



# Town of China

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

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*Approved by Planning Board by a vote of 4-0 on January 26, 2021*

Planning Board Meeting

Members attending Via ZOOM and phone

January 12, 2021

Begin 6:30 PM

Board members in attendance: Toni Wall, James Wilkens, Randall Downer, Natale Tripodi, Scott Rollins

Board members not in attendance:

Attendees: Brent Chesley

Code Enforcement Officer Jamie Hanson present

Board meeting opened by Chairman Downer

Pledge of Allegiance to the American Flag

Chairman Downer brought Board Member Tripodi into voting compacity.

## **Review/Approve Minutes December 22, 2020 Meeting**

- Board Member Wilkens motioned to approve minutes as written.
- Board Member Wall seconded motion.  
Board Member Rollins abstained from voting. All in favor. No further discussion.
- Board Member Wilkens welcomed Board Member Rollins onto the Planning Board.

## **Continued review of Model Solar Ordinance**

- Chairman Downer opened the discussion regarding the Solar ordinance. Board Member Wall advised she did not change much in the draft except change some wording of the Maine Audubon Society. She explained she tried to make it easier to read and to mimic the current telecommunications ordinance. Board Member Wall advised Sections 9, 10, 11, 12 were taken directly from telecommunication ordinance.
- Chairman Downer inquired into section regarding removal and decommissioning. Board Member Rollins questioned zoning. Board Member Walls states that Chapter 6 has some wording that maybe useful to the ordinance but did not add. Board Member Wilkens asked if Planning Board was listed under the review process. There was discussion on where information was being sourced from and the need to have the information organized into the correct order and sections to be consistent with other ordinances in China.
- Chairman Downer questioned if there is a Town engineer? Board Member Wilkens advised it is responsibility of the applicate to provide an engineer. Board Member Wall



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advised there is a section 6.4 that discusses fees and that it may be a good idea to review Chapter 6.

- Chairman Downer inquired into section regarding battery systems. The proposal is looking for installation of the battering systems at the same time. Board Member Wall stated there was no mention of housing the batteries. Board Member Wilkins commented that it would be considered a building. CEO Hanson explained that Readfield developed a solar ordinance and that they were very conservation based. The ordinance contained many restrictions in regard to waterfowl and other wildlife impact. The ordinance also including buffering with vegetation. Board Member Rollins states not seeing anything regarding batteries either and suggested to add to definition. Chairman Downer explained that larger projects have more of an impact and questioned if there should be special rules in regard to battery housing versus regular structure? Board Member Wall advised current rules do not cover decommissioning and/or abandonment. Board Member Wilkens stressed that they need to cover all the bases with this ordinance.
- CEO Hanson questioned land use and the need to have a definition in the ordinance. Is it residential on a roof or backyard installation? What is needed for permits? Board Member Wilkens advised would be hard to limit size since there is now solar singles. CEO Hanson explained that they would look at dead load, such as snow, that the roof can support. There was continued discussion on the amount of dead load, when reinforcement is needed and if an engineer would need to be involved. Board Member Wilkens asked CEO Hanson what would be needed in the ordinance for the CEO to have? CEO Hanson advised will let board know what he needs.
- Chairman Downer questioned if there are looking at creating one solar array ordinance? He states it would be easier to have all the scales in one ordinance. Board Member Wilkens commented that they need to make sure they include what CEO needs to review. Board Member Wall states there could be issues with structure definition and it needs to be spelled out to make sure there are no questions. There was discussion on the definitions and how they will be referenced. Board Member Wall states needs they will need to review Chapter 6 since none of the definitions are in the current definitions.
- Board Member Rollins suggested to use Cloud or Microsoft Teams to allow for all to edit the draft of the proposed ordinance at the same time. There was a discussion regarding the ability of the members to make changes to the ordinance, allowing other members to see the changes and still provide transparency for public. Chairman Downer advised they are looking at June or November dates. He states they will need to have a few work sessions for the ordinance.
- Board Member Wall advised there is no language for the building that houses the batteries and there is no language regarding surety bonds are in the ordinance but there is language in Chapter 6. Board Member Rollins questions if there was a way to know if definitions are listed elsewhere? Are they bolded? There was discussion on how to denote



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definitions in order to make it easier on the applicants. Board Member Wilkens motion to table discussion and use SharePoint to continue edits and review in 2 weeks. Board Member Wall seconded motion. All in favor. No further discussion.

## **Introduction: Should Shoreland Stabilization requirements be added?**

- Board Member Wall questioned if DEP is referring to retaining walls or are, they talking about docks and piers? Board Member Wilkens advised he thought it was in regard to the retaining wall. There was discussion if the retaining wall was issue and what was being asked of the Planning Board. CEO Hanson advised Chesley case came through. Board Member Rollins advised 15-C is all regarding piers and docks. Board Member Wilkens explained they will need some clarification. Chairman Downer tabled discussion until some clarification has been received regarding what specific information is being requested reviewed by the Planning Board.

## **Proposed marijuana proposition amendments were shared by the MMA**

- CEO Hanson states he looked into briefly and that Readfield created an ordinance. Also, the Town of Wayne has ordinance on how treated as businesses.

## **CEO Report**

- CEO Hanson advised has issued 2 new building permits including a new septic system. He states he is working on ongoing permits.
- Chairman Downer questioned if restaurant that was previously noncompliant with COVID regulations now in compliance? CEO Hanson states that it was dealt with by Health Department.
- Chairman Downer advised that Comprehensive plan is moving along. He states Tom Miragliuolo found section missing and has updated. Board Member Wall inquired if most recent draft is on Town website? Chairman Downer states he will make sure the updated draft is on the website for review.

## **Future Schedule and Adjourn**

Next Planning Board Meeting: January 26, 2021  
Motion to adjourn meeting made by Board Member Wilkens  
Motion seconded by Board Member Wall

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

Respectfully Submitted,  
Dawn Kilgore  
Planning Board Secretary