

**Agenda**  
**HERMON PLANNING BOARD**  
**Public Safety Building**  
**February 20, 2024 – 6:30PM**

1. **CALL TO ORDER BY CHAIRPERSON**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL-       Appoint Alternate Member(s) if necessary.**

**Members Present:** Ed Marsh, Deborah Whitman, Kyle Sullivan, Curtis Bartram, and Greg Newell

**Members Absent:** Joshua Pelletier, Jeremy Snow – **Excused**

**Others Present:** Code Officer Jessefa Murphy, Town Manager Joshua Berry, Deputy Clerk Keely Gonyea, Council Members: Richard Cyr, Christopher Gray, Danielle Haggerty, Ronald Murphy, John Snyder, Steve Thomas, Derek Wood, and three guests.

4. **CONSENT AGENDA-**

- A.     Consent February 20, 2024, Agenda
- B.     Approve minutes of the November 21, 2023

**Kyle Sullivan made a motion to approve the minutes of the November 21, 2023, meeting. Deborah Whitman seconded the motion. The motion passes accepted unless doubted by Ed Marsh.**

5. **PUBLIC ITEMS OR COMMENTS (Items Not Already on Agenda)**

**No public comments were given.**

6. **PUBLIC HEARINGS**

**Close Public Hearing**

7. **SCHEDULED AGENDA ITEMS**

**New Business**  
**Old Business**

7. **WORKSHOPS**

A. **Forum with the Town Council and residents to discuss a Solar Ordinance**

**Jessefa Murphy: We drafted up a solar ordinance probably a year and half ago at least. It's gone through some edits. It's gone before the attorneys, it's come back. We revised it again. It was back before the planning board for a workshop in October of 2023. That was the last time that was in front of the planning board. We've had I believe two or three moratoriums on solar that is 1.0 megawatt or larger in town. This meeting is more or less to get the council and the planning board and citizens together to try and figure out if this is the direction we want to go or do we want to do something different to try and lock something down hopefully...**

**Ed Marsh: I think the key is looking at this solar ordinance to make sure that number one Hermon is doing the best they can to balance the needs of the solar industry, balance the needs of residents, balance the needs of landowners who want solar. And also, to make sure Hermon is protected so we don't get into a situation where we have solar that's not forming, solar that's not getting intrusive...**

**Points of Discussion: Planning Board Members**

- **Concern about the potential loss industrial zoned land and the potential loss of tax revenue from industrial zones if the land were to become occupied by a solar farm rather than a business.**
- **Discussed the possibility of allowing large solar arrays in Agriculture/Forestry zoning rather than industrial zoning.**
- **Where did the zoning in the solar ordinance originate? Is there a variance process or a way to redefine the zoning in the ordinance? Currently the solar arrays would only be allowed in industrial; part of the reason for that is because that is where the town has three phase power already established.**
- **Discussion that large solar arrays in the industrial zone could be established in land that would not be suited for commercial buildings. Solar could go into the areas where buildings couldn't because there would be minimal site disruption.**
- **Moratorium is still in effect until May 2024.**

- Concern about how inflation would affect clean-up costs and covering them. Would clean-up costs for a large solar array be re-evaluated every five years?
- Concern about who would take care of the solar at the end of its lifespan. Would that responsibility fall on the landowner or on the town?
- Ultimately, does the planning board and does the council want large solar arrays to be allowed in town? At this time, it does not look like the Council would pass the ordinance as it is. Planning board is looking to take the ordinance back to the drawing board to make edits.

#### Points of Discussion: Town Council Members

- Has it been discussed or is it possible to have the ordinance not allow large scale solar in any zone in Hermon, including industrial? Is the Council in their right legally allowed to say no to all large solar arrays in the Town of Hermon and ban them? It is thought that would be possible/allowed.
- Concern that if the ordinance were edited to allow large solar arrays in Agriculture/Forestry the town would lose buffer land that the town could use if needed in the future for Residential or other zones.
- Concern not only with potential loss of tax revenue but worries that the town would be at the mercy of the state with what they would decide to reimburse and if the state would decide to change rules regarding reimbursement.
- Interest in editing the ordinance to say that large solar arrays would be allowed in the Industrial zone where building development is not possible, or the land is unusable (like wetlands).
- Regarding decommissioning, offered the idea that that the town look into an irrevocable letter of credit from a bank rather than a surety bond. Perhaps that would be a better option to cover clean-up costs. Jesse Murphy said he would follow up with town attorney Tim Pease about this conversation.
- Would it be possible to change language in the ordinance to put the fault or burden on the landowner at the end of the solar array's lifespan?
- Would it be possible to include language in the ordinance that would include decommissioning information for minor solar?

- Concern that large scale solar does not align with Hermon’s mission statement’s mention of maintaining the town’s “rural character”.
- Could language be added to the ordinance to allow the town to do routine inspections for harmful chemicals on the solar arrays (if the town were to go forward allowing large scale solar)?

**Points of Discussion: Residents**

- Concern with potentially restrictive language in the ordinance. Would like to see solar allowed not only in industrial zoned areas but also in residentially zoned areas. Would like landowners with 20 or more acres to have the freedom to do what they desire with their land, including large solar arrays.
- Mention that when it comes to decommissioning and clean-up, there are facilities that would pay for recycled solar material.
- Concern about the potential waste/hazardous waste that solar could create and the health impacts that could have down the line.
- Concern about the amount of energy production or lack of energy production years down the line.

Please see the complete video at [Planning Board | Hermon \(hermonmaine.gov\)](https://www.hermonmaine.gov) for all workshop comments.

8. CEO Items

A. November, December, and January Code Reports  
November

- For November we issued a total of 10 building permits, which equates to 1 Commercial, 1 Commercial Accessory, 3 Residential Homes (1 single family and two manufactured homes, and 5 accessory permits (2 additions, 2 sheds, and 1 rooftop solar) for a total of \$3,300,000 in new construction. We issued 8 plumbing permits made up of 6 internal and 2 Subsurface Wastewater.
- We finalized inspections on 1 new home, and 1 commercial permit for the month of November. We have 143 total open building permits which equates to 68 Accessory, 53 New Home construction (Single Family, Manufactured, and 2-3 units), and 22 commercial permits (includes multi-family 4+units)

that will most likely be completed within the next 2 to 18 months.

- The 7 years average for new single-family homes built in Hermon is 34.7 per year. There were two subdivisions submitted to the planning board for approval, one was approved (Dave's Way extension to the Dysart's industrial park) was approved with conditions, the second subdivision (Streamside extension off of Blackstream Road) was tabled due to more information needed.

#### December

- For December we issued a total of 5 building permits, which equates to 1 Commercial, 3 Residential Homes (2 single family and 1 existing building converted to an apartment), and 1 accessory permits (an addition) for a total of \$6,500,000 in new construction. We issued 13 plumbing permits made up of 8 internal and 5 Subsurface Wastewater.
- We finalized inspections on 2 new homes for the month of December. We have 143 total open building permits which equates to 66 Accessory, 54 New Home construction (Single Family, Manufactured, and 2-3 units), and 23 commercial permits (includes multi-family 4+ units) that will most likely be completed within the next 2 to 18 months.
- The 7 years average for new single-family homes built in Hermon is 35.0 per year. No new subdivisions were submitted to the planning board.

#### January

- For January we issued a total of 16 building permits, which equates to 1 Commercial, 3 Residential Homes (2 single family and 1 existing building converted to an apartment), and 1 accessory permit (an addition) for a total of \$6,500,000 in new construction. We issued 13 plumbing permits made up of 8 internal and 5 Subsurface Wastewater.
- We finalized inspections on 2 new homes for the month of January. We have 143 total open building permits which equates to We have 143 total open building permits which equates to 66 Accessory, 54 New Home construction (Single Family, Manufactured, and 2-3 units), and 23

**commercial permits (includes multi-family 4+ units) that will most likely be completed within the next 2 to 18 months.**

- **The 7 years average for new single-family homes built in Hermon is 35.0 per year. No new subdivisions were submitted to the planning board.**

9. PLANNING BOARD ITEMS

Please see the complete video at [Planning Board | Hermon \(hermonmaine.gov\)](https://www.hermonmaine.gov/planning-board) for all planning board items.

10. FINAL PUBLIC ITEMS OR COMMENTS (Items Not Already on Agenda)

**No public comments were given.**

12. ADJOURN

**Deborah Whitman made a motion to adjourn the planning board meeting at 8:01 PM. Kyle Sullivan seconded the motion. The motion passes accepted unless doubted by Ed Marsh. The planning board meeting was adjourned at 8:01 PM.**

Respectfully submitted,

Keely Gonyea  
Deputy Clerk

If you require any assistance to fully participate in this meeting, please notify us at 848-1042 or write to the Town of Hermon, 333 Billings Rd, Hermon, ME 04402.