

## **Blue Hill Planning Board**

January 11<sup>th</sup>, 2023 – Meeting Minutes

### **Location**

Blue Hill Town Hall, 18 Union Street, Blue Hill, Maine

### **Attendance**

**Present:** Mary Alice Hurvitt (chair), Scott Blanchard (vice-chair), Gavin Riggall, Emily Cushman, Marcia Mckeague, Sergei Breus, Wilson King, Matthew Martin, Bryce Farnham (CEO)

**Public:** Aga Dixon (Town Attorney), Kristin Collins (Abutter's Attorney), Stephen Wagner (SolAmerica Attorney), Jeff Wessel, Anita Wessel, Karen Frangoulis, Bill Loomis, Daniel Cooke, Christopher Brumfield, Valencia Libby, Maggie White, Dana Leighton, Bill Mulliken, Preston Carter, Jennifer Mitchell, David Putnam, Semena Carlik, Mary Glassanos, George Crampton, William Rand, John Bates, Joe Brown, Julie Jo Fehrle, Michael Aker, Dana Aker, Rachel Randall, Jason Young, Nina Fleming, Phil Norris, Deborah Wiggs, Christopher Barnes, Parker Hudson, Chris and Sean Guinness, Haydee Foreman, Jennifer Traub, Sarah King

**Remote:** Butler Smythe, Tony Yvonne (SolAmerica), Ryan Peters (SolAmerica), Doug Hylan, Lars Selberg, Bob Fleming, various members of the public

**The meeting began at 5:30 pm and a quorum was recognized – 7 board members present**

**Discussion:** The Board reviewed and approved the meeting minutes from the December 14<sup>th</sup>, 2022 meeting.

**Motion:** Mary Alice motioned to approve the meeting minutes from Dec. 14th, Marcia seconded, and passed 7-0.

Attorney Aga Dixon began the meeting by reviewing the timeline and process that the Board has gone through regarding the SolAmerica application which was deemed complete in March of 2022.

Attorney Kristin Collins who represents abutters William Rand, Mary Glassanos, and George Crampton took the floor. Attorney Collins stated that she and the abutters felt that the Board had missed some information during the October meeting when the application was originally approved. The original request for reconsideration was based on the first application that was received from SolAmerica. Attorney Collins was not aware of the resubmission of information that was received by the Board in October therefore the request for reconsideration was broader than necessary. Attorney Collins believes that SolAmerica has come to the Board prematurely based on the fact that they have not provided important information because the project has yet to be designed. Attorney Collins presented several problems with SolAmerica's application that she and the abutter's believe should be taken into consideration prior to making a final decision. Attorney Collins believes that the Board must receive a storm water plan based on the final design. She asked the abutters to speak about the already existing drainage issues coming from the lot where the project would be situated. At this point the lot is only partially clear cut and would be completely cleared if project is approved, which will then cause more significant drainage issues to abutting lots. Attorney Collins and abutters were not satisfied by the minimum requirements for the avoidance of adverse effects by the project. They would like SolAmerica

to have an archeological survey done to provide further information about the site to be sure it will not have any adverse effects on any historic sites or archeological resources within the town.

Attorney Collins asked the Board to receive from SolAmerica a final design plan, and Stormwater Management plan based on the final design plan, an archeological survey, a statement from SolAmerica stating that there will be no lighting on the site, and a construction plan including working hours.

Attorney Collins asked for the final decision to be tabled until SolAmerica can provide the information which she finds is missing from the application.

Abutters Mary Glassanos, George Crampton, and William Rand all had the chance to speak. Attached are their statements.

SolAmerica attorney, Stephen Wagner was given the opportunity to rebut to the new testimony presented. Attorney Wagner stated he has given his rebuttal point by point in his written response to the reconsideration request. He was happy to elaborate on any questions the Board may have. Attorney Wagner believes that the Board correctly applied the ordinance to the evidence that was before them and made a sound, well-reasoned decision. Attorney Wagner and SolAmerica disagree that the Board should have to even to go through this process but they are understanding of the position the Board is in.

Mary Alice closed the public hearing at 6:15pm

The Planning Board deliberated on each of the review criteria in Section 6 of the Commercial Site Plan Review Ordinance. It was agreed that because of concerns brought to light during the Public Hearing and changes to the project since the original application in February 2022, the Planning Board could not make a positive determination until updated plans and additional information was provided by the applicant.

The Board tabled the deliberation until the February 8<sup>th</sup> meeting. No motions were taken during the discussion.

The Board's prior decision is still in effect and was advised by Attorney Dixon to not vacate the decision at this point. Attorney Wagner stated that there is not risk of construction proceeding prior to the next meeting.

**Motion:** Mary Alice motioned to continue deliberations until February 8<sup>th</sup>, 2023 or at date selected by the Board chair. Scott seconded. Approved 6-0.

**Motion:** Mary Alice motioned to adjourn the meeting, Scott seconded, and passed 6-0 at 8:57pm.

**Next meeting:** February 8<sup>th</sup>, 2023 at 5:30pm.

Signed:  \_\_\_\_\_ Date: 2/8/23

George Crampton,  
151 South Street  
Blue Hill Maine 04164

Abutter Statement

Concerning Sol America Proposed Industrial Solar Farm  
South St. Site  
Blue Hill Maine 04164

Blue Hill Planning Board Mtg 1/11/2023

In regards to the proposed solar farm plan by Sol America I would like to point out that an ordinance is currently in place that other than hair splitting of the wording is quite clear in it's intent. I would urge the planning committee to make the necessary changes retroactively so that this is not an ongoing problem.

The main issue for me is that an out of state corporation in their endless quest for profit has targeted a small rural community without regard for the feelings of the residents or the surrounding environment.

When they promise green, renewable energy for the community it's important to realize that after installing their equipment the resulting power will be sold at a profit to electrical providers who will turn around and sell that power at a profit to their customers - perhaps not in Blue Hill at all. The point being that no one in Blue Hill will see any savings or reduction in their electrical bills. The only Blue Hill resident to benefit from this project will be the person leasing the land to them.

There are other environmental issues as well such as drainage, degradation of their equipment, noise considerations, and wildlife habitat. Sol America will promise to address all of these, but how? If they are allowed to install 20 acres of solar panels Blue Hill could witness storm and culvert flooding, ground water contamination, the constant hum of machinery, an upheaval of the natural ecosystem, and how long will it be before the local landfill contains 20 acres of obsolete solar panels? If Sol America is allowed to proceed, despite all their promises the only recourse residents will have will be time consuming and costly litigation.

This is a classic carpetbagging operation. They come in as aggressively as possible, dissecting local ordinances, giving hollow reassurances as to safety and environment and then doing as they please. All in the name of their corporate profits and all on the backs of the local residents. I ask that you deny this project.

Thank you,  
George Crampton

Mary Glassanos  
151 South Street  
Blue Hill Maine 04164

Abutter Statement

Concerning Sol America Proposed Industrial Solar Farm  
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Hi everyone, thank you for coming out tonight. My name is Mary Glassanos. 33 years ago while visiting family in East Orland my sister in law brought me to Blue Hill. I was completely smitten. What a place! 19 years ago George Crampton and I bought our house on South St. After many wonderful summers and a few even better falls we recently moved to Blue Hill year round.

George and I were both stunned by the news that Sol America, a commercial solar company based in Atlanta, Georgia, was requesting planning board permission to put a large scale commercial solar farm on our street. It made no sense. We are both very much in favor of renewable energy but this is an increasingly residential area, even zoned residential growth. Our town has an ordinance disallowing projects of this size and scope, yet somehow Sol America latched on to one mis chosen word in the towns solar ordinance and has aggressively, disrespectfully pursued planning permission, in spite of the laws of the town. In spite of the will and intent of the townspeople expressed through their votes. In spite of the problematic choice of project site which will adversely affect wetlands, drainage, and wildlife. In spite they have unrelentingly insisted on their South St. commercial installation. One can only wonder why when there are so many far better suited and less problematic spots. It's still a mystery.

This industrial installation will necessitate clear cutting 18 to 20 acres of forest bordering wetlands. South St. is not unlike a paved horizontal band which cuts across dozens of naturally occurring small and not so small brooks and streams which in turn all run or drain down to the bay. During heavy rains and thaws there are most certainly drainage issues. If anyone remembers when Tradewinds paved their parking lot there was an immediate need for a large catchment pond across the street. More recently (and in progress) the sidewalk going in on South St has involved complex proactive drainage management on both sides of the street. Taking it on faith that clear cutting 18-20 acres of woodland will not have a detrimental effect all the land directly and indirectly abutting the clear cut because there will be a plan but no one has seen or reviewed this plan would be foolish at best.

Another aspect of clearcutting 18-20 green acres for green energy. ( and green dollars), and replacing flora with acres of solar panels, chainlink fence, and barbed wire is the impact this will have on wildlife.

There is currently a new Maine solar farm bill in the works created by a diverse coalition of conservation organizations, sportsmen and women, and solar and agricultural developers with the purpose of extending protections to forests and farmlands currently applied to wetlands, streams, and vernal pools. People are concerned state wide with good reason. We in Blue Hill would be remiss to ignore the red flags.

Wildlife? What wildlife is there on South St? Well, I'm glad you asked. Here is an incomplete list of birds and critters which either I or my neighbor who lives a mile south have spotted.

Bats	Bald Eagle
Cougar	Osprey
Deer	Various Hawks
Black Bears (mother and cubs)	Owls
Moose	Great Blue Heron
Coyote	Turkeys
Coywolf	Pheasant
Bobcat	Grouse
Lynx	Blue Jays
Red and Grey Squirrels	Cardinals
Chipmunks	Robins
Raccoon	Sparrows
Skunk	Swallows
Fox	Crows and Ravens
Ground Hog	Finches
Fisher	
Rabbits	
Hare	
Various rodents	
Porcupine	
Big turtle ( who laid 30 eggs which all hatched)	
Snakes, Frogs, and Lizards	

Monarch butterfly, Swallowtails, Luna moth, and the amazing variety of plants, insects and reptiles that all the above live on.

So, to sum up I'm respectfully asking the planning board to honor the will of the voters and the signatories of the petition, all of whom are also registered Blue Hill voters. Clarify the language of Blue Hills' solar ordinance to match the ordinance's intent and make the requirements applicable to any large scale solar farm that did not receive final site plan approval by the planning board on or before January 1, 2023.

Thank you for your time and attention, Mary Glassanos