



# 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 October 24, 2023*

## Planning Board Meeting

Meeting held in Meeting Room at China Town Office and via ZOOM

September 26, 2023

Begin 6:44 PM

Board members in attendance: Toni Wall, Natale Tripodi, Michael Brown, Elaine Mather

Board members not in attendance: James Wilkens

Attendees: Brent Chesley, Cathy Chesley, Mary Grow, Melissa Laliberty, Scott Tempel, Jennifer Whitney, Melissa Kelly, Carley Edgar

Code Enforcement Officer Zak Gosselin - Present

Board meeting opened by Chair Wall

Pledge of Allegiance to the American Flag

Chair Wall brought Board Member Tripodi into voting capacity.

## **Review/Approve Minutes September 12, 2023 Meeting**

- Board Member Brown motioned to approve minutes with corrections from Board Member Mather and Chair Wall.
- Board Member Mather seconded motion.
- Chair Wall and Board Member Mather advised of changes and corrections needed  
All in favor. No further discussion.

## **Presentation – Scott Tempel – Novel Energy Systems**

- Chair Wall opened discussion and advised Mr. Scott Tempel from Novel Energy Systems will be attending via ZOOM to present energy garden system to be placed on Parameter Hill Rd. Chair Wall advised there are several abutters in attendance. Chair Wall explained Planning Board has read proposal materials however the residents have not. Mr. Tempel inquired into timeframe for presentation. Chair Wall explained a robust presentation would be good since the town folks in attendance have not had opportunity to read all the materials. She further explained that explaining the acreage, the number of panels and the number of wattages. Chair Wall advised he does not need to go into storm water control but advised that they do have a plan in place.
- Mr. Tempel explained they are a Minnesota based company and were started by a farm family in 2005. He continued to explain that they are not one of the leaders in Minnesota and Maine in community solar. Mr. Tempel advised community solar gardens are subscription based and anyone in the county can subscribe. He further advised that the power goes onto the grid but they guarantee the subscription to be 10% less than the energy credit. He continued that they can guarantee a discount to all those that subscribe to the garden. Mr. Tempel advised the project is located on Parameter Hill Rd on the property owned by Maurice Haskell and is just under 7 acres.



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Mr. Tempel explained it will produce just under 1 megawatt of power, currently at 975 kilowatts. He continued that there will be approximately 2,300 solar panels which use single axis tracker racking system. He further explained the panels will be lined up in a row with the racks going north to south and the panels tilting east to west. Chair Wall commented that most current systems have stationary panels, and questioned if the panels would be moving east to west to capture the sun? Mr. Tempel explained Chair Wall is correct, and advised they are on a line going north to south and tilt on the axis east to west to follow the sun. He continued to explain that this allows for maximum power production during the day versus a fixed tilt system. He advised they will never produce more than 975 kilowatts at one time. Mr. Tempel advised solar panels feed into the grid and into the distribution system. Board Member Brown asked Mr. Tempel to provide a frame of reference of how much power is a megawatt? Mr. Tempel advised 1 megawatt would run the homes of 50-75 subscribers. Mr. Tempel advised they can also have commercial subscribers and number of subscribers really depends on amount of usage. He further advised they go onto the 3-phase distribution grid and is not a transmission project or power plant that would be hooked up to transmission lines. Mr. Tempel explained CMP is the utility provider and will have the first 5 utility poles along the gravel access road. He continued that anything from CMP to materials back to the grid will be under ground. Mr. Tempel explained all their lines will be underground including line from switching the pad out to last utility pole put up by CMP. Chair Wall questioned location of utility poles on access road and where line will go underground? Mr. Tempel answered that the poles will be right at the road and that they need to have 5 different poles. He advised the pole location is on the plans. Ms. Whitney questioned if the public would be able to get a copy of the paperwork? Chair Wall explained she will work with CEO Gosselin to make sure the public can get copies. Ms. Laliberty questioned the exact location of the project? Board Member Brown inquired that the access point appears to go through a wet forested area and then the line will be buried? He continued that from the perspective of an onlooker, this project looks to be hid behind a more forested area and tucked into the field, is that correct? Mr. Tempel confirmed the array will not be visible from the road and the only visible sign of the project will be the access road and the utility poles. Chair Wall questioned if they would be removing any trees on the downward slope? Mr. Tempel answered they would only remove trees that would shade array but are trying to keep as many trees as possible. Chair Wall advised location is a huge open field.

- Board Member Brown asked Chair Wall to go over the procedures for a solar energy system proposal and the next steps. Chair Wall explained tonight was the presentation of Novel Energy Systems energy garden because the Planning Board has reviewed the materials by has not heard from the applicant. She continued she has scheduled a public hearing for the 10<sup>th</sup> of October to allow the community to ask questions and the Planning Board will need to make sure application is complete and will need to go over the 15 criteria. Chair Wall advised they still need a decommission plan from the DEP and does not know how long the approval process with the DEP will take. She continued that they go through the 15 criteria and hear from the public and if the application is approved, there is a 30-day appeal period at which time an appeal could be submitted to the appeals board. If there is no appeal, they can begin construction.



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- Board Member Brown clarified there are 2 points during the process to get questions answered, at the public hearing and when reviewing the application. He continued that there needs to be a completed application. Chair Wall advised that needs to be discussed at the meeting tonight while they have Mr. Tempel at the meeting as the application may not be complete. Chair Wall mentioned the application request to meet with the China Planning Board states, on the front page, it states “construction of a .095-megawatt solar energy garden on 0.3 acres” but during the presentation, 7 acres was mentioned. She continued that in the application she made notice of 10.5 acres and 11 acres as well. Chair Wall explained the information needs to be corrected and be consistent. Board Member Brown noted 13.75 acres. Chair Wall states she checked with DEP and found anything over 3 acres requires an approved decommissioning plan. Mr. Tempel confirmed they have submitted to the DEP and are waiting on the approval.
- Ms. Laliberty inquired if the public was allowed to ask questions? Chair Wall advised they can ask questions. Ms. Laliberty states she would like to see the map and know the exact location. Board Member Brown advised the public can contact Town office for copy of the plans. Chair Wall explained she will go into Town office on Wednesday and make sure plans are available. Chair Wall showed Ms. Laliberty map with location and explained where the project will be located. Ms. Laliberty advised her biggest concern is the arrays will produce an electro-magnetic field which could interfere with her pacemaker being that close to her home. She continued that she has done some research and found there have been reports showing that it can interfere with the signals for pacemakers. Ms. Laliberty inquired if there have been any studies into how close a solar field can be to a patient with a pacemaker and not interfere? She advised there has been proof that electro-magnetic fields can interfere with a pacemaker. Mr. Tempel explained he cannot quote any studies but knows this question has come up before but has never been an issue. He states he can provide research and explained the solar arrays are “electron sinks” and are well grounded leading to a reduction of stray voltage in the area of the array. Mr. Tempel explained how the grounding system works. He continued to explain that the solar garden is not electro-magnetic and the only electro-magnetic sources would be the transformer or switch gear which would be similar to any transformers on utility poles anywhere else. Chair Wall advised it would be great if they can provide information on effects on pacemakers and advised Suzanne could email to Chair Wall’s town email address. Ms. Laliberty states she would like to be able to go to doctors with information as she is right across from the location and if it does show it could interfere, she would have to move. Board Member Brown reiterated that what was being requested was measurements of other solar arrays of this size and if any electro-magnetic studying has been done. Mr. Tempel advised he can provide the requested information.
- Chair Wall explained that in going through the application, there is a signed agreement with Mr. Haskell and Chair Wall inquired into the number of years the agreement is for? Is it for 30 years? Mr. Tempel explained that the agreements are typically set up with a 25-year lease with a 5-year option. He further explained that it is based on the reliability of the panels and the panels are guaranteed to produce 80% of power after 25 years but will continue to produce after that which is where the 5 years comes in. Chair Wall questioned site maintenance occurring throughout the life of the system, what is the maintenance plan in regard to mowing? She states she did not see a maintenance plan. Mr. Tempel advised he can provide a copy of the maintenance plan and



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explained what the plan entails. He advised they do their own maintenance with mowing and weed control. He continued that they plant pollinator and native grass mix which can be a balancing act with keeping the grass mowed while not harming the pollinators. He advised it can take roughly 2-3 years before the pollinators really take hold. Mr. Tempel explained they will or will not use herbicides along fence line based on Town or neighbor request. He explained they will do own maintenance or will hire a local company. Board Member Brown posed the question if they would be allowing small ruminants such as sheep or goats to graze within the panels? Mr. Tempel explained that in Minnesota, they have been using sheep for weed control which has been very effective. He commented that they don't use goats as they will eat wires and/or be on the panels. Mr. Tempel concluded small ruminants would be allowed but are not planned for at this time.

- Board Member Brown inquired that when decommissioned, in the plan, it states the site will be returned to the same condition it was found. He continued to question that where there are buried lines, what would the decommissioning look like and what are possible future uses for the land? Mr. Tempel explained the only real impact to the land is the screw-driven piles that will need to be removed and the majority of the site will be covered in pollinators and soil will sit and regenerate over 25-30 years. He continued that they will pull up all the fences, remove all the wires and re-grade if needed. He explained they try to be as minimally disruptive as possible since they have good vegetation established there. Ms. Laliberty questioned if there have been environmental impact studies done? She explained she has researched and knows certain frames such as aluminum frames have an impact. She further explained that her water comes from a well and is not city water and questioned what will the environmental impact be to the soil in that area? Ms. Laliberty states she would like to know what the overall environmental impact will be to the water, soil and wildlife. She continued that she does not know what the DEP standards are but would like to know the impact for short-term and long-term of fields that are established. Mr. Tempel advised they submitted a site condition report which studies the habitats and species in the area. He further advised they will have a 7-foot agricultural fence with small animal access panel on the bottom to allow small animals in but keep large animals out. He explained there will be very little impact to the water system. Board Member Brown stated that water quality standards are important in general and advised community is aware of PFAS issues. He further stated that they are looking for water quality in the general area and questioned how it will be affected? He questioned if there has been any baseline testing as pertains to water quality at the site? Mr. Tempel advised they do not do any water quality or soil testing for contaminants but do geotechnical testing where they take samples to determine soil composition to base construction techniques, erosion and runoff plans, and storm water plan. He explained that panels are a small fraction of impervious surface, and are basically the same as not being there. He continued that they have control measures and management practices in place for the construction phase and if there is a need for a retention pond, they will install one. Mr. Tempel advised that there are no PFAS with the solar panels and there is minimal risk for heavy metals as the panels are rated for hailstorms and will not break or leak. Ms. Laliberty states she is not concerned about the panels breaking, but is concerned with the frames producing a heavy metal and has there been any independent environmental studies done regarding how much heavy metal gets build up over 25 years? Mr. Tempel advised there is no leakage. Ms. Whitney stated it is the frame that is going into the ground that is the concern and there must be some sort of impact? Mr. Tempel answered



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that the racking is steel and aluminum. Ms. Whitney voiced her concern and stated “would be like dumping a big pile of aluminum in field and wondering what it would do over time.” Ms. Laliberty stressed that they drink well water and at what point do they start testing? When people get sick? Board Member Brown asked if decommissioning plan from DEP provided could be provided to public. Chair Wall stated that when the plan is approved, it will also be made available. Board Member Brown asked Mr. Tempel if he had any studies of typical sites over time and the environmental impact? Mr. Tempel answered that he will look into finding some information.

- Chair Wall explained they did receive a letter from an abutter questioning if a boundary survey was completed? Mr. Tempel explained they will be doing an official ALTA survey once they have been approved and prior to construction. He states they are currently using the data that is available to everyone. Mr. Tempel explained they have done some surveying regarding placement of the access road and panels but do not have the official ALTA survey. Chair Wall explained the location of the property owned by the abutter and concern the individual has regarding runoff from the construction and how they will protect the low-lying area? Mr. Tempel explained they have erosion and stormwater plans, and will be using the standard best procedures to prevent any erosion or runoff from the site. He advised the site will function same as it does now and will install a retention pond if needed.
- Board Member Mather questioned what type of security will be provided during and after construction? Her concern is with all the construction equipment, it may attract bad elements to the area seeking to profit off materials that are there. Will there be, at night, an on-site security person, or cameras or lighting? Mr. Tempel advised that at project completion, there will be one light at the gate and once built, there is nothing to steal. Board Member Mather questioned what about during construction? Mr. Tempel advised everything will be stored in a laydown yard on site and will be secured in containers. He further advised there are no permanent buildings on the site and they only do periodic inspections in person. He continued to advise that they use remote monitoring for the panels. Board Member Mather questioned item #12, under general notes, pertaining to long-term storage and how are they defining “long-term storage”? Mr. Tempel explained apart from the construction, nothing will be stored on the site, there are no storage buildings. Board Member Mather clarified that materials will be stored onsite before and during the construction but once complete, nothing will be stored there? Mr. Tempel confirmed they will have a laydown yard to keep materials during construction but will have no supplies onsite once completed. Board Member Mather inquired how long is construction? Mr. Tempel advised it is typically 6-8 weeks barring any weather or equipment/material delays and the time of the year. Ms. Whitney questioned what time of year would they be doing the project? Mr. Tempel advised there is no set schedule yet but could be looking at Spring 2025 to Fall of 2025 depending on supply chain issues. There was further discussion on dates.
- Ms. Whitney inquired into is there instant notice when a panel breaks? What does a break mean? What is reported instantly? Mr. Tempel explained the most common is the actuators failing on the tracking equipment which make the panels move. The other thing is the panel is bad internally and stops producing power. Mr. Tempel advised the panels do not break or shatter, but fail



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internally and when they do, they switch them out. Ms. Whitney asked where do the people come from who repair the equipment? Mr. Tempel advised they hire locally and can take up to a month to replace a panel. He continued that they inspect the panels and the fencing monthly and know from monitoring system how the panels are performing. Ms. Laliberty questioned property values around a solar field, do they become devalued? Ms. Laliberty is worried about her home value? Chair Wall advised it was mentioned that they have other solar gardens in Minnesota and Maine and asked if they have any information on property values at other areas? Mr. Tempel explained there have been a few studies that showed there was no sufficient impact and in some cases the values increase? Mr. Tempel advised he will share the information he has on property values. Board Member Mather questioned why Maine and particularly the Town of China instead of another state such as Nevada, New Mexico or Arizona? Mr. Tempel explained Nevada is a utility scaled transmission and is different from community solar where the power is kept in state. Mr. Tempel explained difference between the large utility scaled power plant as being a power purchase agreement where energy is sold to the highest bidder versus community solar gardens which are subscriber based and keep energy local. He further explained the State opened the community solar program. Board Member Mather questioned if the power produced will be kept in State or will it go to CMP and be sold anywhere? Mr. Tempel described how the subscription works and how it is based on the usage of the subscriber and the community. He advised is not hooked into interstate transmission lines. He continued that some now have battery storage to help prevent blackouts. There was question on the community interest? Mr. Tempel explained they need to prove that they have subscribers, not sure what rule or ratio are in Maine for subscribers. There was question of who can subscribe and the subscription area? Mr. Tempel explained anyone in area can subscribe and area could be that county or a neighboring county. He commented that Maine has a lot of smaller towns where Minnesota has a bigger area. Ms. Laliberty questioned if the subscribers need to be from Maine or if they can be out of state? Mr. Tempel advised they can only be from Maine since is run through Maine utilities. Ms. Whitney inquired that with all the acreage, why did they chose the spot they did? Why there? Mr. Tempel explained that is where the lease specified, the property owners assign the lease area not Novel. There was question on what percentage goes to CMP and what percentage is left to the community? Mr. Tempel explained CMP gets all energy and CMP has to guarantee to all subscribers first and described the process. There was further discussion on subscription pricing and where power can be sold. Mr. Tempel advised there will be no future cost for maintenance. Board Member Mather questioned pricing if bill can go up based on CMP policies. Mr. Tempel advised based on the solar, if increases, energy credits go up. There was further discussion on the subscription ownership. Mr. Tempel directed to Novel website.

- Chair Wall advised this has been a great conversation and asked if there are any other questions? Chair Wall explained they can ask additional questions at the public hearing and will make sure information is available for the public to review at the Town office. Mr. Tempel clarified the size of the impervious surface is listed on erosion control plan. He advised the that fenced area is 6.87 acres with .35 acres of impervious surface. Board Member Brown stated they are looking at 7 acres total. Chair Wall thanked Mr. Tempel for his time and thanked members of the public for attending. Chair Wall states she will make sure information is available and there are copies. Mr. Tempel stated they want to be good neighbors and the facilities are safe, low impact facilities and advised the public they are willing to work with them.



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## **Planning Board Ordinance**

Chair Wall advised she would like to postpone as she would like to speak with Chair Wilkens first. She further advised that she believes the application needs to be voted complete before public hearing. Chair Wall explained she would also like people to have time to review the materials. Board Member Mather inquired if a revised packet can be printed? Chair Wall explained that notification of public hearing will be on the Town of China website, on the board out front of Town Office and in the Town Line. She continued that the tentative date for the public hearing is October 10<sup>th</sup> and will be held in portable. Selectman Brent Chesley advised that the Select Board will be meeting earlier on October 10<sup>th</sup> to allow the Planning Board to use the meeting room in the Town Office.

## **CEO Report**

- CEO Gosselin advised he has nothing to report at this time.

## **Future Schedule and Adjourn**

Next Planning Board Meeting: October 10, 2023

Motion to adjourn meeting made by Board Member Mather

Motion seconded by Board Member Tripodi

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

Respectfully Submitted,  
Dawn Kilgore  
Planning Board Secretary