

West Bath Planning Board Meeting Minutes

Tuesday, February 14, 2023

Planning Board: Darlene Estabrook, Chair - Present
Gerry Mitchell, Vice Chair - Present
Jaime Wallace - Absent
Gabriel Whitney - Present
Jim Williams - Present
Jeremie Whorff, Alternate - Absent

Select Board Liaison: Suzanne Andresen - Present

Staff: Jonathan Beane, Code Enforcement Officer
Karly Perry, Town Clerk

Public: Derek Barker, Alex Roberts-Pierel

The West Bath Planning Board held a regular meeting on **Tuesday, February 14, 2023**, at 6:00 pm, at the West Bath Town Hall, 219 Fosters Point Road, West Bath, Maine.

I. **CALL TO ORDER:**

Darlene Estabrook called the meeting to order at 6:00pm on Tuesday, February 14th, 2023.

II. **ATTENDANCE AND ESTABLISHMENT OF QUORUM:**

A quorum was established because there were at least 3 members present.

III. **AMENDMENTS TO AGENDA:**

None

IV. **APPLICANTS**

1. Name: Maine Towing LLC
Reason: New Business
Location: 388 State Road
Map/Lot: U06/001

Derek Barker, General Manager, introduced himself as the representative for Michael Stowe who was unable to attend the meeting. He then described the services to be offered by Maine Towing LLC to include towing, unlocking, fueling and referrals, with priority given to local customers.

Ms. Estabrook acknowledged a letter of authorization from property owner Anthony Bonzagni and stated that the business is located at 388 State Road which is zoned as Business and Commercial.

Ms. Estabrook asked Mr. Barker what amount of the area would be used for the business, to which he stated that the building would be used for receiving payments and storing vehicle information, while the lot would be used for the short-term storage of vehicles. Mr. Barker stated that he is requesting the addition of a gate in order to secure the vehicles. Ms. Estabrook noted that the building is 27'x 30' with a parking area of 27'x 94' located to the rear of the building which the applicant is requesting to be fenced.

CEO Beane stated that there is no setback required for fencing.

Ms. Estabrook asked how trash disposal would be handled, to which Mr. Barker stated that C.R. Rogers would be contracted with a dumpster to the rear of the building. Mr. Barker stated that no chemicals will be stored on site and that sealed batteries and other vehicle accessories would be stored within the building.

Mr. Barker then described safety precautions including an eye wash station, first aid, and fire protection are all in place as approved by the Fire Chief.

Mr. Williams asked how many tow trucks would be utilized. Mr. Barker stated that the business will initially utilize three trucks with two additional trucks to be added at a later time. He then reviewed the process for vehicle retrieval, wherein vehicles are typically stored for no more than one month. On average, approximately 12 vehicles would be stored at any given time. Maine Towing will have eight employees working in shifts. Mr. Barker then stated that eventually he would like to see the parking area paved.

Mr. Whitney asked where tow trucks would be stored when not in use. Mr. Barker stated the trucks would be dispatched mostly from the driver's home and would be on-site mostly for the purpose of dropping off vehicles.

Mr. Williams confirmed with Ms. Estabrook that Mr. Barker would need to return to the Planning Board in order to request approval to pave the parking area. CEO Beane noted that he has made the property owner aware that paving would require Planning Board approval.

Mr. Mitchell asked if trees would need to be cut within the parking area, to which Mr. Barker stated no tree removal is planned.

Mr. Mitchell, seconded by Mr. Williams, moved to approve the New Business application as presented. The Planning Board unanimously approved.

2. Name: American Steel & Aluminum LLC
Reason: Commercial Solar Project
Location: 32 American Way
Map/Lot: U05/19A

Alex Roberts-Pierel of Revision Energy introduced the project as a completely roof-mounted solar project with an output of 541.92 kW DC, 390 kW AC. Modules will be flush-mounted with a ballasted racking system to be affixed to the roof. There will be no visibility from the ground or roadways. Solar modules will cover most of the roof with walkways for access and fire safety. Panels will connect to the existing equipment located on the southern wall of the building.

The Planning Board checked the solar requirements in the Land Use Ordinance. Mr. Roberts-Pierel noted that all applicable items have been addressed individually in the application. He then explained that the applicant will be utilizing all of the power produced through an account credit as metered through Central Maine Power (CMP).

Mr. Mitchell asked if the contract is for net metering and whether the project may be impacted by pending legislation. Mr. Roberts-Pierel verified that CMP is currently under contract with American Steel & Aluminum for the life of the net metering project.

Mr. Roberts-Pierel then presented the Large Solar Energy System Requirements, noting that the project meets the requirements of the National Fire Protection Association (NFPA) as well as building codes and that the project has met the satisfaction of the Fire Chief. He continued to present that no new utility lines are proposed for the project, the rooftop system will not exceed the existing building height, and all electrical equipment will be properly labeled. Because the system is entirely roof mounted, no security fencing is required. If the system does not produce for a twelve-month period, the applicant has agreed to a decommissioning plan.

Mr. Williams asked CEO Beane if he had any concerns regarding the project, which he did not.

Mr. Mitchell asked how an emergency at the building with the solar panels would be addressed by the West Bath Fire Department. CEO Beane stated that the Department has a solar specialist on

staff who trains frequently and that the Department is well prepared for a fire involving solar equipment. Mr. Roberts-Pierel stated that the Fire Chief is encouraged to attend future walk-throughs on site.

Ms. Estabrook asked for the proposed timeline for installation. Mr. Roberts-Pierel stated that pending approval installation would start in the spring with a total construction time of two months.

Mr. Whitney asked what the life span of panels is, to which Mr. Roberts-Pierel stated that while units are warranted for 15-25 years, most panels produce for up to 40 years. Maintenance is monitored digitally in addition to regular visual surveillance.

Ms. Estabrook asked if there is a plan to control debris during installation. Mr. Roberts-Pierel confirmed that modules are installed on pallets with all packaging material removed at ground level.

Mr. Mitchell, seconded by Mr. Williams, moved to approve the Commercial Solar Project application as presented. Municipal Officer Andresen asked about the snow load, to which Mr. Roberts-Pierel stated that there is no plan for snow removal and units would be less productive during winter months. A structural assessment of the building has determined that the structure is strong enough for the snow load and solar panels weight to be suitable. CEO Beane confirmed that the structure was engineered with the intention to add solar to the roof. **The Planning Board unanimously approved.**

V. PUBLIC INFORMATION AND COMMENT:
None

VI. OLD BUSINESS

1. Application Updates

Ms. Estabrook shared with Mr. Williams that the Non-Conforming Application was approved at the January meeting in addition to updates to all applications and similar language used on the website. She then asked Ms. Perry if applications had been updated on the Town website, to which Ms. Perry agreed to verify.

2. LD 2003 Update

Ms. Estabrook recalled the Planning Board discussion last month regarding LD 2003, to which Max Johnstone of Midcoast Council of Governments (MCOG) has agreed to meet with the Board at a workshop. Discussion followed on the legislation with the Board agreeing to try to schedule a workshop for either February 21st or March 7th pending Mr. Johnstone's availability.

VII. NEW BUSINESS

1. Application Development

Ms. Estabrook stated that the Town still needs applications for new business, site plan development (preliminary and final), solar farm (small and large), windmills, towers, and commercial alterations and expansions. She then volunteered to draft applications for preliminary and final site plan development. Mr. Williams volunteered to draft applications for small and large solar farms. Mr. Mitchell volunteered to draft a new business application.

Ms. Estabrook asked Ms. Perry to send the Board the Non-Conforming Application as a template and reminded the Board that applications should be based on the requirements of the current West Bath Land Use Ordinance.

2. Maine DEP Chapter 1000

Mr. Williams brought up Chapter 1000 and suggested that the Planning Board adopt some of the language into the Land Use Ordinance, to bring it more in line with the updates from 2015. CEO Beane stated that some Towns have begun to replace volume requirements with the 2015 regulations which address only footprint and height. Ms. Estabrook agreed the updates make sense and should be reviewed when MCOG works on the updates. Mr. Williams volunteered to research the matter further for possible discussion at a future workshop.

VII. Approval of Minutes: January 10, 2022

Mr. Mitchell, seconded by Mr. Williams, moved to approve the minutes as presented. The Planning Board unanimously approved.

VIII. SET NEXT MEETING DATE

The Board set their next regular meeting to Tuesday, March 14, 2023, at 6:00pm.

IX. ADJOURNMENT

Mr. Mitchell moved to adjourn, seconded by Mr. Williams. Meeting adjourned by unanimous acclamation at 7:31 pm.

A true, attested copy

Karly A. Perry, Town Clerk