



Town of China

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

Approved by Planning Board by a vote of 3-0 on June 22, 2021

Planning Board Meeting

Meeting held in Portable and via ZOOM

June 15, 2021

Begin 6:30 PM

Board members in attendance: Toni Wall, James Wilkens (via ZOOM), Randall Downer, Scott Rollins

Board members not in attendance: Natale Tripodi

Attendees: Brent Chesley, Cathy Chesley, Kevin Corbett (via ZOOM), Scott Anderson

Code Enforcement Officer Jamie Hanson present

Board meeting opened by Chairman Downer

Pledge of Allegiance to the American Flag

Chairman Downer brought Board Member Tripodi into voting compacity.

Review/Approve Meeting Minutes May 11, 2021 & May 25, 2021

- Board Member Wall motioned to approve minutes as written.
- Board Member Rollins seconded motion.
All in favor. No further discussion.

Chair comments and priorities:

- Chairman Downer inquired if everyone had seen the email from Scott Pierz of the China Lake Association. He advised that he would like to send a friendly email advising are working on it and would like to hear comments on shoreland work. Chairman Downer explained would like to have shoreline ordinance in the hands of Select Board by 8-4-2021 to allow for a public hearing, have comments and to get back to Planning Board. He also advised that in email was an invitation to attend Annual meeting of China Lake Association. Chairman Downer advised he will most likely attend.
- Chairman Downer asked CEO Hanson to explain Fire Road 19 relocated and lot changes. CEO Hanson advised there are 2 lots and the owners have worked with previous CEOs Paul Mitnik and Bill Butler. The owners stated to CEO Hanson they were given guidance on how to change road and permission to do so, but were never prompted to go to Planning Board for review. CEO Hanson advised should have had Planning Board review as part of subdivision. CEO Hanson outlined the changes made and explained the changes that have been made are to the town standards. He continued that the property owners are simply reaching out to finish the project and are in the process of getting a surveyor. CEO Hanson advised would need a survey done in order to have a new plan to be put on new deed and tax maps. He continued that he could not find subdivision plan



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and wants to make sure is proceeding correctly. Board Member Rollins confirmed there are still 2 lots. CEO Hanson explained the fire road divided lots with a right of way. They are taking 20ft of northern lot for road and drainage and there is no longer a right of way through lots. Board Member Wilkens stated the project needs to come to Planning Board since lot shapes are changing. Board Member Wall questioned if they own the right away? No other lots own the right of way? There was discussion on the right of way ownership. Board Member Wall questioned how would right of way be incorporate into deed if they don't own it? Board Member Wilkens inquired if right away is written into another property deed? Chairman Downer advised is clear that tax map is excluding new fire road property. Board Member Wilkens explained deeds would need to be changed and stated that the Planning Board would not be able to approve as is currently. Chairman Downer reiterated that they need to come to Planning Board since peoples' deeds are going to be impacted. Board Member Rollins stated that they would need to entrance permit from DOT since is coming off of state highway. CEO Hanson advised he believed they already have the permit from DOT but will verify permit has been obtained. Chairman Downer inquired if the new fire road hits existing 100 ft from lake? CEO Hanson explained is more and the 100 ft buffer touches house. Board states they need to come before the board for approval.

Solar Ordinance

- Chairman Downer asked for a summary of changes made to the ordinance at previous Planning Board meeting. Board Member Wall provided summary of what changes were made including changed wording and adding sliding scale. Board Member Rollins commented the height of the structure is the table and cannot go above 35ft for roof mounting. Board Member Wilkens commented is keeping in line with current ordinances. Board Member Rollins explained about structures and lot coverage. Board Member Wall read section regarding abandonment. There was discussion on definitions being incorporated into land use ordinance or being only in solar ordinance. Chairman Downer states he would feel better if all in one place. Board Member Wall advised that for simplicity to keep them in ordinance. Board Member Wall and Board Member Rollins stated they are willing to move to general definitions. Board Member Wilkens advised should not have an ordinance with definitions that are not listed in Chapter 11. Board agreed to move definitions to Chapter 11. Board Member Wall explained needs one finally check and is ready to send forward. Chairman Downer explained can review at next meeting. Board Member Rollins explained they will need updated copies to review.
- Scott Anderson, representing SunRaise, LLC, explained his concerns regarding lot coverage piece. He explained that based on the angle the rain is going to fall, the DEP does not count square footage of the panels as impervious since rain water falls under the panel and they will not be mowing the grass more than 2 times a year. Mr. Anderson advised with them currently being considered structures, this limits the size of the project due to lot coverage. He explained he would like panels not to be included as part of lot coverage and allow for larger benefit. Mr. Anderson advised that other town ordinances



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are not counting the panels in lot coverage and seem to be tracking DEP. He states he understands that China has very strong lot coverage limits due to lakes and lot coverage caps in the rural districts. He continued that the panels are treating as invisible by DEP and are seeded with natural vegetation. Board Member Wall commented that vegetation takes time to grow and can take months for vegetation to become established.

- Chairman Downer explained is more than just rain water and the community has commented about having smaller installations. Board Member Wilkens advised they have looked at this numerous time and DEP is looking at all towns, but a town can be more stringent than DEP. Chairman Downer advised that during the review process, the Select Board will seek out other comments from the public.
- Kevin Corbett, representing SunRaise, LLC, explained that Route 3 is smaller. He explained was originally to be a 6-megawatt system and was reduced to 4-megawatts due to lot coverage. Mr. Corbett explained there was discussion on how to change ordinance and they provided the template from the Audubon Society. He advised that in the template language, the solar panels are not to be part of lot coverage. He continues that the ground underneath is going to be grass and will absorb the water and this should be a considered point regarding lot coverage. It was advised that he Route 3 project was based on aerial coverage.
- Chairman Downer advised will move question to next week. Board Member Wall explained the ordinance usually are not put out on the website until after Select Board review since they may have changes they may want adopted. Chairman Downer explained final edits due Friday and would like to clean it up and send to Select Board by next week. Board confirmed date should be June 22nd.

Shoreline Stabilization

- Board Member Wall advise the Board she had found shoreland ordinances from other towns. Chairman Downer advised they had previously found wording in Land Use Planning Commission and many of the terms used were used in NH ordinance. Board Member Rollins advised he will resend Land Use Planning Commission to all board members. Board Member Wall inquired if the goal is to write an ordinance like solar array ordinance or are they adding to Land Use ordinance? Chairman Downer that advised that based on the letter received from the DEP regarding discrepancies, they would be doing a section in existing ordinances specially Chapter 2, sections 2,4, and 5. Also they would need to clean up some of the definitions. He continued that they will need to modify sections to be accepted by DEP.
- Chairman Downer questioned if a closed canopy forest is a vegetative surface? Board Member Wall advised of larch tree development and is not really vegetated under. There was discussion vegetation and the need to update some of the wording. Chairman



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Downer advised he will work with Board Member Wall to create draft for next meeting for members to review.

CEO Report

- Board Member Wilkens inquired if Paul Mitnik is working with Town again. Board Member Wall advised is in Town Line and is on a part-time basis inspecting septic designs and this would only be for when CEO Hanson is not available. Chairman Downer advised per the Town Manager, Mr. Mitnik would mainly be doing inspections and contract stuff

Future Schedule and Adjourn

Next Planning Board Meeting: June 22, 2021

Motion to adjourn meeting made by Board Member Wilkens

Motion seconded by Board Member Wall

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

Respectfully Submitted,
Dawn Kilgore
Planning Board Secretary