



Town of China

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

Approved by Planning Board by a vote of 4-0 on June 15, 2021

Planning Board Meeting
Meeting, held in person, in portable
May 25, 2021
Begin 6:30 PM

Board members in attendance: Toni Wall, Natale Tripodi, Scott Rollins
Board members not in attendance: James Wilkens, Randall Downer
Attendees: Brent Chesley, Cathy Chesley, Mary Grow

Code Enforcement Officer Jamie Hanson present

Board meeting opened by Board Member Wall
Pledge of Allegiance to the American Flag

Board Member Wall brought Board Member Tripodi into voting capacity.

Review/Approve Minutes May 11, 2021 Meeting

- Board Member Wall motioned table minutes to next meeting, June 8th.

Solar Ordinance

- Board Member Wall opened discussion starting with Section 7 – Dimensional Standards of the Solar ordinance. Board Member Wall read section aloud. Board Member Rollins advised they do not have industrial commercial zones and will need to adjust wording. CEO Hanson advised there are heights for building mounted structures such as antennas in land use ordinance. Board Member Rollins suggested deleting (a) since (b) would be more to China terminology. Board was in agreement of deleting (a).
- Board Member Rollins mentioned that they had previously talked about distance from the property line and maybe having a sliding scale. CEO Hanson confirmed that is it 10 ft. from the property line included overhangs and advised of the adjacent property has right sunlight. CEO Hanon explained that if is placed more central to lot, can have a high height. Board Member Rollins explained from 0-10ft. ,could not have a structure but proposed heights of from 10-20ft. from property line would be 12ft. height; from 20-30ft. from property line could be 18ft and for 30+ ft. from the property line would be 24ft. Board Member Rollins confirmed with CEO Hanson that the maximum is 35 ft. for house height. CEO Hanson explained could have 35ft. for ground mounted and cannot have roof mounted if already at maximum 35ft. Board Member Wall explained need to delete zoning and change to districts. Board Member Rollins stated table would apply to any district. Board Member Rollins advised would have to be 100 ft back from the water due to requirements for structures.



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- Board Member Wall questioned lot coverage for solar arrays and states she thought they were considered structures? Board Member Rollins explained that if is at a 45-degree angle, would only be using the drip edge for the calculation. CEO Hanson advised of DEP ordinance and what can be exempt. There was discussion on how would be counted as structures and terminology needed to for the ordinance. Board Member Wall questioned if there was a section that described what a structure was in regard to solar array? CEO Hanson advised there is some mention under “physical components” in decommissioning. Board Member Wall explained would need to go back to definition in ordinance. CEO Hanson explained physical components are not all considered structures such as transmission lines and the posts. Board Member Wall explained that her interpretation would be anything that is mounted is a structure. CEO Hanson explained can be a post augured into the ground and that the structure is anything that is mounted on the ground. Board Member Rollins advised that for lot coverage, they would only be considering the drip edge and they need to state somewhere they are considered structures. CEO Hanson commented they could state that solar arrays are structures and will be considered for maximum lot coverage. Board Member Rollins explained they would want to count tilted panels. Board Member Wall advised to add (e) and provided wording for section. Board Member Rollins explained that any building that houses the batteries and advised for the purposes for the calculation of the panels, the drip edge of the panel will be used as maximum. There was discussion on the proper wording regarding calculations for panels. Planning Board members in attendance agreed on updated wording.
- Planning Board reviewed Section 8 – Amendment to Application and agreed to leave as written.
- Board Member Wall read section 9 regarding decommissioning. Board Member Wall questioned if is specific to abandonment or are they repeating under decommissioning? Board Member Rollins suggested the wording of “if fails to resume operations or remove installation within 365 days” He continued this would give time for them to comply such as if there was a new owner. Board Member Wall inquired to piece regarding decommissioning? CEO Hanson explained Section 7 has paragraph and Board Member Wall confirmed should it stay in Section 7.
- Board Member Wall read Section 10 and verified is consistent with Chapter 9 of Land Development Code. Board Member Wall wanted to confirm 30 days was correct.
- Board Member Rollins advised Section 11 is good.
- Board Member Wall read Section 12 and confirmed is fine as written.
- Board Member Wall questioned if the definitions are going to stand alone or are, they going to be added to land use? Board Member Rollins advises that he thinks they should stay in solar ordinance based on being specific to this ordinance.



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- **Definitions**

- Electrical equipment – Board Member Wall read definition. Board confirmed is correct.
- Electricity generation – Board Member Wall read definition. Board Member Rollins inquired if this term has this been mentioned anywhere else? Board Member Wall found section advising of electricity. Board Member Rollins suggested to remove the height and advised they need to add under the general definitions that “are specific to this ordinance” and reference land use (Chapter 11) for other definitions. Board Member Wall states will be confusing if moved and CEO Hanson advised could have a different meaning in another section of land use ordinance.
- Mounting – Board Member Wall read definition. CEO Hanson advised should say solar energy system.
- Power – Board Member Wall read definition. Board Member Rollins questioned if power is referenced to anywhere else? Is it needed? Board agreed this can be removed as a definition.
- Board Member Rollins advised need to keep solar array, solar collector, solar energy system, solar energy ground mounted, roof mounted, and tilt definitions as worded. Board Member Wall read definitions.
- Large Scale Solar – Board Members Rollins advised he would like to would have input of Board Member Wilkens and Chairman Downer regarding square footage. Board Member Wall explained she will make a note for them to review at next meeting.
- Solar energy system ground mounted - Board Member Wall read definition
- Solar energy system roof mounted - Board Member Wall read definition
- Tilt – Board Member Wall read definition. Board Member Wall inquired is “tilt” mentioned anywhere else? CEO Hanson confirmed is in section regarding lot coverage. CEO Hanson explained “static tilt” is unmovable.

Board Member Wall advised they will need to meet and review ordinance one more time. After the review, they can send to Select Board for their review. Board Member Wall explained she will check with Chairman Downer as to a possible date. Board Member Rollins suggested June 1st and only work on Solar ordinance.

Shoreline Stabilization

- Board Member Wall inquired to CEO Hanson if there were any samples of other shoreland stabilizations? CEO Hanson explained he pulled DEP’s early on in the discussions. Board Member Wall inquired if this is going to be part of the Shoreland Zoning Act? Board Member Wall questioned CEO Hanson if the DEP letter that was received had been get posted to website? CEO Hanson advised the letter is posted on website, on the CEO page, for the public to review. CEO Hanson advised he will find some examples of shoreland stabilization ordinances for the Board to review.



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CEO Report

- CEO Hanson advise that in the last 2 weeks, he has issued 10 building permits. He also advised that he has issued 2 new internal plumbing permits and 5 external plumbing permits for septic designs.
- CEO Hanson explained that he has had discussions with the Select Board regarding 5 buildings in the area that could be classified as “dangerous buildings”. CEO Hanson explained that they could seek a judge to demolish but would then need to take property owner to court to get reimbursed. He explained that 3 property owners have been notified and that the town attorney is involved. He also stated that notification on the 3 properties was also given by the previous CEO’s. CEO Hanson advised the 2 other properties that are in question have received complaints. One was the fire department notifying the CEO. CEO Hanson advised of his review of one of the locations during the winter and that he went again on Thursday but received no answer. He explained the property is not safe or habitable. He advised the location may become a dangerous building and informed the Planning Board of his concerns regarding the location. He advised that a compliant came in due to construction debris. CEO Hanson advises has another property that is in need of a septic system. The building on the property is no longer a mobile home and does not meet building code. CEO Hanson explained that 2 buildings are public health hazards and are so unstable that they could fall and are currently unoccupied. He explained that the Select Board is looking at what actions can be taken.
- CEO Hanson advised there have been no new applications for the Planning Board currently. He states he was advised by 2 separate interested parties regarding medical/retail marijuana facilities that they were going to be submitting applications for permit requests but he has not seen the applications yet.
- CEO Hanson advised that in regard to the plumbing permit for the daycare, no changes have been made and there has been no increase in the number of children.
- Board Member Wall inquired if Elder Care has been possibly contacted for the occupied building that has been deemed unsafe. CEO Hanson advised is a young adult that is visiting and living at another location.

Future Schedule and Adjourn

Next Planning Board Meeting: June 8, 2021

Motion to adjourn meeting made by Board Member Rollins

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