

Minutes for Tuesday, June 16, 2020 Planning Board Meeting

Note: this meeting was held by video-conference as allowed by State of Maine emergency measures put in place in March 2020 in response to the COVID-19 pandemic.

1. Call to Order: The meeting was called to order at 7:19 PM.

2. Introduction of Attendees - present were:

- **Planning Board (PB) Members:** David Johnson (Chair), Laura Chadbourne (Secretary), Morris Gibley, Melanie Eldracher, and Alternate Member Bill Graham. Absent: Members Kevin Taylor 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)** Arthur Dunlap
- **Planning Board Assistant** Julia McQueen

Additional attendees:

- **Walden Renewables:** Jack Kenworthy and Paul Williamson of Walden Renewables and Rich Jordan of Flycatcher LLC
- **Nexamp:** Ben Axelman
- **Woodard & Curran (engineering / project mgmt for Nexamp):** Darren Stairs
- **Frank LaRosa and Charlotte Riley,** property owners in Sweden and interested parties re: Nexamp solar project

3. Minutes from the May 28, 2020 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 Report for May 2020:

Arthur presented the report. Bill Graham moved and Melanie Eldracher seconded the acceptance of the CEO reports for May 2020. The motion passed unanimously.

5. Communication & Bills

A. Correspondence Received and Sent (by date).

1. Ltr (email) from PB dated 5-18-2020 to Jane Lichtman ([Map R-4, Lot 29](#)), director of Camp Tapawingo regarding the Conditional Use Permit (CUP) application submitted by Aimee and James Heath ([Map U-01, Lot 2](#)) for a dock. Email confirmed conversation between PB Secretary and Ms. Lichtman that the public hearing would proceed forward the following evening as planned since the PB had mailed notification of the hearing to Camp Tapawingo (aka Janel, Inc.) as required by the Sweden Zoning Ordinance.
2. Ltr (email with attachments) to PB dated 5-19-2020 from Ardelle Foss ([Map U-02, Lot 02](#)) regarding the Conditional Use Permit (CUP) application submitted by Aimee and James Heath ([Map U-01, Lot 2](#)) for a dock on Keyes Pond. Attachments: memo outlining concerns about the proposed dock and a depth map of Keyes Pond.
3. Ltr (email) to PB dated 5-19-2020 from Joan Howard ([Map U-03, Lot 05](#)) regarding the Conditional Use Permit (CUP) application submitted by Aimee and James Heath ([Map U-01, Lot 2](#)) for a dock on Keyes Pond. Email expressed concerns about the proposed dock.
4. Ltr (email) from PB dated 5-19-2020 to James and Aimee Heath ([Map U-01, Lot 2](#)), confirming that the PB would reconvene on May 28th via video conference to continue the review of the Heath's CUP application for a dock on Keyes Pond.
5. Ltr (email) to PB dated 5-21-2020 from Jim Bingham ([Map U-03, Lot 03-D](#)) regarding the Conditional Use Permit (CUP) application submitted by Aimee and James Heath ([Map U-01, Lot 2](#)) for a dock on Keyes Pond. Email expressed concerns about the proposed dock.

6. Ltr (email) to PB dated 5-22-2020 from Aimee Heath (Map U-01, Lot 2), amending the Heaths' CUP application to change the length of the dock from 34 feet to 24 feet.
7. Ltr (emails) to and from PB dated 5-21-2020 and 5-24-2020 and Hannah Welsh, regarding her property at "0 Hillside Lane" (Map R-8, Lot 40 - # not yet designated). Ms. Welsh asked about how to apply for a variance. PB Secretary responded that variance appeals are handled by the Board of Appeals. Secretary referenced the town's Zoning Ordinance and provided a link to the town website. Response was copied to the Board of Appeals.
8. Ltr (email) from PB dated 6-2-2020 to James and Aimee Heath (Map U-01, Lot 2), confirming that the PB had approved the Heath's CUP amended application for a 24-foot dock on Keyes Pond. Findings of Fact and Conclusions of Law document was attached to the letter. PB Secretary also sent a copy of the letter to the Heaths via email on 6-4-2020.
9. Ltr (email) to PB dated 6-1-2020 from Darren Stairs of Woodard and Curran asking to be placed on the PB agenda for the 6-16-2020 meeting re: proposed solar projects at Map R-09, Lot 9, owner Charlotte Riley and Map R-09, Lot 17, owners Sharon and Francis Larosa.

7. New Business:

- A. Discussion by PB and participants of potential solar projects:
 - i. Walden Renewables
 - ii. Woodard and Curran

Presentation by Darren Stairs from Woodard and Curran re: Nexamp project:

Working with Nexamp and property owners on Knight's Hill Road. Have been working for past 6 months on plan and currently working with DEP on permitting. Adjacent properties so DEP looking at this as one project. Public information meeting early 2020 was held in Lovell to introduce the projects. Here now to talk about the process and get caught up on where the town is in the process of considering updates to ordinances.

Presentation by Ben Axelman from Nexamp:

Nexamp is a solar energy company based out of Boston, in business 11 years, active in solar in New England, MA, upstate NY, and RI, now starting in Maine with governor opening up solar opportunities. Want to qualify them as community based solar projects to provide electricity to local households. Sites are flat, no line of sight to neighbors. Interested to work with town to get to next steps. Each project is about 6 MW.

David Johnson – PB is undertaking a lot of research. Projects of 50-70 MW in a small town will have a significant impact, so we want to be careful of what we do. Engineering and requirements need to be well thought-out. We want to also take into consideration that the town's support could help our environment and help reduce carbon footprint. In addition, solar projects have been done before in Maine so we don't want to re-create the wheel.

Bill Graham had spoken with cities of Lewiston, Wells, and Fryeburg (just approved a project there). They all said keep it simple, DEP will have your back and will not allow something bad to happen. Julie McQueen has contacts at Southern Maine Planning and Development Commission (SMPDC) who have offered to help us.

Julia McQueen: PB has worked with SMPDC for years; they have helped other towns with ordinance reviews. Once we have an application, SMPDC could help us review the application against Sweden's Zoning and Land Use Ordinance and the Comprehensive Plan.

Bill: other towns have 1) treated solar as a public utility (Lewiston) or 2) treated solar as a development (Fryeburg), or 3) Wells amended their regulations to include solar as a permitted use. Most likely, simplest route would be for us to amend Sweden's ordinance to allow for solar. Bill was polling townspeople in

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Sweden on a separate issue and mentioned solar. Every person he talked with expressed support and interest for these projects. What we are looking for now is for both companies to tell us how they are going to proceed, put in applications, and that would kick off the process for the PB.

Walden expressed concern about putting an application in when there is no clear path forward in the existing regulations. PB suggested that since there is no definition of a public utility in the town's Zoning Ordinance, that might be a place to start.

[note: Morris Gibely had to drop from the meeting at 8:20 PM]

Both parties (Walden and Nexamp/W&C) confirmed that the projects are not in conflict with each other. Given that, it might be possible to have the two companies submit a combined letter of intent where they would confirm that they would cover the costs for SMPDC to review the town's ordinances. Then based on that answer, understand the likelihood of a path forward.

PB asked both parties when they would want to be shovel-ready:

- **Walden:** late 2021 or early 2022, but will seek permission to move forward earlier than when shovel-ready as costs further down the process are significant.
- **Nexamp:** are further along, could be in position to break ground early in 2021

Laura Chadbourne moved that the Planning Board publicly declare that they will be entertaining solar development under applicable state and local regulations and would commit to using a Letter of Intent or Application to take the first step in the review process. Bill Graham seconded the motion. The motion passed unanimously.

- B. **Cancellation of Sweden Town Meeting:** PB discussed next steps resulting from Board of Selectmen cancellation of the Sweden Town Meeting. A few PB members attended a recent BOS meeting. A petition had been presented to the Town Clerk that morning compelling the BOS to hold a town meeting. Copies of the petition were handed out at BOS meeting. It appears that over the next month or two, a town meeting will be held according to state guidelines.

8. Old Business:

- A. None.

9. Announcements:

- A. The next regular Planning Board meeting is scheduled for Tuesday, July 21, 2020 at 7:00 PM at the Sweden Town Office or via video conference.
- B. The annual Sweden Town Meeting originally scheduled for Saturday, March 28, 2020 at 9 AM at the Town Meeting House was cancelled by the Board of Selectmen at their meeting on May 26, 2020.

A motion was made to adjourn the meeting. The Chair adjourned the meeting at 8:53 PM.

Respectfully submitted,

Laura Chadbourne,
Secretary, Sweden Planning Board