

PLANNING BOARD MEETING MINUTES

Regular Meeting: May 10, 2022 – 6:00PM

Minutes from the May 3rd meeting and the May 10th meeting will be reviewed at the next Planning Board Meeting on June 28th.

1. **ROLL CALL:** Planning Board Members Present: Evan Cyr; Chair, Mathieu Duvall, Toni Ferraro, Stacey Leblanc, Riley Bergeron, Paul Jacques, Darren Finnegan, and Josh Daigle

Planning Board Members Absent: Brian Dubois ** Paul Jacques will be an active member due to this absence

Staff Present: Eric Cousens and Katherine Cook

2. **PUBLIC HEARING/SPECIAL EXCEPTION: RJF Morin Brick, LLC (Morin Brick)** seeks to develop a 50± acre lot on Penley Corner Road: Morin Brick proposes a clay extraction pit at PID 113-015. The project is pursuant to ARTICLE XVI, DIVISION 2 and 3, ARTICLE IV DIVISION 2 and ARTICLE VIII. The 50± acre lot is currently undeveloped land with a mixture of field and forested areas. Morin Brick plans to excavate approximately 19 total acres. The current zoning is Agriculture and Resource Protection (AG).

Staff provided their report and explanation of this proposal.

Evan & Stacey both have questions about reclaiming the road and what the plan is for this to happen.

Mathieu Duvall has questions about page 3 and the process if they do not follow practices.

Kyle Jacobson, Project Manager from St. Germain spoke and assured Planning Board members they would be following best management practices.

Motion to open Public Comment by Mathieu Duvall and seconded Riley Bergeron

No public comment at this time. Motion to close Public Comment by Mathieu Duvall and seconded Riley Bergeron

Mathieu Duvall makes a motion to approve the development of approximately 19 total acres as a clay excavation pit within the approximately 50.1-acre site identified on the tax map as Parcel I.D. 113-015 as a special exception with the following conditions:

- 1.) No construction will occur prior to receiving an excavation permit from Department of Public Works.
- 2.) No construction will occur prior to receiving a Permit by Rule (PBR) from Maine Department of Environmental Protection (DEP).
- 3.) In addition to the proposed rock entrance apron, a 3-foot-wide paved apron at the entire entrance width of the site at the same thickness of the existing pavement.
- 4.) If vehicles traveling between Morin Brick and the site will exit right and travel to the corner of Penley Corner Road and Riverside Drive (RT136) then the applicant shall place

“Trucks Entering” signs at the intersection to warn traffic on Riverside Drive of truck movement.

Above motion is seconded by Paul Jacques

Vote 7-0-0; the motion passes.

3. ***PUBLIC HEARING: Zone Change Request 278 Poland Road (Hammond Lumber):*** *The requested zone change is pursuant to ARTICLE XVII Amendments, is for an approximately 1.75+/- acre parcel located at 278 Poland Road and identified by the City of Auburn as lot (PID 199-041) and is within the City’s Suburban Residential (SR) Zone and borders Auburn’s Industrial (ID) Zone. The zoning on the property is proposed to become Industrial.*

Staff report, clarification this does not approve any site plans, this Public Hearing is strictly for zone change only

Jim Seymour, Sr. Project Manager from Sebago Technics spoke, sharing if the zone change is granted, there will be enhancements to the current building to be in ADA Compliance as well as updates to the parking lot organization.

Mathieu Duvall made a motion to open public comment, seconded by Toni Ferraro

Carol Lane of 30 Arbania St, and co-owner of 240 Poland Rd shared concerns from 2019 where she indicates the Hammond Lumber cleared the buffer of pine trees creating noise and making things louder. Also speaks concerns about the bright lights and lack of visual barrier.

Rena LaRose of Bennet Ave concerned about the industrial zone encroaching on the residential zone. Concerned about Hammond Lumber not replanting trees from 2019 incident.

Marcel LaRose owns a parcel that is soon to be part of a zone change. Confused about different zone changes.

Tim Allen of 194 Pride Rd shares concerns of idle trucks in the parking lot

Michael / Ann Nyberg of 5 Arbania St is concerned about encroachment

Douglas Snell of 321 Poland Rd shares concerns of tractor trailers parking overnight in the parking lot if this zone change happens. Concerns of speed and traffic patterns

Caroline Teves 269 Poland Rd lives directly across the lot with the proposed change. Lights shining into her home, tractor trailer trucks running all weekend, noisy. Concerned about property values.

A letter was read on behalf of Roberta Lane, co-owner, and resident of 240 Poland Rd shared concerns of the noise pollution and loss of the buffer back in 2019 due to clearing of trees allegedly done by Hammond Lumber.

A motion was made by Mathieu Duvall to close public comment, seconded by Toni Ferraro
Riley brings up the concern surrounding the cutting of trees in 2019

Mathieu questions if there is no plan, then why are we making a zone change now
Staff indicates a zone change needs to happen before a plan could be presented.

Toni and Stacey both speak opposed, feels impact of changing the zone of an acre of land.
This change and reducing buffers impact the neighborhood.

Mathieu also brings up concerns about removing buildable area headed towards the city.
Evan questions infill, if this would happen due to it being so close to Hammond
Lumber as it sits.

Mathieu makes a motion against the rezoning proposal presented today, forward a
recommend to City Council they should not adopt this change. For reason of encroachment
of industrial into existing residential neighborhood.

Seconded by Stacey

Vote 5- 2- 0 Evan then explains next steps to the public. This will next go to the City Council
and members of the public can speak and share concerns.

- 4. PUBLIC HEARING/SPECIAL EXCEPTION: 499 KW Electric Generation Novel Energy Solutions:** The solar PV project is located on Rt. 202, (PID 053-004) with project access on Washington Street, the current zoning is Agriculture and Resource Protection (AG). This project is proposed pursuant to Chapter 60, ARTICLE XVI, DIVISION 2 and 3, ARTICLE IV DIVISION 2 and ARTICLE XVIII This proposed site will be constructed to produce just less than a half megawatt (499 KW) of electric generation.

Staff Report

Josh Daigle has questions if this would go along with the Comp Plan.

Clarification that this would border the New Gloucester Town line

Brittany Krebsbach, Representative for Novel Energy, reviews the conditions and gives updates on status of each. She spoke with maintenance team regarding gate lighting, and they will remove that from plan and if lighting is needed for safety reasons, maintenance will bring their own.

Motion made by Riley to open Public Comment and seconded by Mathieu

Seeing none propose a Motion to close Public Comment, Mathieu and seconded by Riley

Discussion amongst board members

Motion made by Riley Bergeron to approve the development of Parcel I.D 053-004 during the lease period for a 499kW solar array covering approximately 19 acres with the following **conditions**:

1. Before construction, the City must receive a Determination of No Hazard from the FAA.
2. Before commencing construction, the City must receive the following documents: Certificate of Completion (COC) upon energization, signed Interconnection Agreement (IA) from CMP, and a Customer Net Energy Billing Agreement (CNEBA).
3. Before commencing construction, the City must receive the Solar Decommissioning Permit reviewed by MDEP.
4. An updated plan providing means of shutting down the solar energy generating system will be provided before construction and will be marked on-site as built.
5. The Applicant will provide a more detailed vegetation maintenance and management plan for staff review prior to construction.
6. If there is lighting at the front gate it will have a motion sensor and not be on unless there is activity at the site.

Seconded by Mathieu Duvall

Note: Motion from Mathieu Duvall, second from Riley Bergeron to amend the number from 599kW as written on the staff report to 499kW to reflect the actual number.

5. PUBLIC COMMENT: No Public Comment

6. PLANNING BOARD ITEMS FOR DISCUSSION:

- a. Evan brings up Joshua's concern about parking & idle vehicles.
 - i. Joshua does recommends having discussion or changing the ordinance for idle vehicles. Possible workshop to discuss the current ordinance.

7. MISCELLANEOUS:

- a. Upcoming items likely for June:
 - i. FB Environmental Model on Watershed Findings – Staff projects this report will be ready for June 28th meeting
 - ii. Washington Street Housing Project – (Market Rate apartments)
 - iii. Five Guys Burger Drive-Thru
 - iv. Lewiston Junction Road Recycling Facility

8. ADJOURNMENT:

- a. Next Planning Board Meeting is on June 28th