



City of Caribou, Maine

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Caribou Planning Board Meeting Minutes Thursday, May 14, 2020 @ 5:30 pm City Council Chambers & Via Zoom

Members Present: Robert White, Dan Bagley, Amanda Jandreau, Drew Ayer, Frank McElwain and Dave Corriveau

Members Absent: Christine Solman

Others Present: Ken Murchison –CEO/Zoning Administrator; Dennis Marker –City Manager and Denise Lausier –Executive Assistant to the City Manager

Due to the COVID-19 Pandemic, this meeting was closed to the public and was broadcasted via Spectrum and Caribou's YouTube Channel.

- I. Call Meeting to Order** –The meeting was called to order at 5:43 pm. Due to Covid-19, some members participated via the Zoom application.
- II. Approval of Minutes from the March 12, 2020 Planning Board meeting** – There was no meeting in April. There was a roll call vote to accept minutes. Comments/reminder to be using a roll call vote. Frank McElwain moved to approve the minutes as presented; seconded by Drew Ayer. Motion carried with all in favor.
- III. Public Hearings -**
 - a. Caribou Solar Power, LLC. Use Permit application for the placement of a solar array at Tax Map 7, Lot 32 Washburn Street. Tax Map 7, Lot 32 is a “split Zone” lot with land uses of both I-1 and R-3. I-3 is an appropriate zoning district for a solar array application and the R-3 district requires approval by Planning Board for a Public Utility application.**

Chairman Robert White explained that the applicant wants to put a solar array on a large parcel on Washburn Street. It requires two months of hearings; first for concept review and the second for a site design review. The Public Hearing was opened at 5:45 pm and will continue at the June meeting.

CEO Ken Murchison explained that there were three people that reached out prior to the hearing. Bob Plourde asking who developers were and asked how to invest. Andy Ayer owns a packing operation next door and he was concerned that the dust from his property might directly affect this project. Mr. Ayer will contact them directly. Another phone call that did not disclose their name was wondering who is running the operation. No opposition.

CEO Ken Murchison also read a letter of support for this project from Andy Ayer, Emerald Valley Ranches, LLC. (Exhibit A).

Chairman Robert White explained that this is the concept review and the Board will determine if there is anything else needed in order to do the site design review. Chairman White did comment that they did not receive a complete set of plans.

CEO Ken Murchison stated that a survey was done by Blackstone. Dan Bagley questioned if it was within the shoreland zone. CEO Murchison stated that the property abuts the stream, but the project does not.

Dan Bagley stated that the plans should have overlays of wetlands or floodplains. CEO Murchison stated that there are no wetlands. Dan Bagley also stated that the easement as well as zoning designations should be marked on the map.

CEO Ken Murchison stated that the Fire Chief and Police Chief have been notified. The Police Chief's only concern was the ATV/snowmobile trail. This will continue to go through. Have not heard back from the Fire Chief as of yet.

Chairman Robert White recessed the hearing to the regular meeting in June at which time the Board can do site design review. Engineers need to be in attendance with drawings and the other things noted. The Public Hearing was recessed at 6:11 pm.

- b. SynerGen Caribou, LLC. Use Permit application for the placement of a solar array at Tax Map 16, Lot 30 Ogren Road. The City of Caribou is working with Jones Associates in the placement of SynerGen Caribou, LLC solar array at the closed Ogren Road Landfill facility.**

Chairman Robert White stated this is a smaller development on the Ogren Road. The Public Hearing was opened at 6:12 pm. Chairman White stated that new data has come to light and the applicant is not prepared to go forward at this time. At the advice of the Manager, Chairman White recessed the meeting until the data is further developed, reason being it will not need to be advertised again. Chairman White recessed the hearing until more data is developed. The Public Hearing was recessed at 6:13 pm.

IV. New Business -

- a. Proposed Medical Marijuana Shop at Warehouse Bar and Grill, 14 Evergreen Parkway. The shop area will be located in the existing building but separated from the existing Bar and Grill Business with separate and independent ingress and egress. Use Permit Application pending.**

CEO Ken Murchison stated that talking with the developers there were a couple of issues. The City does not allow retail sales of medical marijuana. The developer did state that this is a business for profit. They run this business around the State, they have several. Also, the property is only 369 feet from a place of worship and needs to be 500 feet by code. In following up with the developer today, they are considering reaching out to the City to see if they would entertain opting in to the State's marijuana legislation. Currently, Caribou only allows marijuana caregivers.

Chairman Robert White commented that he is sorry to hear that the Warehouse is closing its' doors. It was a popular spot for many in this community.

V. New Communications -

- a. Developments, looking ahead: *Current building projects in the City include County Electric Warehouse on York Street, new Par and Grill Restaurant at 6 Carrol Street and Emera's new Equipment Switching Building on Lower Lyndon Street.* – CEO Ken Murchison informed the**

Board of these new developments this spring along with a new potato storage going up for Guerrette Farms on Carrol Street.

VI. Staff Report -

- a. Blight Initiative** – CEO Ken Murchison stated that staff has been busy on the blight study. Been all over the City, plotted 3,364 points on a map representing buildings, out buildings and commercial buildings. Attributing data to each point. There are blighted areas in the community. Most people keep nice homes, lot of older well kept houses and lots.

Other Items - garbage violations, junk vehicles complaints and notices of violations going out. Demolished two homes that were dilapidated and cited for demolition for a couple of years now. The end of Patten Street is a nice little green park area that will become a trail head for ATV trails. A third house is slated for demolition next week at 66 York Street. It has already been abated for asbestos. There are also a few more houses that need to come down.

VII. Comprehensive Plan Update -

- a. Future Land Use Plan** – CEO Ken Murchison stated that the blight mapping is the stuff that the proposed land use map will be made of – proposed land use, the ultimate zoning map and mixed use zoning techniques. CEO Murchison was approached by a business interested in mixed use. A big development that would be a commercial activity in a residential zone. They are wondering if mixed use would work and are interested in bringing this forward to see if mixed use could be considered.

CEO Murchison explained that the Comprehensive Plan is still being worked on. The City does not have an ordinance for solar arrays and there are a lot of these occurring in the State. Chairman Robert White commented that as he was looking at the development on Washburn Street, he saw that the only land use we have that it would fit was public utility. But then he realized it isn't a public utility, it's a private industry that happens to be selling energy to a public utility. CEO Murchison stated that downstate was having similar issues.

CEO Murchison stated that another concept coming is tiny houses.

VIII. Chapter 13, Zoning -

- a. Manager's Minute** – Chairman Robert White complimented Manager Marker for the work he has been doing on the Zoning ordinance, nice job. Chairman White stated that it's been a long process and is nearing completion but not there yet.

City Manager Dennis Marker gave an overview of some more work he has done on Chapter 13, Zoning of City Code. Under the administrative section, he eliminated redundancy. Manager Marker reviewed CEO responsibilities, violations and processes. The Board of Appeals and appeals process were referenced in a few places, these were consolidated into one place. He also compared the City codes with State codes.

Chairman Robert White commented that Manager Marker is doing a great job to bring things into compliance with State code. Chairman White appreciates it very much.

- IX. Other Business** – CEO Ken Murchison explained that there have been further complaints for Mr. Duplessie on the Van Buren Road as far as the progress in putting a fence up and cleaning up the property. Mr. Duplessie had made an agreement with the Planning Board to do so. He was served notice about two weeks ago to complete these items and has 30 days to comply.

X. Adjournment – David Corriveau moved to adjourn the meeting at 7:19 pm; seconded by Dan Bagley.
Motion carried with all in favor.

Respectfully Submitted,



Christine Solman
Planning Board Secretary

CS/dl



Emerald Valley Ranches, LLC.
476 West Presque Isle Rd.
PO Box 717
Caribou, ME 04736-0717

May 13, 2020

Caribou Planning Board
25 High St.
Caribou, ME 04736

Members of the Planning Board,

The purpose of this letter is in support of the Use Permit Application from Caribou Solar, LLC to construct a Solar Array on Tax Map 7, Lot 32 at 192 Washburn St. in Caribou.

Emerald Valley Ranches, LLC is a large fresh broccoli producer in Caribou. Our cooler is located at 166 Washburn St. east of the subject property with an access road/right-of-way between us. During our shipping season, July thru October, this entrance handles over 1000 refrigerated tractor/trailer units used to ship our product to east coast markets. Additionally, over twice that number of farm trucks with harvest trailers bring broccoli in from the fields to be cooled and iced prior to shipment. I have met with the principles of Caribou Solar, Shawn Pelletier and Carl Soderberg. As a result, I feel this development will have no effect on my ability to transport or ship our broccoli crop.

Additionally, as a previous owner of the subject property and an area farmer, it is my opinion that a solar array is the highest and best use for this property.

Lastly, Shawn and Carl are local businessmen, substantial employers and taxpayers and continue to invest in our community making Caribou a better place to live and do business. Their continued investment here at home deserves all our support.

Thank you in advance for your thoughtful consideration of this application.


Andy Ayer
Emerald Valley Ranches, LLC

Addition to the minutes by Christine Solman, adopted by the Planning Board as an attachment at the June 11, 2020 meeting.

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II. There was a roll call vote to accept minutes. Comments/reminder to be using a roll call vote.

III.a. Public Hearing – Caribou Solar Power, LLC

Para. 1 - Chairman White: The hearing is a two-part hearing which will stay open until such time as we make a decision in June or later.

Para. 2 – CEO Ken...comments were phoned in prior to hearing; Bob Plourde asking who developers were - Ken told Bob that Shawn Pelletier and Carl Soderberg are the principals...(and asked how to invest); Andy Ayer was concerned about dust from vehicular traffic entering his property affecting the project, i.e. dust getting on the solar collectors, and he said he would talk to the owners directly; the other caller that did not disclose their name was wondering who is running the operation. No opposition.

A letter was received from Andy Ayer dated May 13, 2020 to support the project, letter was read to the board; letter stated that his facility next door, an agricultural processing facility, would not be affected by the solar array, and that he felt this use was the highest and best use of the subject property.

Para. 3 – (Insert this as second sentence): Dennis Marker presented a digital map of the subject property location on the YouTube video, as to provide viewing/description for the public watching the meeting.

Para. 4 –(Insert this at beginning) Chairman Bob White initiated the review of the Concept Review criteria checklist by the Board. Dan Bagley noted a correction was needed on the Tax Map number on the application as Tax Map 7, not Tax Map 4. He also noticed that the total area/acreage of the parcel reads 57 acres, and the total area of the area to be developed reads 20 acres, but the map/diagram of the lot and how much the array is taking up, it doesn't look like those numbers are right. It appears the array is taking up a much larger percentage of that lot than what is indicated there. Questioned if there are lot coverage standards that we need to look into further.

Notices to abutters within 500 feet were sent out, but the list did not make it into the Planning Board packet. Ken stated these letters were sent within the 14-day notification requirement prior to hearing.

When discussing the list of engineers and consultants used on the project, Chairman White did comment that these could be pulled from the documents provided in the packet, but we did not receive a complete set of plans. Some of the items in the checklist are still outstanding, and will be needed at the next session of the hearing.

Dan Bagley asked about the checklist item "Boundary Survey" and if that requires an actual survey. Ken said there was a survey done, but it wasn't included in the packet because it was a very rough sketch, it did not include any property pins or information, so it was not included in the packet.

Dan also noted we didn't have a floodplain/wetland plot, which might be needed because of the Caribou Stream. The area that bounds the Caribou Stream is a Stream Protection Area which includes 75 feet

from the stream. It needs to be clarified whether the development is within the Shoreland Zone, and for the plans we should have a map with indications of wetlands or floodplains, so we can see that the project is not near any of those areas.

CEO Murchison state that there are no wetlands. Dan Bagley indicated that the pole line easement on the deed and zoning designations should be marked clearly on the map, and there should be a formal boundary survey signed and sealed by surveyor.

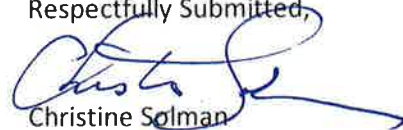
Para. 5 - (Fire Chief/Police Chief) paragraph...

Chairman Bob White said the Stormwater Management Plan should be addressed, as Dan Bagley had discussed earlier in the meeting. The concern/question is this large area of panels that are effectively like a large roof, and what will happen to the ground where the water is running off them. Is this water going to be running to the stream, is there erosion, etc.

There is no sewer system planned or even service buildings planned; no landscaping, buffers, screening, plantings, planned/ proposed. CEO Murchison said we don't have a standard for that but there will be a fence, which is state regulation, but is not mentioned in application. Item L. therefore needs to be addressed in the application. No signage is proposed.

...(Chariman Robert White recessed the hearing) paragraph

Respectfully Submitted,



Christine Solman
Planning Board Secretary

