**Fryeburg Planning Board**

**September Meeting Minutes**

**September 28, 2021 – David and Doris Hastings Community Center**

**Members in Attendance**

Patrick Emery, Edy Kizaki, Tom Rebmann, Charlie Buterbaugh, John Testa, Eli Goodwin (Alternate)

**Call to Order**

Emery called the meeting to order at 6:03 p.m. It was determined that there was a quorum.

**Approval of August 24 Meeting Minutes**

Rebmann made a motion to approve the minutes. Seconded by Kizaki. Vote: All in favor (5-0).

**Review of Pre-Application Sketch Plan for Meehan Lots**

Stephen Meehan presented his plan for a 5 lot subdivision off of Hemlock Bridge Road. He noted that one of the proposed parcels has already been gifted to a relative, so the proposal will be for 4 lots. There is an existing right-of-way to the back lot and a proposed right-of-way to serve the 2 middle lots. The 2 remaining lots will be accessed from Hemlock Bridge Road.

Rebmann mentioned road standards will apply to the new right-of-way.

The Board unanimously approved the pre-application sketch plan and invited Meehan to submit an Application for a Minor Subdivision.

**Review of Land Use Authorization Application for 11 Pine Street Senior Housing**

Joshua McAllister, representing HEB Engineers as the Agent for Avesta, presented the proposal to the Board. Essentially: demo existing buildings, construct new 2 story 28 unit senior housing. Abandon driveways on Portland Street and otherwise improve the lot. The proposal includes 37 parking spaces, while the ordinance requires 56; as such, a waiver has been requested. Septic will be disposed on the back portion of the lot and storm water will be infiltrated on site.

Rebmann asked about the façade. McAllister: brick/composite siding. Goodwin asked about the landscaping and brought up several points including the proposed use of chanticleer pears (invasive species) and the density of screening plantings. Goodwin also inquired why parking was not placed in the back lot. McAllister noted that the elevation change prevented parking out back, also they may place solar there or community gardens. There was brief discussion of the proposed lighting. The project will use dark sky certified fixtures and no glare will be seen off property.

Kizaki asked if Fryeburg residents would be given priority. An Avesta representative stated that it was not legal to do so, but generally, the residents are local at their other projects. Rebmann asked about common space – yes there will be a common laundry, indoor trash disposal, and a patio outside.

Construction is expected to begin in Spring 2022 and continue for 12-14 months. Buterbaugh re-iterated the Board’s desire to see a more detailed landscape plan.

Emery made a motion to find the application complete. Rebmann second. Vote: All in favor (5-0).

Emery made a motion to hold a public hearing related to the application on October 26, 2021 at 6:00 pm Buterbaugh second. Vote: All in favor (5-0).

**Review of Land Use Authorization Application for BD Fryeburg Solar, LLC**

Sean Theis, representing Haley Ward Engineers presented on behalf of the applicant, BD Solar Fryeburg (aka Dirigo Solar). Theis gave a brief summary of the proposal to establish a 4.9 MW solar generating utility on property currently leased from the Town to the Eastern Slope Regional Airport. This was followed by a brief statement from an engineer from Dirigo named Audrey P. She noted that the team considered 20 sites in Fryeburg before choosing the airport, also that it was their understanding that no wetlands permits would be needed. She noted that local approval must be obtained by 12/31/21, but that they need only apply for state and federal approvals by that date. Finally, she stated that the lease option agreement between Dirigo and the Airport is legal interest enough to provide standing to apply.

There was discussion of the proposed access road location. It begins on an existing snowmobile trail and continues on a new road. The existing portion will be improved. There was significant discussion of the proposed road construction details, the potential impact to wetlands and Round Pond, the potential for erosion, the various other locations that could be considered, and other topics related to access. In general, the Board was very skeptical that the applicant had completed its due diligence regarding road location and design.

Buterbaugh asked about the expected life span. Theis stated that it was 25-30 years for the panels, but that they could be replaced. He also noted that the DEP requires a continuously updated estimate for decommissioning costs along with an escrow account with the requisite sum. Rebmann asked if Dirigo maintains or sells its developments. The Dirigo representative stated that she expects them to keep this site, but it depends.

There was some discussion of whether the applicant has sufficient “right, title, or interest” The applicant has offered a lease option agreement with the airport as well as the town vote to allow such a lease (or similar). In the ensuing discussion, it was clear that the answer to the question of right, title, or interest was not resolved.

Buterbaugh made a motion to extend the period for review of application completeness until October 26, 2021. Kizaki second. Vote: All in favor (5-0).

**Other Business**

No other old or new business was discussed.

**Public Forum**

Resident Abby King read a letter she wrote to the Board regarding the BD Solar application (the letter has been entered into the record).

Resident Tom Kingsbury stated that the Board was out of line to allow King to speak on the open application, currently under review at the public forum; insisting that it would have more appropriate to hear her comments at a public hearing.

**Approval of September Code Enforcement Officer’s Report**

Emery made a motion to accept the report. Rebmann second. Vote: All in favor (5-0).

**Adjourn**

Emery made a motion to adjourn. Buterbaugh second. Vote: All in favor (5-0)

The meeting was adjourned at 8:29 p.m.