

Town of Belgrade Planning Board

**April 7, 2022 / 6 p.m.
Belgrade Town Office
990 Augusta Road**

**This meeting can be watched at
<https://youtu.be/8uZs6y2DLIE>**

MINUTES

Planning members present: Peter Rushton, George Seel, Peter Sargeant, Craig Alexander, Sara Languet, Rich Baker.

In-person attendees: Steve Buschbaum of Solar Fields LLC, Mark A. Bower, Esq. of Jensen Baird law firm.

Remote attendees: Terry DeWan and Steve Thompson of Terrence J. DeWan & Associates Landscape Architects & Planners, Randall Briggs.

1. OLD BUSINESS

A. Discussion and consideration of **Commercial Development Review Ordinance amendments addressing commercial solar facilities.**

Terry DeWan and Steve Thompson, landscape architects in Yarmouth, encouraged an assessment of scenic resources that can be included in the comprehensive plan and used in viewshed mapping to ensure they are protected. He explained scenic resources are defined as “public natural resources or public lands visited by the general public, in part for the use, observation, enjoyment and appreciation of natural or cultural visual qualities,” emphasizing the state standard speaks to publicly accessible spaces versus impacts from a private property. These standards apply to solar projects regulated by DEP, though a municipality could tighten those to consider impacts on neighbors. Scenic resources are often points (a mountaintop), lines (a lakeshore) or areas (“outdoor rooms” with well-defined features (a lake). Lakes would definitely be a scenic resource. Most every project will have some level of mitigation. One criteria for determining the impact would be the potential effect on continued use/enjoyment. Viewshed analysis is a computer study that considers all of the scenic resources and land use within a particular area. There is no standard study area around a solar development, though DEP uses a 3-mile radii around all scenic resources, and elevated viewpoints up to 5 miles. Visual impact assessments are not prohibitively expensive, but the cost of doing business in addressing a key community concern. Up to the town to identify and inventory scenic

resources; Mr. Seel believes the Comprehensive Plan, while not identifying those resources, gives the baseline to withstand legal scrutiny if those are identified in the ordinance. Better to define in the ordinance what adequate screening is, including depth, number of rows of plantings, etc. Professional and independent evaluation could be funded with an escrow account established by the developer.

Later in the meeting, the Board continued its work on the Commercial Development Review Ordinance amendments addressing commercial solar facilities.

2. NEW BUSINESS

A. CONDOMINIUM DISSOLUTION – Applicants: Manisha Thakot, Jeffrey and Joanna Bearce, James Smith. Location: Chestnut Road (Messalonskee Lake), Map 20 Lot 23. Purpose: Convert existing condominium into three (3) single-family lots and one (1) commonly owned lot. Mr. Seel moved that the Board finds the condominium dissolution meets the provisions of Section 12.E.3 of the Shoreland Zoning Ordinance and that the Board approves of the revised boundary survey dated Feb. 17, 2022, under the Subdivision Ordinance on condition of receiving a written request to amend the original subdivision approval. Mr. Alexander seconded. Motion approved 5-0.

B. SHORELAND APPLICATION – Applicant and owner: Randall Briggs. Location: 324 Timber Point Rd. Map 8A Lot 5. This is a non-conforming lot (135' of shore frontage). Purpose: Interior changes – add a bathroom, enclose before first-floor bedroom (slab in place from past permit, see attached minutes), move decking stairs providing more compliance, replacing rotting decking boards, replace window and doors on ground floor. Mr. Seel moved approval of the application, with the standing condition that *stormwater run-off be managed in accordance with Section 15(I) of the Shoreland Zoning Ordinance and the Maine Department of Environmental Protection's Best Management Practices as outlined in the Conservation Practices for Homeowner's publication*. Mr. Alexander seconded. Motion approved 5-0.

3. OLD BUSINESS

A. Consideration of March 17, 2022, Planning Board minutes. Mrs. Languet moved approval. Mr. Alexander seconded. Motion approved 5-0.

4. ADJOURN. Mr. Seel moved to adjourn. Mrs. Languet seconded. Motion approved 5-0.