



AGENDA
PLANNING BOARD MEETING
OCTOBER 13, 2022
LISBON TOWN OFFICE

Site Visit 6:00pm at Springworks Farm
347 Lisbon St, Lisbon, Maine
Meeting 7:00 PM

William Kuhl - Regular 2023
Curtis Lunt - Regular 2025
Shaun Carr - Regular 2024
Chris Huston - Regular 2025
Patrick Maloy - Regular 2024
Dan Leeman - Associate 2025
Nicholas Craig - Associate 2024

1. CALL TO ORDER

2. ROLL CALL

___ Curtis Lunt (Vice-Chair)

___ William Kuhl (Chair)

___ Shaun Carr

___ Chris Huston

___ Patrick Maloy

___ Nicholas Craig (Associate)

___ Dan Leeman (Associate)

3. CHAIRMAN'S REVIEW OF MEETING RULES

4. WRITTEN COMMUNICATIONS – Minutes of September 8th and September 22, 2022

5. PUBLIC HEARINGS – NONE

6. UNFINISHED BUSINESS – NONE

7. NEW BUSINESS – NONE

8. OTHER BUSINESS - Extension of approval, **Case #21-01 – CMP delays**

Frost Hill Solar 1, LLC
c/o Borrego Solar Systems, Inc.
101 Frost Hill Avenue
Lisbon Falls, Me 04252
Map U11 Lot 012

9. CODE ENFORCEMENT OFFICER ITEMS – Sign Ordinance Discussion

10. ADJOURNMENT -

LISBON PLANNING BOARD – MEETING/HEARING RULES

The Board welcomes everyone to the meeting of the Lisbon Planning Board. If this is a meeting which will include a hearing, some special provisions will apply and are listed below. While we value the input of every interested person, we must limit the comment period in order to conduct business in a timely fashion.

Meeting Format – The format for each meeting (whether regular or special) shall be in strict accordance with Article 4, Section 4.1.6 of the Planning Board Bylaws. *Please note that the Chair may change the order of business for the current meeting upon a majority vote of the Board.*

All meetings shall be conducted in such a manner as to be completed within two and one half (2.5) hours of commencement. The Board, by unanimous consent, may decide to extend a meeting but only at the point where the meeting can be concluded within another hour. Any action after that point requires a tabling or postponing order.

Public Participation – With regard to participation by the public, all comments to the Board and from the Board shall be made through the Chair. The attending public may participate as follows:

- **During Regular Meetings**– is allowed at the discretion of the Chair, but only after introduction of an agenda item and appropriate motions with time for explanation and Board member questions. The public may be allowed to comment, but during that period, the **public may address that agenda item only** and each participant shall be limited **two (2) minutes**. Each participant may address the Board only one time unless requested by the Chair to comment further, and the Chair may limit time for comments to no more than **ten (10) minutes in total** on any one agenda item. **A member of the public who wishes to comment on an item not on the agenda may be allowed to speak during the “Other Business” portion of the agenda.**
- **During Workshops** – The attending public may not participate unless the Chair allows or requests such comment.
- **During Site Visits**– This is a special meeting in all respects except that **the public is not allowed to participate**. Although the public is allowed to be present, comments and explanations will only be accepted by Board members and an applicant or agents representing an applicant. Only participant comments may be considered in any notes taken for minutes of such meeting.
- **During Hearings** – The attending public may speak only in accordance with the specific rules set up for hearings.
 - The public must comment only when specifically allowed. **The Chair shall emphasize that no decisions are made during the hearing and the process may not conclude during the regular current meeting. Finally, the Chair will state that order must be maintained and is required of all participants.**
 - There will be a Call by the Chair to open a specific hearing with case number followed by a Call for a **Presentation by the Applicant or Representative or attorney and witnesses without interruption**. Then general questions may be asked through the Chair to the applicant by Board members and people who will be directly affected by the project (e.g., abutters). Then requests for more detailed information on the evidence presented by the applicant will be allowed by the same parties.
 - **Next** there will be a call for presentations by **abutters or others** including their attorneys and witnesses, who will be **directly affected by the project**.
 - Then **questions** through the Chair, **by the applicant and Board members to the people directly affected** and the witnesses who made presentations will be allowed.
 - **Next there may be rebuttal statements by any of the people who testified previously.**
 - Following that, **comments or questions by other interested people** in the audience will be entertained. Comment by those other interested people in the audience will be limited in the same fashion as for regular meetings, i.e. **two (2) minutes per person and ten (10) minutes overall**. The hearing will be closed at the end of public comment.
- It is important that **respect for each person** be considered. There will be opposing views and opinions and all will be considered without impunity. All persons speaking within the guidelines delineated herein will be treated with respect and allowed to complete the statement or viewpoint. **Any individual who speaks out of turn or in such a manner as to be considered unruly by the Chair, may be warned and then removed** if the situation creates a significant disruption of the orderly conduct of the business of the Board.



DATE: September 30, 2022

TO: Planning Board
Town of Lisbon
300 Lisbon Street
Lisbon, ME 04250

RE: Extension Request
Frost Hill Solar 1, LLC
Lisbon, ME

Dear Planning Board Members,

New Leaf is writing on behalf of Frost Hill Solar 1, LLC to request a one-year extension for the 101 Frost Hill solar project site plan review was approved by the Planning Board on April 29, 2020 and amended on October 28, 2021.

In May of 2020, Central Maine Power notified customers of their process for studying the regional impact of distributed generation projects. On May 14, 2020, Frost Hill Solar 1, LLC was notified that it was part of the Lewiston Loop Area Study, which had an original study completion date of December 2021. Over the next year, Central Maine Power's delays compounded and the new completion date for this regional study is unknown. CMP is currently working through results and mitigation strategies with no specific completion date. Until the study is completed and approved by ISO New England's Reliability Committee, the project is unable to operate. Further, because of the continuous delays to the study's completion, the project is unable to secure construction financing and advance into construction ahead of the study's completion. Due to this, we do not expect the project to enter construction until the 2023 construction season, with completion of the project in 2024.

We respectfully request the extension be heard at the October 13, 2022, planning board meeting. If there are any questions, please feel free to contact me directly at 978-905-6056.

Thank you,

Holly Ganser, PE
Civil Engineer

Cc: Greg Rosshirt, Project Developer - New Leaf Energy

55 Technology Drive, Suite 102
Lowell, MA 01851
newleafenergy.com



DATE: September 30, 2022

TO: Planning Board
Town of Lisbon
300 Lisbon Street
Lisbon, ME 04250

RE: Borrego to New Leaf Transition
Frost Hill Solar 1, LLC
Lisbon, ME

Dear Planning Board Members,

We have a new name! We are New Leaf Energy, Inc. (New Leaf), formerly the development business under the Borrego Solar Systems, Inc. (Borrego) umbrella. We have the same history, experience, knowledge base, people, and the same executive team that you have come to know over the course of our association. All Borrego's rights and obligations under the Frost Hill Solar 1, LLC Tier 2 Site Plan Review have been transferred to New Leaf. For more information about the transition, please feel free to read this press release found at the following link. <https://www.newleafenergy.com/press/borrego-completes-sale-of-development-business-to-ecp>

With that being said, I am writing to you today to notify you that moving forward all new application materials will submitted associated with the New Leaf name and New Leaf branding.

Thank you,

Holly Ganser, PE
Civil Engineer



Town of Lisbon

Planning Board

300 Lisbon Street
Lisbon, ME 04250

October 21, 2021

Frost Hill Solar 1, LLC
c/o Borrego Solar Systems, Inc.
101 Frost Hill Avenue
Lisbon, ME 04252

re: Case 21-01: Amend Site Plan Review Application – Decrease Size

To whom it may concern:

This letter is to notify you that approval of the application, for the reduction in size of the previously approved solar installation to be located at the property referenced above was granted by the Lisbon Planning Board at their October 28, 2021 meeting with the findings and conditions described below.

Findings; The Planning Board approved the project with the following findings:

The previous approvals and conditions of Case #21-01 as accepted by the Planning Board on April 29, 2021 will remain except for the following:

- 1) That the fenced area size will be reduced from 18.0 acres to 11.86 acres
- 2) That the System size (MW-AC) will be reduced from 4.99 to 1.99 MW-AC
- 3) That the tree clearing will be reduced from 18.3 to 13.73 acres
- 4) That the wetland impacts will be reduced from 43,000 sf +/- to <11,500 sf

Sincerely,

Bill Kuhl
Chair, Planning Board

Cc: file



Town of Lisbon

Planning Board

300 Lisbon Street
Lisbon, ME 04250

In the Matter of:

Case 21-01: Tier 2 Site Plan Review application – Frost Hill Solar Farm

Frost Hill Solar 1, LLC
c/o Borrego Solar Systems, Inc.
55 Technology Drive, Suite 102
Lowell, MA 01851
Map U11 Lot 012

Findings of Fact

The applicant submitted a Tier 2 Site Plan Review application for a 4.990 mW (AC) Solar Project space to be located at 101 Frost Hill Ave. in Lisbon Falls Maine, Tax Map U11 Lot 012.

The Planning Board received the application on 2/4/2021. The Planning Board first heard the application on 2/11/2021 and accepted the application as complete. The Planning Board held a Public Hearing on 2/25/2021. The Planning Board approved the application as submitted with revisions to the plans dated 3/10/2021 on 4/15/2021.

Conclusion of Law

General Review Standards: Lisbon Code of Ordinances. Chapter 62, Site Plans.

Performance Standards.

1. Completed the Tier 2 Site Plan Review Checklists and Ordinance review
2. All abutters notified and public hearing notices posted as required

Therefore, the Town of Lisbon Planning Board hereby approves Case #21-01 as submitted:

Planning Board Chair: _____

Date: 4/29/2020



PLANNING BOARD MINUTES SEPTEMBER 08, 2022

William Kuhl, Chair- Regular 2023
Curtis Lunt, Vice Chair- Regular 2025
Christopher Huston- Regular 2025
Patrick Maloy - Regular 2024
Shaun Carr - Regular 2024
Dan Leeman - Associate 2025
Nicholas Craig - Associate 2024

1. **CALL TO ORDER:** The Chairman, Mr. Kuhl called the meeting to order at 7:00 PM.
2. **ROLL CALL:** Regular members present were William Kuhl, Curtis Lunt, Shaun Carr, Chris Huston and Patrick Maloy. Associate Members Dan Leeman and Nicholas Craig were present as well. Also present was Mark Stambach, Code Enforcement Officer; Councilor Fellows, Town Council Liaison; and 3 audience members.

3. REVIEW OF MEETING RULES:

The Chairman explained the meeting rules are located on the back of each agenda.

4. WRITTEN COMMUNICATIONS: Minutes of August 25, 2022

The meeting minutes of August 25, 2022 were distributed to all the members. The Chairman asked if there were corrections or additions.

VOTE: (2022-72) Mr. Lunt, seconded by Mr. Carr moved to approve the Minutes of August 25, 2022.

Vote: 4-0 Carried.

5. **PUBLIC HEARINGS** – A. Chapter 70 Sign Ordinance – Repeal, Replacement and Amendment
B. Site Plan Review – Grimmell's Mobile Home Park

The Chairman opened and closed the Public Hearings with no comments

6. **UNFINISHED BUSINESS** - Case #22-14 Site Plan Review *(Item taken out of order with no objection)*
Grimmell's Mobile Home Park
1 New Lot – Lot 9
Larry Street
Lisbon, Maine
Map R8 Lot 30

Mr. Stambach went through the Site Plan Review Checklists.

VOTE: (2022-73) Mr. Carr, seconded by Mr. Lunt moved to approve the Application for Case #22-14, Grimmell's Mobile Home Park.

Vote: 5-0 Carried. (Mr. Huston abstaining.) The Chairman extended voting privileges to Mr. Leeman.

Chapter 70 Sign Ordinance – Repeal, Replacement and Amendment

The Planning Board decided to table this item until a Committee is formed by members of the Planning Board, Town Council and Staff and then they can decide the best way to proceed. Mr. Kuhl and Mr. Lunt volunteered to be on that Committee.

7. **NEW BUSINESS** – Modification to Chapter 70 Zoning Ordinance, Section 70-614 Building & Property Maintenance Standards

Mr. Stambach stated the Property Maintenance Code had some changes that needed to be made to bring it into line with State Statute. He said the changes were made by the Town Attorney. Mr. Stambach is waiting for verification from the Attorney on whether the reference to the trash issues on properties should be added.

Mr. Lunt said he would like to wait until the Attorney gets back to him about that issue before the Board makes a decision on the changes.

8. OTHER BUSINESS – NONE

- 9. CODE ENFORCEMENT OFFICER** – Mr. Stambach stated there is a piece of property that abuts Beaver Park and the Winter Park Subdivision on Beech Street. Kathy Malloy, the Town Assessor indicated in a letter to Mr. Stambach that when the Zoning Maps were re-drawn for re-districting, a portion of that property was mistakenly considered Town property and considered part of Resource Protection. As it turns out, that portion of the property is owned by Ralph Sawyer. Mr. Stambach is working on changing this error so it can be properly zoned so building permits can be issued. He said even though a mistake was made, the Planning Board needs to go through the proper procedures to make a change to the Zoning Map, which means it needs to be reviewed and approved by the Planning Board and then go to Town Council for final approval. The Planning Board agreed to move forward with making this change to make things right with Mr. Sawyer.

10. ADJOURNMENT

VOTE: (2022-74) Mr. Carr, seconded by Mr. Kuhl moved to adjourn at 7:40 pm. **Vote: 5-0 Carried**

Respectfully Submitted: _____

Lisa B. Smith, Deputy Town Clerk

Date Approved: October 13, 2022



PLANNING BOARD MINUTES SEPTEMBER 22, 2022

William Kuhl, Chair- Regular 2023
Curtis Lunt, Vice Chair- Regular 2025
Christopher Huston- Regular 2025
Patrick Maloy - Regular 2024
Shaun Carr - Regular 2024
Dan Leeman - Associate 2025
Nicholas Craig - Associate 2024

1. **CALL TO ORDER:** The Chairman, Mr. Kuhl called the meeting to order at 7:00 PM.
2. **ROLL CALL:** Regular members present were William Kuhl, Curtis Lunt and Shaun Carr. Associate Member Nicholas Craig was present as well. Also present was Mark Stambach, Code Enforcement Officer; Councilor Fellows, Town Council Liaison; and 3 audience members. Chris Huston, Patrick Maloy and Dan Leeman were absent. The Chairman extended voting privileges to Mr. Craig.

3. REVIEW OF MEETING RULES:

The Chairman explained the meeting rules are located on the back of each agenda.

4. WRITTEN COMMUNICATIONS: Minutes of September 8, 2022

VOTE: (2022-75) Mr. Carr, seconded by Mr. Kuhl moved to table the Minutes of September 8, 2022 to review them for the next meeting.

Vote: 4-0 Carried.

5. PUBLIC HEARINGS – NONE

6. UNFINISHED BUSINESS - Findings of Fact – Case #22-14 Site Plan Review – Grimmel's Mobile Home Park

In the Matter of:

Case 22-14: Grimmel's Mobile Home Park
Tier 2 Site Plan review

Create a single lot
End of Larry Drive
A portion of 70 Pinewoods Rd. Lisbon, ME 04250
Map R08- Lot 030

Findings of Fact

The applicant proposed the creation of a lot as part of the mobile home park at the end of Larry Drive. The Planning Board first considered the application on August 25, 2022. On August 25, 2022 the Board accepted the application as complete. On September 8, 2022 the Board conducted a public hearing. On September 8, 2022 the Board approved the project.

Conclusion of Law

General Review Standards: Lisbon Code of Ordinances. Chapter 62 Site Plan Division 3. Tier 2 Developments.

Performance Standards.

1. Application for Site Plan Review

- Completed the Local Ordinances Checklist
- Completed the Tier 1 and Tier 2 Review Standards Checklist

Therefore, the Planning Board hereby approves the application for the creation of a single lot as submitted.

7. NEW BUSINESS – Pre-Application – SpringWorks – 347 Lisbon Street, Lisbon, Maine

Joe Marden, the Design Engineer for the Project stated they have submitted the Site Law permit and a Natural Resource Protection Permit to DEP (Department of Environmental Protection). Mr. Marden stated they are proposing the construction of new greenhouses/processing structures on the property, along with the associated access drives, utility extensions and parking areas which would total about 757,950 square feet (17.40 acres) of impervious area and have designed a number of treatment systems for the storm water runoff, and a few wet ponds. Mr. Marden said for the utilities for domestic use of the property, they plan on extending a 2-inch line from the roadway to serve the buildings and will drill multiple wells for water usage for the Greenhouses. He said the Domestic usage of the sewerage would go to a forced main system that would be pumped out to the road and if feasible, will put a septic system on site for the gray water coming out of the greenhouses. He said natural gas and electric will be extended down to serve the buildings.

Mr. Carr asked how close the buildout would be to the Railroad line since there are residents right behind the tree line and what kind of noise this would create. Mr. Marden stated it would be about 300 feet from the building to the property line and the only noise would be the circulating fans inside the Greenhouses. Mr. Carr stated his concerns with the lighting that this produces and if it could be seen by residents close by.

Mr. Fellows reminded the Planning Board that the paving that was required in the first phase was not completed. The entrances and exits should go with the Rt. 196 design standards.

The Planning Board set a Site Visit for Thursday October 13th at 6pm at Springworks Farm, 347 Lisbon Street, Lisbon, Maine.

8. OTHER BUSINESS – Change of Zone: Map Lot R08-020 – Re-zone to Limited Residential from Resource Protected

Mr. Stambach stated that when the zoning maps were changed the portion of the property, parcel Map Lot R08-020, accidentally got mingled in with Beaver Park which changed the zone from limited residential to resource protection. He said the Planning Board now needs to follow the process of initiating an amendment to change it back to limited residential with a majority vote and send it to Council for a final acceptance.

VOTE: (2022-76) Mr. Lunt, seconded by Mr. Carr moved to approve the Amendment to change the zoning district for parcel Map R08 Lot 020 from Resource Protection to Limited Residential and set a Public Hearing for October 13, 2022.

Vote: 4-0 Carried.

9. CODE ENFORCEMENT OFFICER – NONE**10. ADJOURNMENT**

VOTE: (2022-77) Mr. Carr, seconded by Mr. Craig moved to adjourn at 7:43 pm. **Vote: 4-0 Carried**

Respectfully Submitted: _____

Lisa B. Smith, Deputy Town Clerk
Date Approved: October 13, 2022