

MEMORANDUM

TO: North Yarmouth Planning Board  
Through Ryan Keith, Code Enforcement Officer

CC: Chris Byers, Principal, Branch Renewable Energy

From: Sam Peikes, Associate Planner, North Star Planning *SP*

RE: North Yarmouth Solar – Preapplication Meeting February 8, 2022

Date: January 26, 2022

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**Overview**

Branch Renewable Energy, the applicant, has the option to lease a portion of land owned by Yarmouth Water District to construct a community solar array on Sweetser Road. The project is located on Map 5 Lot 2 and is in the Farm and Forest district. The applicant is requesting a preapplication meeting with the Planning Board to review associated materials and answer any questions the Board may have.

Because this is a preapplication meeting, the Board is not expected to vote on the project. The findings of fact are included below to let the applicant know the standards that are relevant to this project and the standards that are not applicable. The attached checklist includes a list of submission requirements needed for both sketch plan and final plan review project phases.

Based on review of solar projects from other Towns, if the application moves forward, the Board should consider the following:

- The inclusion of a decommissioning or removal plan if the solar facility ceases to produce power after twelve (12) consecutive months.

- The inclusion of an Operations and Maintenance Plan.
- Any performance guarantees.
- Provisions for security and emergency access.

**Applicant:** Branch Renewable Energy

**Owner:** Yarmouth Water District

**Location:** 238 Sweetser Road

**Zoning:** Farm and Forest

**Tax Map Number:** Map 5 Lot 2

**Existing Land Use:** rural/forested

**Proposed Land Use:** community solar array

**Acreage:** approximately 13.4 acres

**Waivers:** The applicant has not submitted any waiver requests.

**Site Walk:** Any site visits should be scheduled at the preapplication meeting.

**Public Hearing:** A public hearing for this project has not been scheduled.

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**Site Plan Review - Findings of Fact:**

1. Utilization of the Site
  - The approximately 13-acre community solar array will be constructed on a rural and forested lot and will limit disturbance and tree clearing as much as possible (see “Limit of Disturbance” areas shown on Site Plan).
  - The site topography is relatively flat and is adequate to support the development (see Site Plan).
  - A wetland has been delineated east of the proposed solar array location. The applicant should specify the approximate wetland impacts.
  - The applicant should confirm if any other sensitive environmental habitats are located within the project area.
2. Utilities

- All utilities are anticipated to serve the solar project and will be installed underground.
- The project will connect to the CMP grid and is within the Yarmouth Water District. No water supply will be needed.
- The site is on an aquifer, applicant should clarify the extent of groundwater impacts.

### 3. Impact on Community Facilities

- It is not anticipated that the solar array will result in a negative impact on the environment or community facilities.

### 4. Hazardous Materials and Emissions

- No hazardous materials or emissions will result from the project.

### 5. Exterior Lighting

- The applicant should clarify if any exterior lighting will be proposed for the project.

### 6. Landscaping, Buffers and Screening

- The solar array will be constructed in a forested area and is not visible from any abutting property or public road and therefore will not be requiring a buffer.
- Most of the existing vegetation on site will be retained and minimal grading is proposed.
- The applicant should confirm if any landscaping is being proposed.
- The applicant should confirm if the wetland located on the site is a high value wetland. If it is a high value wetland than it will require a buffer.

### 7. Noise

- The applicant should confirm the project will not exceed the noise levels in the Rural zone as outlined in the Ordinance.
- The applicant should submit information on noise levels on inverters, transformers, and other electrical equipment.

#### 8. Signs

- The applicant should confirm if any signs, particularly containing emergency contact information, will be installed for the project.

#### 9. Storage of Materials

- No outside storage areas will be included for the project.

#### 10. Stormwater Control

- The applicant should show what provisions are being made for stormwater control on the site plan.
- The applicant should clarify and discuss the DEP Standards for Stormwater Management that are relevant to this project.

#### 11. Protection of Significant Wildlife Habitat

- The applicant should confirm if any significant wildlife habitat is located within the project area.

#### 12. Access Management and Vehicular Circulation

- The project will not produce vehicular traffic other than for construction and maintenance needs.
- The project will utilize the existing 16-foot-wide access road connecting from Sweetser Road to the solar panel project equipment (see Site Plan).
- The applicant should confirm that the access road hammerhead turnaround is adequate for emergency vehicle access.

#### 13. Pedestrian Ways and Bicycle Access

- No pedestrian or bicycle ways are being proposed for this project.

#### 14. Off-Street Parking and Loading

- No off-street parking or loading will be included for the project.

### Conclusions of Law:

1. The development **will/will not** reflect the natural capabilities of the site to support development.
2. Utilities serving developments in the Village Center District and Village Residential District **will/will not** be installed underground.
3. The proposed development **will/will not** result in a negative impact to the environment or to the community facilities or services.
4. The development **will/will not** contribute emission of dust, ash, smoke or other particular matter.
5. The proposed development **will/will not** have adequate exterior lighting to provide for its safe use during nighttime hours.
6. The landscape **will/will not** be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, retaining existing vegetation where desirable, and keeping any grade changes in character with the general appearance of neighboring areas.
7. The development **will/will not** control noise levels such that it **will/will not** create a nuisance for neighboring properties.
8. The size, location, design, color, texture, lighting and materials of all exterior signs **will/will not** detract from the design of proposed buildings and structures.
9. Exposed non-residential storage areas, exposed machinery, and areas used for storage **will/will not** have sufficient setbacks and screening.
10. Adequate provisions **will/will not** be made for the collection and disposal of all storm water that runs off proposed roads, parking areas, roofs and other surfaces.
11. Developments **will/will not** be designed to protect and conserve important wildlife habitat to the greatest extent feasible.
12. The layout of the site **will/will not** provide for the safe movement of passenger, service, and emergency vehicles throughout the site.
13. The site plan **will/will not** provide for a system of pedestrian ways within the development appropriate to the type and scale of development.
14. Parking areas **will/will not** be constructed to protect the natural environment and visual character of the community, improve

pedestrian safety and accessibility, and promote the quality of life in developed areas.

Sketch Plan Submission Requirements	Included/Not Included	Notes
A fully executed and signed copy of the application	need	Site Plan Review and Conditional Use Application can be found on Town website
Evidence of payment of the application	need	
11 copies of written materials plus 11 sets of maps or drawings	need	
General Information	Included/Not Included	Notes
Record owner's name, address, and phone number and applicant's name, address and phone number	need	To show on the site plan
The location of all required building setbacks and buffers	need	
Names and addresses of all property owners within 500 feet of any and all property boundaries	need	
Sketch map	see C1.0	Applicant to provide on application form
Boundaries of all contiguous property under the control of the owner or applicant	unsure	
Tax map and lot number	Map 5 Lot 2	
A copy of the deed	need	Lease agreement between Branch Renewable Energy and Yarmouth Water District
The name, registration number and seal of the person who prepared the plan	need	Stamp and signature need to show on site plan
Evidence of the applicant's technical and financial capacity	need	Evidence of financial capacity should be in the form of a letter from a bank or other source of financing indicating the name of the project, amount of financing proposed or available, and individual's interest in financing the project.
Existing Conditions	Included/Not Included	Notes
Zoning classification	need	Farm and Forest District
The bearings and length of all property lines of the property to be developed	not applicable	
Location and size of any existing sewer and water mains, culverts and drains	see C1.0	
Location, names and present widths of existing public and/or private roads	see C1.0	
The location, dimensions and ground floor elevation of all existing buildings	not applicable	
The location and dimensions of existing driveways, streets, roads, parking, and loading areas	see C1.0	
Location of intersecting streets, roads or driveways within two hundred (200) feet of the site	see C1.0	
The location of open drainage courses, rivers, ponds, wetlands, vernal pools, streams	see C1.0	
The direction of existing surface water drainage across the site	need	Existing drainage patterns without the solar array
The location, front view, dimensions and lighting of existing signs	unsure	
Location and dimensions of any existing easements and copies of existing covenants or deed restrictions	unsure	
The location of the nearest fire hydrant or other water supply for fire protection	not applicable	
Proposed Development Activity	Included/Not Included	Notes
Estimated demand for water supply and sewage disposal	not applicable	
The direction of proposed surface drainage	need	Proposed drainage patterns with solar array
Provisions for handling solid waste	not applicable	



The location, dimensions and materials to be used in the construction of proposed driveways, parking and loading areas	see Access Drive Cross Section on C1.0	
A proposed landscaping and buffering plan	unsure	Area is heavily forested and not visible from any public roads or homes so unsure if this is applicable
The location and description of any stream, pond, vernal pool and/or wetland buffers	unsure if applicable	A wetland is shown northeast, unsure if they need to show a buffer around it
The location, dimensions and ground floor elevation of all existing buildings	not applicable	
Building elevations	not applicable	
Location, front view, materials and dimensions of proposed signs	unsure	Typically solar projects include a 24 hour emergency contact sign at the front or other temporary construction signs
Location of all utilities	see C1.0	
A general description of the proposed use	see pg. 1 of application	I would also include the acreage/MW, zoning district, existing land use
Driveway and entrance permit	not applicable	
Estimated peak hour traffic	not applicable	
Storm water calculations	not applicable	
A utility plan	see C1.0	
<b>Additional Information</b>	<b>Included/Not Included</b>	<b>Notes</b>
Graphic representations of how the development will look upon completion	need	This is encouraged for all applications and would most likely be of benefit for a solar project
A grading plan showing the existing and proposed topography	not applicable	
A planting schedule keyed to the site plan	not applicable	
A storm water drainage and erosion control plan	need	Existing and proposed method of handling stormwater runoff, direction of flow, location, elevation, and size of all catch basins, dry wells, drainage ditches, and storm sewers
A groundwater impact analysis	not applicable	
A traffic impact analysis	not applicable	
A written statement from any utility providing service to the project	not applicable	This is pertaining to adequacy of water supply and sewage disposal
Cost of the proposed development	need	
Performance guarantees	need	This can be one of the following: a certified check payable to the Town, a performance bond, or a letter of credit from a financial institution