

Approved 4/19/16

CITY OF ROCKLAND
PLANNING BOARD
Minutes of Meeting
February 16, 2016

Board Present: Chair E. Laustsen, W. Bodine, A. Knickelbein, C. Maines, and P. vanVuuren

Board Absent: None

Staff Present: CEO J. Root, City Attorney K. Beal, and Secretary D. Sealey

Chair Laustsen called the meeting to order at 5:30 P.M. and reviewed the agenda. He then introduced new member Carol Maines.

Public Comment: Amy Files, 39 Pleasant St., said she was a member of the Comprehensive Planning Commission and a founding member of Renew Rockland. Referring to a 1/25/16 REAC memo regarding power generation facilities, she said water discharge, as well as steam discharge into the atmosphere, could affect the environment. She said the engineers had recommended hiring a sound engineer since noise could be mitigated by siting. She said methane gas should be called out under air emissions and the city should require the maximum EPA and MDEP air quality standards with no exceptions; in fact, even higher standards should be considered. Ms. Files suggested power plants should not abut residences or wetlands. She said safety had not been handled as a major topic in the memo. Finally, Ms. Files said the applicant should pay for all experts needed by the PB.

Sandra Schramm said the energy plant originally proposed had now been downsized and gas might now be trucked into Rockland. FMC was already doing this and storing the gas, she said. Ms. Schramm felt the city should regulate how much gas could be stored in the city. CEO Root said he was unaware FMC was storing gas, but would check into it.

Ron Huber, 140 Broadway, a member of the Friends of Penobscot Bay, said the purpose of such a plant was to supply electricity to outside consumers; since it was not for Rockland users and their betterment, the bar needed to be as high as possible. Mr. Huber was not sure how often tank cars would come, but said a truck park of gassers [sic] needed to be looked into.

Communications: CEO Root said Amy Files had asked him to forward a link on natural gas power plants to PB members and he had done so.

New Business:

Alan & Marion Sewall d/b/a Sunset Terrace Mobile Home Park – 278 Park Street – Application for Re-subdivision to Divide the Lot at 280 Park St. and Create a Separate Lot at 278 Park St. - Tax Map 58, Block A, Lot 7-100: Alan Sewall said he intended to take the original residence and separate it from the trailer park subdivision approved in 1993.

The PB reviewed the Elements. Chair Laustsen noted that a survey done by F. E. Beal and a drainage map were included in the application. A letter of approval had been submitted by the Interim Fire Chief. There were no easements on the property. CEO Root said solid waste would be disposed of at the transfer station.

ACTION: Ms. vanVuuren made a motion to accept the application as complete.
Carried 5-0-0

The Public Hearing was opened and closed at 5:54 P.M. with no comments offered.

The Board agreed the preliminary plan could also serve as the final plan.

ACTION: Mr. Bodine made a motion to accept the final plan as complete.
Carried 5-0-0

The Chair read aloud the proposed Findings of Fact.

ACTION: Ms. Knickelbein made a motion to approve the Findings.
Carried 5-0-0

ACTION: Ms. Maines made a motion to approve the re-subdivision.
Carried 5-0-0

Approve Minutes of the 1/19/16 Meeting:

ACTION: Ms. vanVuuren made a motion to approve the minutes of the 1/19/16 meeting.
Carried 3-0-2 (Ms. Maines and Ms. Knickelbein abstained)

Other Business:

Discussion of Ordinance #48 Establishing a Moratorium on Power Generation Facilities Effective 2/10/16 but Retroactive to 12/14/15: Rockland Energy Advisory Committee [REAC] members Larry Pritchett and Nathan Davis, City Attorney Kevin Beal, and CEO John Root sat down with the PB to begin discussions about drafting an energy ordinance. Mr. Root had provided a handout defining public and quasi-public uses. REAC had provided a 1/25/16 memo to the PB as a synopsis of its previous meetings.

Ms. VanVuuren said the group was talking about Chapter 16 but not Chapter 19, which she also wanted to be addressed. Mr. Pritchett said that would come in the next step or two. Ms. vanVuuren then said there would be issues the Comprehensive Planning Commission would want to address. Mr. Pritchett said there would be a directive to that group.

Ms. vanVuuren asked about the March 4 deadline and PB Chair Laustsen said there was no way this could be accomplished by then: the PB would have to go to the City Council for an extension.

Mr. Pritchett wanted to be sure the Board understood the standards. He felt the PB needed engineering support, which could be provided at the next meeting.

Mr. Pritchett said the city used DBA numbers for noise, but engineers said some power plants ran at a higher pitch. Even if the noise would be lower than DBA limits, the group also needed to look at the sound spectrum (range). He said the PB would need a sound engineer to craft that part of the ordinance.

Ms. vanVuuren said the standards were not usually that specific and asked if the Board was trying to craft the form and how it would be used. Mr. Laustsen said the noise standards were under Chapter 19, while Chapter 16 was more general in concept. Mr. Root asked if this would be an overlay zone and Mr. Pritchett said they would leave that to the attorney. Ms. Knickelbein asked if the council wanted the PB to amend the current ordinance or draft a separate one. Mr. Root replied that the moratorium said it would be a specific ordinance. Ms. vanVuuren added that the City Attorney had said there would be specific standards for review.

Mr. Pritchett said the Board should try to draft an ordinance based on selling energy for local use, so other things didn't get caught up in it. Ms. vanVuuren said some of the issues were already addressed within the zones. There was discussion of what the rules would cover.

Mr. Pritchett said REAC had decided the primary issue was when a company was burning something to create energy. He described how a turbine combined angle worked, saying there were 3 or 4 processes here that could generate noise and also mentioned exhaust emissions, wastewater and recycled water. Ms. Maines saw no mention of who had to come up with the water and Ms. vanVuuren questioned the

effect on other water users. Mr. Pritchett said engineers could figure out if the water needs could be met. Ms. Maines suggested the city set a maximum facility size by megawatt.

Ms. vanVuuren said it would be helpful if the City Attorney could draft something based on the REAC submissions. Mr. Root said perhaps it could be a "fill-in-the-blanks" document. Mr. Davis encouraged the PB to hire an engineering firm early in the process, but Ms. vanVuuren wanted to have a draft first so the city did not waste its money on engineers too early in the process. The Board agreed that REAC should select the engineering firm.

There were further discussions of several aspects of power generation. City Manager Chaousis stopped by the meeting and Chair Laustsen asked him if the City Attorney could draft a rough ordinance. The City Manager agreed.

The group decided to meet again on February 23 at 5:15 P.M.

Adjournment:

ACTION: Ms. Maines made a motion to adjourn at 8:10 P.M.
Carried 5-0-0

Respectfully submitted,

Deborah Sealey