



Public Hearing and Meeting Minutes
Tuesday, September 15, 2020, 6:30 P.M.
Dayton Town Hall

CALL TO ORDER & DETERMINATION OF QUORUM

Members: Chair Shannon Belanger, Darren Adams, Justin Lord, John Boissonnault, Chris Belanger

Town Employees: CEO Jim Roberts

Public: Clark Cole, Joan and Peter Warren, Tom Hooper

Meeting was called to order at 6:30 PM.

APPOINTMENTS

None.

MINUTES

August 18, 2020

MOTION

John Boissonnault motioned to approve the minutes; Darren Adams seconded. All voted in favor.

PUBLIC HEARING to review an ordinance to facilitate the effective and efficient use of Solar Energy Systems while protecting the public health, safety, and welfare of Dayton citizens; also preserving the rural identity of the area.

The public was invited to ask questions.

Joan Warren asked if there are any companies currently interested in developing solar projects in Dayton, and if this is the driving force behind a solar ordinance. Shannon Belanger explained that there is a company interested in developing a site off Wadlin Road, but the development of the ordinance started in late 2019. Jim Roberts said that a public hearing had been scheduled this spring but was postponed due to COVID.

Joan Warren asked about the natural resources described in Section VIII.E and if Dayton has such areas. Shannon Belanger explained that typically, when a developer submits plans, they are required to contact the Dept. of Inland Fisheries and Wildlife and it is the agency's job to determine if those resources exist. Jim Roberts noted that the town's comprehensive plan has that information also, and while not inclusive of all areas, it is helpful. Joan Warren asked for clarification and Shannon Belanger said that if the projects impact wetlands, then the Planning Board must go with state requirements.

Joan Warren asked for clarification on the size of solar systems, and if a church in the village district would be able to install a system. Shannon Belanger read definitions of scale on page 5 and noted that a church would probably install a small-scale system. As a point of comparison, the total amount of panel surface area on Town Hall is less than 1750 square feet.

Joan Warren asked about height requirements with houses with walk-out basements. Jim Roberts felt it should not be an issue for most homes, noting that roof height is tied to the zoning district.

Peter Warren questioned the height of pole-mounted panels, asking if a minimum of 12 feet is to allow mowing under the panels. The Board clarified that the wording says, "shall not exceed 12 feet."

Joan Warren asked if this ordinance was derived from the state. Jim Roberts said that the information was pulled from surrounding towns, especially Cornish. The Warrens indicated that they were happy to see a solar-friendly atmosphere and provisions made for end-of-service.

The following email from Ben Harris was read into the record:

"I would like to see the ordinance require for medium and large scale solar to include signage on four sides. This signage should include emergency contact information for the site. I also believe the permitting process should require fire department approval to ensure as well as emergency shut offs/deenergizing systems. I also think the setback from property lines could be decreased to 30 feet."

MOTION

John Boissonnault motioned to close the public hearing at 6:44. Darren Adams seconded, and all voted in favor.

Solar Ordinance Development Review and Workshop:

Page 1: no changes

Page 2: no changes: Board decided to leave setback requirements as written.

Page 3: no changes: Board noted that Section VIII B. requires the system owner of medium and large-scale projects to submit a copy of the site plan review application to the Fire Chief, with shut-down mechanisms noted.

Page 4: Section IX, Standards, subsections A-F pertain to large-scale projects. Board members agreed to change the wording to include medium-scale projects. Members also agreed to add a sentence to D. stating that a performance bond must be established with the Town to decommission and revegetate the site.

Page 5: no changes to definitions or numbers. Darren Adams noted that medium-scale projects occupy up to 40,000 square feet and large-scale occupy over 40,000 square feet, so technically no definition covers a project that occupies 40,000 square feet.

John Boissonnault asked about other possible equipment on the property, such as engines, generators, or the presence of alternative fuels. Jim Roberts said there are usually transfer switches but no engines, and Shannon Belanger added that there are equipment pads and sometimes small sheds that will house equipment.

Members noted that fencing, especially around large projects, is not a requirement. Most project owners would probably want to fence in their equipment. Jim Roberts reminded members that this could be added as conditions of approval, as can other concerns not addressed in the ordinance.

Shannon Belanger will incorporate the changes and send a draft to Board members.

MOTION

John Boissonnault motioned to recommend the draft, with the minor changes above, to the Selectmen. Darren Adams seconded. All voted in favor.

Review draft fee schedule:

Jim Roberts told the Board that last year the State had made recommendations for Accessory Dwelling Units (ADUs) that some towns have adopted, and some have not. He will scan and email a print-out to the Board. The Board should review this and have future discussion with the Selectmen.

Members reviewed the draft Planning Board Fee Schedule submitted by Shannon Belanger. Many of the fees in this draft are modeled after those charged by the town of Sanford.

Points noted during discussion:

- Fees should be consistent with those in the current Subdivision Ordinance
- A fee for site walks has been eliminated
- The fee of \$350 should be adequate to cover the cost of a public hearing, if needed
- The current fee of \$150 for a Conditional Use Permit is inappropriate for something that covers a large area
- Applicant(s) will be required to pay the fees for any outside consulting
- Under the "Miscellaneous" category, the Change of Use fee (without site changes) of \$2000 seems high, is this an error and should it be \$200?
- The breakdown of sizes has potential "holes.". (Example: "greater than 500 sq ft up to 1000 sq ft" is followed by "greater than 1000 sq ft...")
- The three extension fees are different; maybe a flat fee would be appropriate. It was also noted that an extension for a home is different than an extension for a large project. Currently many applicants just pay the permit fee again.
- Dayton has contract zoning, but it is not used much and there is currently no fee schedule for contract zoning. Supplemental submissions may not be applicable here.
- Under the Conditional Use Permit/Site Plan category, the proportion of the fee to the project size is not linear. (Example: 1000 sq ft project has a \$250 fee, while a 100,000 sq ft project has a \$3000 fee) Perhaps a flat fee per square foot would be better.

Jim Roberts said that there are currently no impact fees in Dayton, but they should be considered. Other towns assess fees for houses, sewers, parks and rec, streets, and other categories. In response to questions about the possible solar farm, he explained that it might not affect the property value and will be assessed as a personal property tax for the equipment owner. It might even decrease the value of the land.

The Board will revisit this at a future date.

GOULD ROAD SUBDIVISION

Applicants may ask to be on the agenda for the next meeting.

ADJOURN

MOTION

Darren Adams motioned to adjourn, and John Boissonnault seconded. All voted in favor. The meeting adjourned at 7:30 PM. Next meeting will be Tuesday, October 20th, 6:30 PM at Dayton Town Hall.

_____ Date: _____
Shannon Belanger, Chairman

_____ Date: _____
Valerie Cole, Acting Secretary

COPIES TO: Jim Roberts, Code Enforcement Officer; Selectmen; and Tax Assessor

THESE MINUTES MAY NOT BE TRANSCRIBED VERBATIM. SECTIONS MAY BE PARAPHRASED FOR CLARITY.