20 has been met, Board approves, seconded by D. Vermeulen. Motion passed by a vote of 3, 1 abstain.

D. Vermeulen made a motion the Board is in agreement the criteria for Section 10 and all the requirements have been met, Board approves, seconded B. Norfleet. Motion passed by a vote of 4, 0 opposed.

Date: October 12, 2022 Planning Board voted on a major subdivision located on Beach Road Map 35 Lot 4. This is a major subdivision with four lots but one existing lot having two dwellings, giving the subdivision a total of five lots. Owner: Evan Colman DBA. Northpoint Lincolnville LLC, with Allen Mathieson, DBA Coastal land surveying, LLC presenting the application to the Board. A Site Walk was conducted by the Planning Board on September 22, 2022, on lot 3 and lot 4. Lot 4 having 45 acres at this time was approved for one lot. The Board advised Coastal land surveying any future plans for lot 4, would require a new plat plan and a scheduled meeting with the Planning Board. A copy of permit, reports and approvals from DEP to the owner must be submitted to the CEO and Town of Lincolnville. The fee for this proposed subdivision has been paid.

Voting Members: Chair Dick Butler
Dick Vermeulen
Janis Kay
Bill Norfleet, alternate

Agenda 2

Final approval review for the Lincolnville PV, LLC Lincolnville Solar Project.

Project: A 1.99 MW solar array, on 52-acre parcel on Slab City Road, map 28- lot 94

Reference: Section 18 subsection 11 Standards & Criteria

Presenting: Mark Chrisos, Summit Ridge Energy

Mark Bergeron, TRC Companies

Chair Butler opened the meeting for the participants to ask questions and comments on agenda 2.

CEO Therio stated what the process in the notification of this final approval meeting included.

A participant had an issue of the notification process and CEO stated it was a town issue, if any changes needed to be replaced it was up to the citizens to bring it to the selectmen and town to vote on it. The presenters informed the local citizens that Mr. Knutson was leasing 20 acres of the 52 for the solar arrays. A safety fence would encompass the arrays and a gate with a locked

knox box would be installed. Most maintenance would be remotely done. Jay Foster reminded the Planning Board all participants must be recorded. Karen Foley and Nancy Pike both believe there is an existence of a cemetery on the property but weren't quite sure where. George Knutson stated his family has owned the property since 1806 and he isn't aware of any cemetery on the property, definitely not in the designated zone for the solar arrays. At 8:15, the Chair closed the meeting to the participants.

Finding of Facts

Section 11.

11.1 Utilization of the Site: a. "The plan for the development must reflect the natural capabilities of the site to support development.
b. Environmentally sensitive areas, including but not limited to wetlands, steep slopes, flood plains, significant wildlife habitats, and unique communities and natural areas."

E. Brown made a motion contingent on a review of the designated fenced area of the solar arrays criteria for a. & b. has been met, seconded by D. Vermeulen. Motion passed by a vote of 5, 0 opposed.

The Planning Board is expecting a response from the SRE & TRC within three weeks, to clarify (b.)

11.2 Traffic Access & Parking: "if a development is on any roadway covered by 23 MRSA §704 as may be amended, the provisions of the statute apply and in addition."

Testimony and map design, there is a singular driveway approx. 280 feet lon. There is no internal traffic circulation and no parking.

B. Norfleet made a motion criteria for 11.2 has been met, Board approves, seconded by D. Vermeulen. Motion passed by a vote of 5, 0 opposed.

11.3 Storm Water Management: "Adequate provisions must be made for the collection and disposal of all stormwater that runs off proposed streets, parking areas, roofs, and other surfaces."

TRC response for 11.3 stated, "at the bottom of slopes, a diversion ridge will be provided to intercept runoff. Berms may be necessary to divert water around any exposed soil and runoff will be directed to a sediment trap. Slopes shall be left in a roughened condition during the grading phrase to reduce runoff velocities and erosion."

J. Kay made a motion pending the response from the DEP, on the application permit sent 09/29/22 by TRC, 11.3 will be pending, seconded by D. Vermeulen. Motion passed by a vote of 5, 0 opposed.

11.4 Erosion control: "Soil erosion and sedimentation of watercourses and water bodies must be minimized by an active program meeting the requirements of the current Maine Erosion and Sediment Control handbook for construction: Best Management Practices."

TRC response, "Refer to Attachment 5- IFP which discusses Sediment & Erosion Management. The site has been designed to meet the MDEP Stormwater Permit-by-Rule standards, consistent with Maine Best Management Practices."

B. Norfleet made a motion the criteria for 11.4 has adequate control with the silt fence, wood chips and mulch, Board approves, seconded D. Vermeulen. Motion passed by a vote of 5, 0 opposed.

11.5 Water Supply Provisions: “The proposed development shall be served by an adequate supply of water for domestic and fire protection purposes.”

TRC response, non-applicable. No water required.

J. Kay made a motion 11.5 is non-applicable, seconded by E. Brown. Motion passed by vote 5, 0 opposed.

11.6 Sewage/ Wastewater Disposal: “The development shall provide a method of disposing of sewage/wastewater that is in compliance with the State Plumbing Code.”

TRC response, non-applicable, no plans for subsurface waste water systems.

J. Kay made a motion the Board determined that 11.6 is non-applicable from the applicant’s statement. seconded by D. Vermeulen. Motion passed by a vote of 5, 0 opposed.

11.7 Utilities: “The development shall be provided with electrical, telephone, and telecommunication service adequate to meet the anticipated use of the project.”

TRC response, non-applicable, no plans needed to install said equipment, maintenance will be done remotely and no buildings on site.

J. Kay made a motion the Board determined that 11.7 is non-applicable from the applicant’s statement, seconded by E. Brown. Motion passed by a vote of 5, 0 opposed.

11.8 Natural Features: “The landscape must be preserved in its natural state insofar as practical by minimizing tree removal, disturbance and compaction of soil and by retaining existing vegetation insofar as practical during construction.”

TRC response, “Minimization of disturbance to the site has been taken into consideration and any extensive construction/grading/filling will be avoided- refer to Attachment 5 IFP.”

B. Norfleet made a motion the criteria for 11.8 has been met, seconded by E. Brown. Motion passed by a vote of 5, 0 opposed.

11.9 Groundwater protection: “The proposed site development and use must not adversely impact either the quality or quantity of groundwater available to abutting properties or to public water supply systems.”

TRC response, “non-applicable, no ground water inputs or outputs, not within an aquifer area.”

J. Kay made a motion the Board determined 11.9 is non-applicable from applicant’s statement, seconded by E. Brown. Motion passed by a vote of 5, 0 opposed.

11.10 Hazardous, Special and Radioactive Materials: “The on-site transportation, handling, storage and use of materials regulated or identified as hazardous by OSHA, EPA, Maine DEP or Office of the State Fire Marshall shall be done in accordance with all rules and requirements of those agencies.”

TRC response, “There will not be any hazardous, special or radioactive materials on site.”

J. Kay made a motion the Board determined 11.10 has been met by the TRC response, seconded by E. Brown. Motion passed by vote of 5, 0 opposed.

11.11 Shoreland Relationship: “The development must not adversely affect the water quality or shoreline of any adjacent water body.”

TRC response, “non-applicable, project does not take place in or near shoreland zoning.”

E. Brown made a motion the Board determined that 11.11 was non-applicable, seconded by D. Vermeulen. Motion passed by vote of 5, 0 opposed.

11.12 Solid Waste Management: “The proposed development must provide for adequate disposal of solid wastes. All solid waste must be disposed of at a licensed disposal facility having adequate capacity to accept the project’s wastes.”

TRC response, “not-applicable, no solid waste will be generated by the project during the operations phase.”

J. Kay made a motion the Board determined 11.12 is non-applicable from TRC statement, seconded by D. Vermeulen. Motion passed by a vote of 5, 0 opposed.

11.13 Historic and Archaeological Resources: “If any portion of the site is or has been identified as containing historic or archaeological resources, the development must include appropriate measures for protecting these resources, including but not limited to modification of the proposed design of the site, timing of construction and limiting the extent of excavation.”

TRC response, “Agency consultation letters were sent out to Maine Historic Preservation Commission and confirmed the Project site does not contain known Historic and Archaeological Resources.”

E. Brown made a motion contingent to a site walk with the owners of property, which will determine whether or not there are cemeteries or headstones on property, 11.13 is pending, seconded by D. Vermeulen. Motion passed by a vote of 5, 0 opposed.

11.14 Floodplain management: “if any portion of the site is located within a special flood hazard area as identified by the FEMA, all use and development of that portion of the site must be consistent with the Town of Lincolnville’s Floodplain Plan Management Ordinance.”

TRC response, “Not-applicable as the Project Area does not take place in a floodplain- Refer to Attachment 3- Constraint Map.”

D. Vermeulen made a motion 11.14 is non-applicable from the TRC response, seconded by B. Norfleet. Motion passed by vote of 5, 0 opposed.

11.15 General Fire Protection Provisions: “a. The proposed project must meet the requirements of the current State Life Safety Code.
b. For projects reviewed under this ordinance, the town reserves the right to require a fire protection plan showing critical code-required fire protection and life safety features for each level of structure.
c. Landscaping or other obstructions placed around structures shall be maintained in a manner that does not impair or impede accessibility for the fire department operations.
d. During construction: (1) vehicular access to all structures by fire department vehicles, shall be provided and maintained; (2) trash and debris shall be removed from the construction site as often as necessary to maintain a safe level of fire safety
e. Definitions for fire code terms are on file with the Code Enforcement Officer.”

Presenters stated, in provision A. no fuels are going to be present in construction or when project is finished.

B. Fire Department has been notified and a special lock box will be available to the fire department if needed.

C. The design of the solar arrays no road will be blocked

D. There is no design for parking anywhere .

E. CEO aware of the Fire Code terms which are on file.

E. Brown made a motion the criteria for 11.15, A through E. has been addressed and has been met, Board approve, seconded by D. Vermeulen. Motion passed by a vote of 5, 0 opposed.

12 Good Neighbor Standards: “Good Neighbor Standards shall be used by the Planning Board in reviewing applications for the site review and shall serve as minimum requirements in addition to the requirements of Section 11 and Section 13 for approval of the application. In all instances, the burden of proof shall be on the applicant who must produce evidence sufficient to warrant a finding that all applicable criteria have been met.”

12.1 Exterior Lighting: “The proposed development must have adequate exterior lighting to provide for its safe use during nighttime hours, if such use is contemplated.”

TRC response, “Not applicable; no lighting is proposed.”

B. Norfleet made a motion Board determined 12.1 as non-applicable, no lighting is in the proposed plan, Board approves, seconded by J. Kay. Motion passed by a vote of 5, 0 opposed.

12.2 Buffering: c. “A development shall provide sufficient buffering when topographical or other barriers do not provide reasonable screening and where there is a need:

(1) Shield neighboring properties from any adverse external effects of the development or

(2) Shield the development from negative impacts of adjacent uses.”

TRC response, “Refer to Attachment 5-IFP The project will have mature trees between neighboring properties and a strip of mature trees has been left between the Project and Slab City Road (see photos 2,3,& 7 in attachment 6). The nearest residence to the Project parcel boundary to the northwest is approximately 535 and this distance is forested. The nearest residence to the east is approximately 335 and this is also mature forest.”

B. Norfleet made a motion the criteria for 12.2 has been met, Board approves, seconded by D. Vermeulen. Motion passed by a vote of 5, 0 opposed.

12.3 Noise: “A. The development must control noise levels such that it will not create a nuisance for neighboring properties.

B. No person shall engage in construction activities, on a commercial site abutting any residential use between the hours of 9 PM and 7 AM and Sundays.”

TRC response, “The combined sound level of the inverters and the transformer would be around 70 dBA when observed from 3 meters (10 ft.) away. A noise level of 70 dBA is comparable to a washing machine. Noise levels decrease exponentially over a distance, and the location of the proposed equipment pad is approximately 215 from slab City Road. At this distance, the sound level would be closer to 40 dBA, which comparable to the hum of a refrigerator and is generally consistent with the ambient sound levels of a quite rural area. Construction activity shall adhere to the hours stated above in conformance with local code.”

B. Norfleet made a motion the criteria for 12.3 has been met, Board approves, seconded by D. Vermeulen. Motion passed by a vote 5, 0 opposed.

12.4 Storage of materials: “Exposed nonresidential storage areas, dumpsters, exposed machinery and areas for the storage or collection of discarded automobiles, auto parts, metals or other articles of salvage or refuse must have a sufficient setbacks and screening to provide a visual buffer sufficient to minimize their impact on abutting residential uses.”

TRC response, “Not applicable, there is no storage of materials.

D. Vermeulen made a motion board determined 12.4 as non-applicable, the proposed plan has no storage of materials, seconded by E. Brown. Motion passed by a vote of 5, 0 opposed.

Section 13: Design Standards, “The following Design Standards shall be used by the Planning Board in reviewing applications for site plan review and shall serve as minimum requirements in addition to the standards and criteria of Section 11 and 12 for approval of the application.”

13.1 Landscaping: a. “A landscaping plan must be provided as part of site design. The landscape plan for the entire site must use landscape materials to integrate the various elements on site, preserve and enhance the particular identity of the site.
b. Landscaping around parking lots.”

TRC response, “Not applicable no landscaping is proposed.”

J. Kay made motion Board determined 13.1 is non-applicable, no landscaping is proposed, seconded by D. Vermeulen. Motion passed by a vote 5, 0 opposed.

13.2 Business signs: “See Town of Lincolnville Sign Ordinance, amended 06/16/97.”

TRC response, “Not applicable, a single sign on the gate will provide owner information in the event of an emergency.”

E. Brown made a motion Board determined 13.2 is non-applicable, no business sign is planned, seconded by D. Vermeulen. Motion passed by a vote of 5, 0 opposed.

13.3 Roadside and Parking Lot Buffers: a. “A vegetated buffer strip must be established and maintained along the edge of the road right-a-way and whenever possible existing vegetative areas will be left intact.”

TRC response, “Refer to Attachment 5 – IFP for roadside buffering details. A 100-foot setback shall be provided between Slab City Road and the Project limits of disturbance.”

B. Norfleet made a motion criteria for 13.3 has been met, Board approves, seconded by D. Vermeulen. Motion passed by a vote of 5, 0 opposed.

13.4 Site Conditions: a. “Setback and Alignment of Buildings
b. Building Orientation
c. Building Scale
d. parking lot placement”

TRC response, “Not applicable, no building or parking lots to be constructed.

E. Brown made a motion Board determined 13.4 as non-applicable, site design has no building or parking lots, seconded by D. Vermeulen. Motion passed by a vote 5, 0 opposed.

13.5 Canopies and Drive-through Facilities: TRC stated project has no canopies and drive-through facilities.

D. Vermeulen made a motion Board determined 13.5 as non-applicable the project has no canopies or drive-through facilities, seconded by B. Norfleet. Motion passed by a vote of 5, 0 opposed.

13.6 View Protection: a. “a view that is identified in the Scenic View Map on file in the Lincolnville Town Office.”

TRC response, “Not applicable”

E. Brown made a motion Board determined 13.6 as non-applicable, proposed project isn’t in a

Viewshed, seconded by D. Vermeulen. Motion passed by a vote of 5, 0 opposed.

13.7 Ridgeline Protection: a. “When a proposed development is located on a hillside that is visible from a public street.”

TRC response, “Not applicable”

B. Norfleet made a motion Board determined 13.7 as non-applicable, proposed site isn’t on a ridgeline, seconded by D. Vermeulen. Motion passed by a vote of 5, 0 opposed.

13.8 Hillside Development: a. “a development located on a hillside visible from a public road.”

TRC response, “Not applicable”

B. Norfleet made a motion Board determined 13.8 as non-applicable, proposed site isn’t on a hillside, seconded by D. Vermeulen. Motion passed by a vote 5, 0 opposed.

13.9 Shoreland Development: a. “when a proposed development is immediately visible from a great pond, river, stream or the Penobscot Bay.”

TRC response, “Not applicable”

E. Brown made a motion Board determined 13.9 as non-applicable, proposed site isn’t on shoreland, seconded by D. Vermeulen. Motion passed by a vote of 5, 0 opposed.

E. Brown made a motion for approval of the application, Lincolnville PV, LLC Lincolnville Solar Project with a contingency on learning within three weeks that there is no cemetery/cemeteries or headstones on the proposed site property, seconded D. Vermeulen. Motion passed by a vote of 5, 0 opposed.

Conclusion:

Date: October 12, 2022, Planning Board voted to approve a Major Development for the Lincolnville PV, LLC, Solar Array Project located on a parcel consisting of 52 areas of woodland, and the project will occupy 19.9 acres. The facility is located at 51 Slab City Road near the intersection of Duck trap Road. The 1.99 MW solar array project to provide community distributed solar generated electricity.

Conditions of Approval

- Clarification of no cemeteries or headstone on the designed project property
- A copy from the DEP on stormwater management, which is pending as of 09/29/22.

Voting members for approval:

Chair Dick Butler

Dick Vermeulen

Earl Brown

Janis Kay

Bill Norfleet, alternate

Review of minutes:

B. Norfleet made a motion to approve the minutes of September 14, 2022, seconded by D Vermeulen. Motion passed by a vote of 3, 0 opposed at the October 12, 2022 Planning Board meeting.

D. Vermeulen made a motion to approve the Site Walk report, seconded by B. Norfleet. Motion passed by a vote of 3, 0 opposed at the October 12, 2022 Planning Board meeting.

J. Kay made a motion to adjourn the meeting at 9:10 pm, seconded by D. Vermuelen. Motion passed by a vote of 5, 0 opposed.

Respectfully submitted,
Nancy Weser, Scribe

Earl Brown made a motion to approve the minutes of October 12, 2022 with a correction, seconded by Dick Vermeulen. Motion passed by a vote of 5, 0 opposed at the Planning Board meeting on December 28, 2022.