

## Minutes for Monday, January 13, 2020 Planning Board Meeting

**1. Call to Order:** The meeting was called to order at 7:05 PM.

**2. Introduction of Attendees:** Present were Planning Board (PB) Members: David Johnson (Chair), Laura Chadbourne (Secretary), and Alternate Member Bill Graham. Absent: Members Kevin Taylor, Melanie Eldracher, Morris Gibely, and Alternate Member Ron Kiesman. In accordance with the PB By-laws, Bill Graham was designated by the PB Chair to serve as a voting PB Member. Code Enforcement Officer (CEO) was unable to attend due to inclement weather. Additional attendees were Mr. Jack Kenworthy and Mr. Henry Weitzner, co-founders of Walden Renewables, plus Mr. Richard Jordan from Flycatcher, LLC.

**3. Minutes from the December 17, 2019 Meeting:** The minutes were reviewed by the group. David Johnson moved to approve the meeting minutes as written. Bill Graham seconded the motion. The motion passed unanimously.

### **4. CEO's Reports for November and December 2019:**

Laura Chadbourne moved and Bill Graham seconded that the CEO's November and December reports be tabled until the next PB meeting when the CEO would likely be in attendance. The motion passed unanimously.

### **5. Communication & Bills**

#### **A. Correspondence Received and Sent (by date)**

1. Ltr from PB dated 12-17-2019 to Sweden Board of Selectmen (BOS), requesting an article in the town's 2020 Warrant to see if the town will vote to take from surplus up to \$25,000 to revise Sweden's Zoning Ordinance and Subdivision Regulations. Letter also requested that the PB annual carry-over amount be increased to \$10,000.
2. Ltr (emails) to and from PB dated 12-27-2019 to 1-3-2020 and Aimee Heath (Map U-01, Lot 2). In response to PB request for more information, Aimee Heath forwarded a revised building permit application for a dock for PB consideration under Article XIII "Conditional Use" of the town's Zoning and Land Use Ordinance.
3. Ltr (email) to PB dated 1-5-2020 from Doug Porter on behalf of the Sweden Historical Society (SHS), attaching documents for PB review regarding request from the SHS to conduct electrical work on the brick schoolhouse (Map R-05 Lot 41).
4. Ltr (email) from PB Secretary dated 1-8-2020 to BOS, attaching detail substantiating the PB's Warrant request from 12-18-2019, as requested by First Selectman Ryan Fowler in an email from 12-18-2019 to the PB.

### **6. New Business:**

- A. **Sweden Historical Society:** Mr. Douglas Porter, representing the Sweden Historical Society (SHS), presented information that SHS had previously presented to the Sweden Board of Selectmen (BOS), requesting funding from the town (via placement in the town's

## Minutes for Monday, January 13, 2020 Planning Board Meeting

annual Warrant) in the amount of \$8,250.00 to install electricity in the 1854 Central Schoolhouse. It was noted that the Planning Board (PB)'s purpose is not to opine on the funding request, but the PB appreciated that SHS was bringing the information to the PB for awareness and to understand if PB would need to review for approval any of the upcoming efforts to improve the Schoolhouse.

PB members asked what the building would be used for. Doug explained that its main function would be as headquarters for the SHS. Activities would include monthly meetings, workshops, a place for kids or interns to learn and potentially help organize/scan SHS information.

It was also asked why the request for funding was being directed to the town, and whether SHS was working on securing funding from grants. Doug noted that SHS has a strong relationship with the town, with SHS members having done a lot of volunteer work such as fixing stone walls, trimming trees, and organizing events like "Sweden Days". In regards to grants, currently no one in SHS knows how to write them, but two members could possibly learn. PB members suggested SHS talk with other historical societies or groups locally who have this expertise, for example Kathy Stone from the Lovell Historical Society. A PB member pointed out that back in 2013, the transfer of ownership of the Schoolhouse was predicated on the SHS obtaining grant funding for the renovations.

In regards to PB involvement for the building upgrades, the PB noted that the Schoolhouse and the Blacksmith's Shop are in Sweden's Residential Zone. SHS needs to determine how they intend to use these buildings to be sure the uses are allowed according to the town's Zoning Ordinance. The Article in the 2013 Warrant for Town Meeting where the transfer was approved requires: "development of the Schoolhouse as a museum, library, and/or meeting site." If so, SHS will need to apply for a Conditional Use Permit which would require PB review before a building permit can be issued.

In addition, before even coming to the PB, in accordance with State law, the SHS will need to obtain approval for the plans from the state's Commissioner of Public Safety (CPS) – or confirmation from CPS that CPS does not need to review the plans.

**From the State Fire Marshall's Office: About Construction Permits** No property owner, agent, or representative of the owner may construct, alter, or change the use of any structure to become a public building without first obtaining a permit from the Commissioner of Public Safety.

State of Maine Laws for the Fire Service may be referenced at Fire Service Laws Construction Permits are required for public buildings, whether it is new construction, renovation work affecting fire safety elements, or change of use. The construction permit will be required regardless of the project cost. The list of "public buildings" below is not all-inclusive. Please call (207) 626-3880 if you are not certain whether or not your project will require a construction permit from the State.

## Minutes for Monday, January 13, 2020 Planning Board Meeting

These steps protect SHS from spending money on the building and then not being able to use it because the work was out of compliance with regulations. An additional benefit of having a compliant and state-approved plan is for grant funding.

The PB offered to send a follow up letter to SHS outlining the points made at the meeting. Doug thanked the PB for the information.

- B. **Walden Renewables Solar Project:** Introductions were made: Mr. Kenworthy is CEO and Mr. Weitzner is COO of Walden Renewables who are solar developers. Mr. Richard Jordan is from Flycatcher LLC, a firm offering support for environmental permitting who is partnering with Walden. A formal presentation with handouts was made by the three attendees, with several questions asked by PB members along the way. This was an informal, informational session and not a formal review of an application by the PB.

Key points:

- Walden has been in business since 2011, has completed 11 solar projects in the US, including some in Maine (details in the presentation)
- This proposal is for a 150 acre project in Sweden, off Knight's Hill Road. Lease with landowner is in place. Lease is for 30 years and funding would be set aside for decommissioning at the end of that time.
- Benefits: clean energy, low impact, tax revenues to town.
- Extensive state-level reviews would be required for environmental impact and other potential impacts. Initial analysis of the site by Walden shows little impact and Walden expects that the state reviews will lead to approval for the project.
- Walden realizes that the project must be formally reviewed by the town using processes outlined in the Sweden Zoning and Land Use Ordinance (ZO).
- The land is wooded (has been timber harvested in the past). Clear-cutting of the land would be needed to install the project. Once solar panels installed, the land around the panels would be seeded with vegetation (mowed occasionally so as not to block the solar panels).

PB members asked if Walden was aware that the town's ZO did not allow for clear-cutting of timber in larger spaces than about 5 acres. Walden is aware and one of the goals of this meeting was to determine the appetite the PB and town might have to allow this project to proceed. Walden recognizes that the ZO would need to be amended to allow for the project. PB member also pointed out that the town's Comprehensive Plan would need to be reviewed vis a vis this project as well.

PB noted that the townspeople ultimately would need to decide on changes to the ZO to allow this project; it's not up to the Planning Board.

Walden noted that they are willing to fund professional service fees and subject matter experts to help the town in the review process.

## Minutes for Monday, January 13, 2020 Planning Board Meeting

The Walden/Flycatcher representatives thanked the PB, said they would be in touch, and departed.

- C. **Heath CUP:** The PB began to review the Conditional Use Permit (CUP) application materials from Jim Heath (Map U-01, Lot 2) for completeness of application. However, given that the meeting had already run nearly 2 hours, the PB halted the process, noting that a site visit could not be scheduled until the snow melted anyway which is a few months off. Laura Chadbourne made a motion to table the review of the Heath Conditional Use Permit until a future meeting. Bill Graham seconded the motion. The motion passed unanimously. Laura will contact the applicants by email with an update.

### 7. Old Business:

- A. **Warrant for PB Funding:** The PB discussed status of warrant submitted to the Sweden Board of Selectmen on 12/18/19 for funding to update the town's Zoning Ordinance (ZO) and Subdivision Regulations, including the question emailed from Ryan Fowler regarding splitting cost over two years. The PB determined quickly that it has no appetite for splitting the cost over two years; the ZO updates are far overdue and putting the town at risk given that our ZO does not conform with state law, particularly in Shoreland Zoning. The PB had begun the process of updating the ZO one year earlier with the help of the PB Assistant; however, actions of the BOS in spring 2019 caused the PB Assistant to no longer be able to support this effort. Laura Chadbourne offered to attend the next BOS meeting on behalf of the PB to reinforce the importance of including the funding warrant article on the Town Meeting Warrant.

### 8. Announcements:

- A. The next regular Meeting is scheduled for Tuesday, February 18, 2020 at 7:00 PM at the Sweden Town Office.

A motion was made to adjourn the meeting. The Chair adjourned the meeting at 9:10 PM.

Respectfully submitted,

Laura Chadbourne,  
Secretary, Sweden Planning Board