TOWN OF HARRISON

HARRISON PLANNING BOARD
MEETING MINUTES
DECEMBER 11, 2019

Board Members Present: Chairman James Dayton, Vice-Chairman Richard St. John, Brian Spaulding, Colleen Densmore, Wendy Gallant, Assistant CEO Jim Fahey, Secretary Kristen MacDonald

Public Present: Renee’ Carter, Marilyn Hatch, Martha Denison, John Friend, Dale Knapp, Chris Byers, Zachary Chart, Jason Mclver, LRTV, Kevin Brusie, Sharyn Beth Paul

The meeting was called to order at 6 pm by Chairman Dayton and a quorum was determined.

1. Old Business:

   a. Approval of the Meeting Minutes for November 6, 2019
      Richard moved, Wendy 2nd to approve the minutes for 11/6/19 as written. All were in favor.

   b. Site Plan Review Application – Renee’ Carter – 758 Naples Rd. – Art Studio
      Renee is asking the Board to disregard the regular septic plan and to allow for her to have a holding tank. The Board had held a site walk on 11/22/19 to determine why she could not put in a conventional system. Colleen stated that she saw with the location of the well and how wet everything was out back that it would be difficult to put a conventional system vs. the holding tank based on the volume of what she is doing in that space and it’s clearly not living space. Brian Spaulding agreed. Richard commented that for the level of use he thinks a holding tank is sufficient but he would recommend that if they make any approval from this Board put the condition of her getting holding tank approval from the State and the Board of Selectmen.
      The Board asked if Renee had the paperwork that they had talked about her needing to turn in at the last meeting which would include the letter from

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Longview Partners stating that she cannot do regular septic at that location and why and also a copy of the agreement signed by Rick Dyer, the holding tank pumper, the copy in her packet was not signed. Renee’ forgot to get those for the Board. The Board would like to have that documentation first. Chairman Dayton would like a copy of the inspection also and they will see her at the next meeting.

c. Site Plan Review Application – Marilyn Hatch/Scribner’s Mill Preservation 251 Scribner’s Mills Rd. – Map 16 Lot 5
Marilyn first wanted to mention that the Town was right on the ball and came out and did the remediation. They cleaned out the two run offs up the road and created a run-off right behind the Mill property and put riff raff in to keep it from eroding and they have done a tremendous job. Marilyn stated they met with her the next day after the meeting and said it would be done before snow flies, and it was.
Ms. Hatch stated that she made a map of where she can revegetate and worked with Del Maxfield as to the area. She shared figures with the Board and it was only 2% out of the 2,359 square feet of what they need. There is a two-rod road that runs right next to the Mill and they can’t revegetate the road and then behind there is an ease-way back to Dale and Jesse Scribner’s property so she is asking for a variance because of the historic nature of the property. The Board told her they cannot grant variances and she would need to apply for a variance with the Board of Appeals. Chairman Dayton stated the Board is required to keep 20% vegetation for the shoreland zone and that she is obviously not there.
James moved, Richard 2nd to reject Scribners Mill Preservation revegetation plan because it does not meet the minimum of 20% vegetated area in shoreland zoning. Any discussion?
Richard stated that the application is complete other than that one item.
Martha Denison asked for clarification because the application was approved to build the shed, but the revegetation plan is being denied so does that mean the building permit is denied? Marilyn replied that we got the approval to build the exhibit shed but we cannot do it until we get a variance. She asked the Board if that is correct and the Chairman said that was correct. Jim Fahey got Marilyn an application for a variance. Chairman asked if all were in favor of the denial? All were in favor.

2. New Business:

a. Preliminary Site Plan Review Application – ISM Solar Development, LLC 40 Bolsters Mills Rd. – Map 49 Lot 10
John Friend, Project Manager spoke about the solar project
Recently there is some new legislation about the public utilities commission to allow some programs in Maine for distribution. Dale Knapp, a Maine certified Solar Scientist, Site Evaluator and has been doing environmental work in Maine for 20 years. He was brought in by ISM to help evaluate the site for its viability and get the application together, introduce the project to you and answer your questions. It’s a 19 acre parcel and could serve roughly 600 homes.
Assistant CEO Jim Fahey informed the Board that he spoke with DEP and they would need a permit by rule. Richard commented there is also a general Construction permit required for a soil disturbance over an acre. Wendy asked if they are looking to sell shares. They replied there are 3 different programs right now and they are finalizing the exact specifications and rules for those 3 programs by January 1st. They will have more clarity soon. One of them is Community Solar Program which people can buy into. There is one for commercial and there is one that is an auction process. They are not sure which program this project will fall under yet but will get back to us. Colleen commented that the potential to renew the lease upon its expiration and the investment in the community is really quite significant. To have it be a zero impact while it contributes to clean energy is a significant step forward for this town. The Board discussed whether or not they should have a public hearing. The Applicant asked if they could do an Open House where they can talk with people and have light refreshments instead before the Boards Meeting. Chairman Dayton also brought up that their next regular meeting lands on New Years Day and would they like to meet on January 8th instead.

Richard moved, Colleen 2nd to have their regular scheduled meeting on January 8th, 2020. All were in favor.

Chairman Dayton moved, Richard 2nd to have an open house on January 8th from 5 – 6 pm for the purpose of getting the towns people and the solar company’s together so they can all be on the same page. All were in favor.

b. Preliminary Site Plan Review Application – Moose Solar, LLC - Norway Rd. Map 51 Lot 1
Chris Byers spoke about this solar project which is close by and is very similar to the other project. The thought behind this project is to minimize disturbance to the wetlands. There are no streams, it’s pretty flat and fully wooded. The facility will be around 14.5 acres. It has an access road on Kimball Rd. That would be where construction happens as well as the long-term operation and maintenance of the project exists. It will be a neighbor to the CMP transmission line but abutters will not see it and there is also a good tree buffer from Norway Rd. There are a lot of similarities as the other solar project with municipal offtake opportunities. The Board will have them attend the Open House as well before the next meeting.

Richard moved, James 2nd to add Moose Solar to the Open House on Jan. 8, 2019 from 5 – 6 pm. All were in favor.

c. Preliminary Site Plan Review Application – Zachary Chart – Indoor Cultivation Property Owner: Steven Jones – 7 Plains Rd.- Map 50 Lot 14
Zachary stated that he has been a caregiver since 2016 and currently grows in Brunswick and has a marijuana license with the Town. He wants to turn that into a retail location and move the cultivation into this bigger facility. He has signed a two-year lease with the owner of this property. Richard asked Zachary if it was for medical purposes and he said yes it was. Richard stated that the
Town hasn't opted in for anything with marijuana but medical is different. Wendy asked if he had spoken to any neighbors about this and he replied that yes he has and they are ok with it. Colleen stated that she did have someone on his list of abutters come to her about this project and abject. Richard asked what his time table was and Zachary would like to do it as soon as possible because it is a 6-8 week waiting period for the telephone pole and transformer from CMP, so within 2 months would be ideal. Colleen asked if he uses automated watering and nutrient systems and he replied yes we do. She then asked, when that needs to be drained where does that go to? Zachary said basically they are going to cut a hole into the concrete, put a sub pump in it, put it thru the attic and it will end up in the septic. Chairman Dayton said that he is concerned that dumping that much nutrients in the system is going to kill it. Zachary responded that there isn't too much run off on the style that he grows. Colleen asked how much? Zachary said maybe around 20 gallons a day. Richard asked if he has the septic design to the facility. Zachary said he got it inspected a few weeks ago. Colleen said that just states that it is functioning, not that it can handle all these nutrients and chemicals going in. Her concern about the nutrients going in is because of the river. Her understanding is that it's not appropriate for the septic system and she knows that it isn't for the river. Asst. CEO Jim Fahey said they don't have anything on file for the septic system. Chairman Dayton asked the applicant about how he is dealing with the mold in the building because every other tenant has told him that there is a terrible mold problem there. Zachary said that the previous tenant was growing there so he just assumed that everything was already done thru the Town and done the right way. Colleen said that the mold issue is why the tenant left, and the tenant before that too just so the applicant is aware. Zachary believes that is a grower error and he didn't have enough dehumidifiers. Richard commented that he suspects that there is a designer error in the building that is not allowing any of that moisture to escape. Brian asked if they could get any assistance from the State as far as the design for a septic system in a situation like this. Richard replied they should definitely get an opinion from the State as far as what can go into a tank and especially since its near the river. Richard also said the Board should check with legal because the Town has not opted into any marijuana cultivation processing. Zachary said he believes that is only for the recreational. Richard said it did not state on the application that it is just for medical. Wendy asked what kind of traffic would be expected. Zack said he may have 2-3 employees. So probably 3 cars. Total of 4 people in the building max. Brian asked if this application would be a good candidate for a holding tank, as a recourse if it he couldn't use the septic system. Richard stated he would defer to Mr. Dyer for a definitive because he is under a lot of restrictions at his facility and how its processed. Richard stated most of these proposed facilities are going into industrial buildings because most of these buildings are typically on some sort of treatment plant system where you have many thousands of gallons being treated. Richard asked if the Board will be doing two meetings next month because of needing a public hearing and notices to abutters.
James moved, Brian 2nd that in January they will be having two meetings, one on Jan. 8th and one on Jan. 22nd. Public hearing on Jan. 22nd at 6 pm, meeting to follow. All were in favor.

d. Preliminary Shoreland Zoning Permit Application – Main Eco Homes
Property Owner: Sharyn Beth Paul & Kevin Brusie – 10 Harrison Pines – M45 L49
Jason from Main Eco Homes talked about the project of tearing down and rebuilding. One thing they are asking for is the 11 feet to property line and not the required 25 feet. He believes it is a hardship situation because the lot is so small but they are moving it further away from its existing place and making it more conforming. They will be improving the septic system as well. The roof on the porch needs to be under 20 feet in height. Richard said the 100 ft line is not shown on the map at all. Jason said it is just a standard key on there, but it does show the measurement from that front line to the closest water point of 75 feet.
Applicant would need to go to the Appeals Board for the setback variance. Assistant CEO Fahey explained to the homeowners that it’s the design of the house that is causing the hardship, not the lot itself. They could still put a new house within that footprint and meet the setbacks. Fahey stated that it will be hard to get thru the Appeals Board because they are creating the hardship with the size of the house. They are making it more conforming but that side setback will be the issue.
The Board set a site walk for December 20, 2019 at 1:00 pm.
Wendy noted the following points:
1. Board needs the height of the front porch
2. Need height of the front porch roof
3. Where is the 100 ft. setback line
4. Recommending survey lines are accurate
5. Board can’t approve 11.5 feet on abutter line

3. Next Meeting:

January 8, 2020 – 6:00 pm (Open House 5 pm)
January 22, 2020 – Public Hearing 6:00 pm with meeting following

4. Adjourn:

James moved, Colleen 2nd to adjourn at 8:20 pm. All were in favor.

Chairman James Dayton
Secretary Kristen MacDonald