The Planning Board met on Thursday, June 14, 2018, at the Chebeague Recreation Center beginning at 7:00 PM

**Planning Board Members Present:** Bob Earnest, John “Chip” Corson, Kyle Koerber, Carol White, Caitlin Bowman

**Also present:** Steve Hinchman of ReVision Energy, Marjorie Stratton, Gloria Brown, George Bates, Leila and Suhail Bisharat

1. **Call Meeting to Order:** Chair Bob Earnest called the meeting to order at 7:01 PM.

2. **Review minutes**
   Carol asked that Jane Frizzell’s question asked during the May 22 meeting regarding siting the solar array on the old landfill be included in the minutes.

   **Motion:** Moved by Chip Corson and seconded by Kyle Koerber to accept the minutes of the May 22, 2018 meeting as amended.

   **Vote:** 4 – 1 (Caitlin Bowman abstained)

3. **Review current version of ReVision Energy’s proposed municipal solar project application for completeness (site plan review)**

   - Carol asked if this public hearing had been properly noticed. Marjorie presented a copy of the notice published in the newspaper. The notices placed around town indicated a planning board meeting, but not a public hearing.

   **Motion:** Moved by Chip Corson and seconded by Caitlin Bowman to continue with the public hearing as planned.

   **Vote:** 5 – 0

Review of revisions to the application submitted since the May 22nd meeting.

- The engineer’s stamp and seal on every print; done
- Location of the septic leach field and septic to be included on A-04 and A-05; done
- On A-05 include the direction of proposed surface water drainage across the site after development, including impacts on down-stream
properties; done. Plan shows flow toward a wet area on the same property.

- Aerial photos to be dated; sources now shown on A-05, A-04 and A-02
  - Vicinity map and project rendering are not dated; consensus of the Board is that application requirement has been met.

**Motion:** Moved by Kyle Koerber and seconded by Chip Corson that the application is complete.

**Vote:** 5 – 0

Carol asked if CEO Jim Butler has received an answer from DEP regarding the Planning Board’s question regarding the wet area on the site. Jim has not been successful in getting a reply from DEP. He suggests that the Board make receipt of a favorable answer a condition of approval. Steve expressed his concerns that DEP may never give a reply. Marjorie will contact DEP.

**Public Hearing**

**Motion:** Moved by Carol White and seconded by Chip Corson to open the public hearing at 7:22 PM.

**Vote:** 5 – 0

- Steve presented the updated submittals as outlined above. On A-04 and A-05, Steve pointed out GIS data from 2006-2013 and the contours on are representative of that time period. A-04 is close to current conditions, largely accurate. A-05 is post-construction. Steve reported that he met with Chuck Elder of the Town’s Public Works Department. Chuck verified the locations of the culverts, septic tank and leach field locations. Steve reported that Chuck said that there’s a spot back there that fills up with water for a couple weeks in the spring and then dries up for the rest of the year. Most of the area is not cat-tails. Chuck also said the water flow is from south to north and that it is a closed basin, acts as a stormwater catchment pond. It does not drain off the property.
- Suhail Bisharat suggested having a soils test done. He agrees with Steve that the wet area is a catchment.
- Leila Bisharat pointed out that the wet area is not designated as a wetland and has not gone through the process to be declared a wetland. Water catchment area or runoff catchment area would be more appropriate.
• Bob explained that the Applicant and Board had agreed to forego a soils engineer report to avoid additional costs for the project. Also, it appears possible that a wet area was at some point in time filled over, without such engineering studies and any possible required permit that might have been required at that time. That’s the basis of the Board’s question to the DEP about what our position or process should be in this situation.

• Caitlin pointed out that it’s a teeny, tiny wetland on a teeny, tiny island, and might be significant, and there are cat-of-nine-tails growing there. Bob prefers to refer to the area as a wet area.

• Leila pointed out the possibility that historically the whole area may have been a large wetland including the area now used by the town garage.

• George Bates said he has been concerned since the town garage was built in 1995 about leachate from road materials getting into the water table.

• Carol suggested that the CEO be asked to look at the site plan for the town garage to see if we are in compliance with the conditions of the original major site plan. So that activities may be occurring which were not permitted by the original site plan. This issue is not related to this project.

• George was concerned that there be no additional lighting as part of this project. There is not. And transmission poles will be sited by CMP.

• Carol said paragraph 2 indicates that the cemetery is the only abutter, but George was present as an abutter. The question was about definition or characterization of the word “abutter.” Steve’s meaning was that the project will not interfere with neighbors’ view shed.

• Carol asked that the designation on the plans of “wetland” be changed to reflect the discussion above (seasonal catchment basin) and resubmit the paperwork.

• Leila, abutter: how much of the solar array will be visible to passers-by on Littlefield Road. Bob estimated one may see the back of the top row of solar panels. Leila stated she has no objection to seeing solar panels (panel is approximately 3’ x 12’) from the road. She is in favor of pursuing in another manner the compliance of the Town of Cumberland with the conditions of the original site plan from the 1990’s.
Steve reported that the conditions of the original site plan included residential buffers that were never implemented. If implemented, the buffers would mostly screen the solar array.

Steve stated that the project will reduce the slope of the pile, reduce erosion and not require any fill.

**Motion:** Moved by Chip Corson and seconded by Carol to close the public hearing at 7:40 PM.

**Vote:** 5 – 0

**Deliberations**
The Board considered the application and the standards for site plan review to discuss the project and make findings of fact. The Board approved the ReVision Energy application with conditions. (See attached Findings of Fact document.)

**4. Discuss June 19 workshop**
Review and hopefully sign ReVision Energy Findings of Fact
Internal Planning Board re: Comp Plan in preparation for a public meeting
Plan the public meeting, including publicity
Also, next steps for zoning ordinance changes

**5. Other business**
For next regular meeting July 10: add Bisharat/Bates concerns to the agenda

**6. Public comment** -none

**7. Adjourn**
**Motion:** Moved by Kyle Koerber and seconded by Chip Corson to adjourn the meeting at 8:35 PM.

Respectfully submitted,

Gloria J. Brown
Deputy Town Clerk