



Town of China

571 Lakeview Drive: China, Maine 04358
(207) 445-2014 info@chinamaine.org

Planning Board Meeting
August 25, 2020
Begin 6:40 PM

Board members in attendance: Tom Miragliuolo, James Wilkens, Randall Downer, Natale Tripodi
Board members not in attendance: Toni Wall
Attendees: Mary Grow, Brent Chesley, Tom Federle

Code Enforcement Officer William Butler present

Board meeting opened by Chairman Miragliuolo
Pledge of Allegiance to the American Flag

Chairman Miragliuolo brought Board Member Tripodi into voting compacity.

Review/Approve Minutes of June 9, 2020, June 23, 2020, July 28, 2020 Meeting

- Board Member Wilkens motioned to approve minutes as written. Board Member Downer seconded motion.
- Chairman Miragliuolo advised July 28 are still in draft form. Including comments at July 28th meeting
All in favor. No further discussion.
- Chairman Miragliuolo advised there are some been some delays on the comprehensive plan. Plan was approved at June Select Board meeting to move forward and is currently under review. Chairman Miragliuolo states they are up against the November deadline. The Select Board immediately approved is now under review for grammatic errors (non-substantive changes) are being corrected. They are waiting on a waiting for clean copy for State review. Chairman Miragliuolo explained they can start state review now and is ok to move forward but will give Kelly one more week. Chairman Miragliuolo advised that the State review cannot be shortened and is a 35-day review. Board Member Downer inquired if the ballot is finished? Chairman Miragliuolo explained they need get a version approved to put before the voters and they have missed the June deadline. Also, the have to have a 30-day public hearing process.

Discussion of Tom Federle (on behalf of SunRaise Solar) proposed ordinance change to exempt portions of the solar array from the definition of structure.

- CEO Butler explained that Route 3 solar farm had issues with lot coverages calculations after a determination was made that solar arrays are structures. This was not an issue on Route 32 property. CEO Butler goes on to explain that a good reason for a solar array to



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be classified as a structure is if it was within shoreland zoning, then there could be an issue. However, since is in rural district, and there would be vegetation growing underneath, then the phosphorous output would not be an issue. There was discussion on if the whole array, including panels and supports, would be exempt or just the panels only? And also, with the changing technology, if solar arrays could be placed on a structure like a roof? Tom Federle advised they are trying to keep simple as possible. He explains that they are structures, when counted for lot coverage but panels should not be part of lot coverage. Mr. Federle advised DEP and other towns don't count arrays as lot coverage. Mr. Federle comments that the base depends on the needs of the project, one project there will be concrete base while another type has a smaller foot print. Chairman Miragliuolo withdraws change and advises discuss further once Board Member Wall is present.

- Chairman Miragliuolo and CEO Butler state idea of tightening will be needed. CEO Butler explained if keeping post as structures, shoreland, resource protection, stream would not be allowed. Board Member Downer advised would still be lot coverage. Board Member Wilkens questioned the difference between a slanted roof and a solar panel? CEO Butler explained that as long as there is vegetation, there will not be significant phosphorus run off. Mr. Federle advised meadow environment survives well for a solar farm. Chairman Miragliuolo questions why some excluded and others not? He states then need to have concrete, clear answers that people will understand. They need a strong argument. Board Member Wilkens argued that the solar array will still grow indigenous vegetation underneath.
- CEO Butler explained that the definition of structure is too broad. He states he has a list/file going and is still waiting on DEP for revisions. CEO Butler states he has not heard from DEP yet. Chairman Miragliuolo questioned if anyone on board does not want to continue discussion regarding the 2 proposed changes. Both proposed definitions read aloud. There was discussion regarding the phosphorous calculations with the solar arrays. Mr. Federle advised they are not trying to get exempt from phosphorous calculations, just want to exempt panels. Board Member Downer explains it needs to be modified in such a way for phosphorous. Board Member Wilkens advised needs to say "solar panels" and needs to be town wide. Chairman Miragliuolo states he would like to see a slightly cleaned up version for next meeting. Board Member Wilkens and Board Member Downer advise they are willing to discuss this matter at the next meeting. Chairman Miragliuolo states that it almost prevents solar farms and the town would want to be accepting to solar farms.

CEO Report (time permitting)

- CEO Butler advised that down at old Farrington store, they want to bring in food truck which would not be viewed as an accessory structure. He explained that he looked at the food truck and is in poor shape and failed fire code. Would need some work. Chairman Miragliuolo inquired if would be seasonal, 3 months? And how do we handle food trucks under to ordinance? CEO Butler advised is not a structure because on wheels. CEO



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Butler explained when inspected food trucks in Rockland there was a specific water hose to hook up, a hood system to vent and fire extinguishing system. In the truck he viewed, they had cut back hood and had no fire extinguishing system. There was discussion on the time frame needed before would need to go back to Planning Board for approval.

- CEO Butler explained Brown camp was for years log pavilion for gathering. He advised log cabin fell apart and they are now wanting to put in a kitchen but this would change structure to a dwelling. Notified the Board they maybe hearing about it in the future.
- CEO Butler notified that on Thursday, August 27, 2020 at 1:00 the Chesley appeal will be held in the portables and on ZOOM.
- CEO Butler explained that on 3-Mile Pond there are a multitude of small lots with RV's on them. The problem is many have snuck closer to the water, where what was once a dock, is now the deck. They keep pulling them back and then they creep forward again.

Future Schedule and Adjourn

Next Planning Board Meeting: September 22, 2020

Motion to adjourn meeting made by Board Member Downer

Motion seconded by Chairman Miragliuolo

There was no further discussion and the motion to adjourn was unanimously approved.

Respectfully Submitted,
Dawn Kilgore
Planning Board Secretary