

# CITY OF PORTLAND, MAINE

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## PLANNING BOARD

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August 16, 2017

Sunfill North LLC  
91 W Main Street  
Liberty, ME 04949

Josh Baston  
ReVision Energy  
142 Presumpscot Street  
Portland, ME 04101

Project Name: **Ocean Avenue Landfill Solar Array** Project ID: #2017-142 and #2017-143  
Address: **990 Ocean Avenue** CBL: 405 L033001  
Applicant: **Sunfill North, LLC (Josh Baston, ReVision Energy)**  
Planner: **Jean Fraser**

Dear Mr Baston:

On July 25, 2017, the Planning Board considered the Conditional Use (Solar Energy Generation Ordinance) and Level I Site Plan applications for the proposal to install a solar array of 2,800 photovoltaic panels and associated fencing (for the purposes of generating electricity) on the City-owned landfill off of Ocean Avenue.

The Planning Board voted 7-0 that, on the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations contained in the Planning Board Report for the public hearing on July 25, 2017 for application #2017-142 (Level I Site Alteration) and #2017-143 (Conditional Use) for a Solar Array on the Ocean Avenue Landfill, relevant to the Site Plan and Solar Energy Generation ordinances and other regulations, and the testimony presented at the Planning Board hearing, the Planning Board finds the following:

### **A. CONDITIONAL USE REVIEW**

The Planning Board voted 7-0 that the plan is in conformance with the Conditional Use Standards of the Solar Energy Generation ordinance in the Land Use Code, and approves the application subject to the following conditions of approval:

- i. That the applicant and contractors and all associated truck and equipment operators shall follow the submitted Construction Management Plan prepared Josh Baston of ReVision Energy dated 7.19.2017, including the truck routing plan and all safety measures to manage access for members of the public to the Dog Park and its parking area and nearby walking trails; and

- ii. That the applicant shall submit the fencing details for review and approval prior to ordering for installation, with black vinyl covered wire mesh recommended for the fencing material; and
- iii. That the final Operations and Maintenance Plan be submitted within one month of the completed solar array starting to generate electricity.

## **B. LEVEL I SITE ALTERATION REVIEW**

The Planning Board voted 7-0 that the plan is in conformance with the site plan standards of the Land Use Code, and approves the application subject to the following conditions of approval:

- i. That the applicant shall submit the Solid Waste License Permit from MDEP prior to the start of work on the site; and
- ii. That the applicant shall obtain easements or temporary construction agreements for all work outside the boundaries of the site, including the Dragon Cement access road if that is to be used, with copies provided to the Planning Authority prior to the issuance of a building permit; and
- iii. That the applicant shall reinstate the site, including the staging area to the east of the landfill and any disturbance associated with the grid connections, to existing or improved conditions, including reseeding the disturbed areas with a solar/wildflower seed mix as recommended by the Parks Director in his comments dated 7.13.2017; and
- iv. That the applicant shall have responsibility for the erosion control measures during this solar array project and shall maintain the site so it is stable during the winter, after construction has been completed; and
- v. That the applicant shall submit a Signage Plan for all permanent signage on the City's land associated with the project, for review and approval by the Planning Authority and Parks Department prior to the placement of permanent signs.

The approval is based on the submitted plans and the findings related to site plan review standards as contained in the Planning Report for applications #2017-142 and #2017-143, which is attached.

### **STANDARD CONDITIONS OF APPROVAL**

Please note the following standard conditions of approval and requirements for all approved site plans:

1. **Develop Site According to Plan** The site shall be developed and maintained as depicted on the site plan and in the written submission of the applicant. Modification of any approved site plan or alteration of a parcel which was the subject of site plan approval after May 20, 1974, shall require the prior approval of a revised site plan by the Planning Board or Planning Authority pursuant to the terms of Chapter 14, Land Use, of the Portland City Code.
2. **Separate Building Permits Are Required** This approval does not constitute approval of structure/electrical plans, which must be reviewed and approved by the City of Portland's Permitting and Inspections Department. Please contact the Permitting and Inspections Department to confirm what building and other permits are required for this project.

3. **Site Plan Expiration** The site plan approval will be deemed to have expired unless work has commenced within one (1) year of the approval or within a time period up to three (3) years from the approval date as agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the one (1) year expiration date.
4. **Plan Sets**: five (5) final sets of plans must be submitted to the Planning Division prior to the release of a building permit, street opening permit or certificate of occupancy for site plans. If you need to make any modifications to the approved plans, you must submit a revised site plan application for staff review and approval.
5. **Preconstruction Meeting** Prior to the release of a building permit or site construction, a pre-construction meeting shall be held at the project site. This meeting will be held with the contractor, Development Review Coordinator, Public Work's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the Development Review Coordinator will confirm that the contractor is working from the approved site plan. The site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting.
6. **Department of Public Works Permits** If work will occur within the public right-of-way such as utilities, curb, sidewalk and driveway construction, a street opening permit(s) is required for your site. Please contact Carol Merritt at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)
7. **As-Built Final Plans** Final sets of as-built plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (\*.dwg), release AutoCAD 2005 or greater.

The Development Review Coordinator must be notified five (5) working days prior to the date required for final site inspection. The Development Review Coordinator can be reached at the Planning Division at 874-8632. All site plan requirements must be completed and approved by the Development Review Coordinator prior to issuance of a Certificate of Occupancy. Please schedule any property closing with these requirements in mind.

If there are any questions, please contact Jean Fraser at (207) 874- 8728.

Sincerely,



Elizabeth Boepple, Chair  
Portland Planning Board

Attachments:

1. Parks Director comments 7.13.17
2. Approved Construction Management Plan (narrative and graphic) dated 7.19.17
3. Planning Board Report

**Electronic Distribution:**

cc: Jeff Levine, AICP, Director of Planning and Urban Development  
Stuart G. O'Brien, City Planning Director  
Barbara Barhydt, Development Review Services Manager  
Jean Fraser, Planner  
Philip DiPierro, Development Review Coordinator, Planning  
Mike Russell, Director of Permitting and Inspections  
Ann Machado, Zoning Administrator, Permitting and Inspections  
Jonathan Rioux, Permitting and Inspections Deputy Director  
Jeanie Bourke, Plan Reviewer/CEO, Permitting and Inspections  
Chris Branch, Director of Public Works  
Katherine Earley, Engineering Services Manager, Public Works  
Keith Gray, Senior Engineer, Public Works  
Doug Roncarati, Stormwater Coordinator, Public Works  
Greg Vining, Associate Engineer, Public Works  
Michelle Sweeney, Associate Engineer, Public Works  
John Low, Associate Engineer, Public Works  
Jane Ward, Administration, Public Works  
Rhonda Zazzara, Field Inspection Coordinator, Public Works  
Jeff Tarling, City Arborist, Parks, Recreation & Facilities Department  
Jeremiah Bartlett, Public Works  
Keith Gautreau, Fire Department  
Daniele West-Chuhta, Corporation Counsel  
Thomas Errico, P.E., TY Lin Associates  
Lauren Swett, P.E., Woodard and Curran  
Christopher Huff, Assessor  
Ethan Hipple, Parks Director  
Kara Wooldrik, Portland Trails



Jean Fraser <jf@portlandmaine.gov>

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## Fwd: Site Plan applications re solar array on Ocean Ave landfill

1 message

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**Jean Fraser** <jf@portlandmaine.gov>

Mon, Jul 17, 2017 at 3:49 PM

To: "Fraser, Jean" <jf@portlandmaine.gov>

----- Forwarded message -----

From: **Ethan Hipple** <ehipple@portlandmaine.gov>

Date: Thu, Jul 13, 2017 at 5:10 PM

Subject: Re: Site Plan applications re solar array on Ocean Ave landfill

To: Jean Fraser <jf@portlandmaine.gov>

Cc: "O'Brien, Stuart" <sgo@portlandmaine.gov>, "Barhydt, Barbara" <bab@portlandmaine.gov>

Hi Jean,

We are supportive of this project.

During the two meetings I have attended on the project, we have simply asked that access be maintained to the Dog Park and to the walking/hiking trails. We understand that there will be impacts from construction with increased truck traffic, but as long as public access and parking is maintained, we do not have any objections.

We also would want to be sure that after construction the site is returned to current conditions (or better). Specifically, we would like to recommend any reseeding in the project area to use a solar wildflower/grass mix: <http://www.americanmeadows.com/grass-and-groundcover-seeds/solar-farm-color-seed-mix>

Take care,  
Ethan

**Ethan Hipple, CPRP**

Parks Director

City of Portland

212 Canco Rd.

Portland, Maine 04103

o: 207.808-5400

[ehipple@portlandmaine.gov](mailto:ehipple@portlandmaine.gov)

[www.portlandmaine.gov](http://www.portlandmaine.gov)

Portland, Maine | Yes. Life's good here.



# Construction Management Plan for Ocean Ave. Landfill Solar Project

## Purpose

Construction Management Plans shall depict the overall planning, coordination, and control of a construction site, including phases as applicable, from beginning to completion. The City's goal for a construction management plan is to support a safe construction site and protect the public safety, accessibility (including preserving accessible pedestrian, bicycle, and vehicular modes of transport throughout the city), and welfare during construction. In addition, the construction management plan shall minimize construction impacts in their duration and magnitude to the surrounding area and develop an effective communication process for resolving concerns and Conflicts.

## Project Narrative

The Old Portland landfill is a closed solid waste landfill occupying approximately 45 acres behind Ridge Rd. in Portland. The portion of the landfill under current consideration for the installation of a solar array is the Northern section of the gently sloping cap as depicted in the attached site map. This landfill is a closed solid waste facility located in ROS zone. The proposed PV system consists of 2,800 solar modules mounted on aluminum racking which is ballasted by cast concrete blocks. The design of this ballasted system is to comply with Maine DEP standards of not penetrating the landfill cap, while having a robust system design capable of handling required wind and snow loading. This work will include:

1. Inspect existing erosion control measures and layout site
2. Install perimeter fencing and construction signage
3. Build steel solar array racking.
4. Pour concrete into ballast forms for array
5. Install all PV modules
6. Install all AC and DC wiring, combiner panels, inverters and disconnects. Trench from array to new CMP service and berm trench to achieve conduit burial depth.
7. Inspect system for compliance with NEC and City standards and commission system
8. Ensure stable vegetation growth and remove erosion control measures



## Construction Administration and Communication

Contact Person and Contact Information:

ReVision Energy: Josh Baston  
Work 221-6342, Cell 595-2445

## Construction Schedule and Signage

Construction is anticipated to take approximately 3 months although start date will depend on the timeline of not only City and DEP approval, but also the timeline of additional cap remediation work to be completed by the City. Anticipated start date is October 1st. A pre-construction meeting will be scheduled at least 1 week prior to construction. Construction will occur between the hours of 7:00 AM and 7:00 PM Monday through Saturday. Noise will only be created by the driving of construction equipment (dump trucks, excavators, ect) and battery powered power tools. There will be no drilling, blasting, or high noise activities. No noise will be created outside of the stated construction hours. Signs will be installed to denote the perimeter of the construction site and to restrict public access. Signs will also be installed to educate the public about the project and to describe the benefits of installing solar on a capped landfill.

Materials will be delivered to the site utilizing both the northern dog park access road and the southern access road which is owned by Dragon Cement. Large trucks will be looped through the site entering at the dog park and exiting on the southern road. Both access roads were used by City dump trucks for decades while the landfill was active and have good sight lines. Every effort will be made to schedule deliveries between the hours of 9:00 a.m and 3:00 pm to avoid the peak usage hours of the dog park

## Security, Public Safety, and Public Access

1. The entire solar array will be fenced both for security and to meet National Electrical Code standards. The fencing installation will occur at the beginning of the construction timeline to provide a safe and secure site during construction.
2. The entire cap of the landfill will be off limits to the public, this is not only a construction requirement but is also a requirement of the Maine DEP. It will be the responsibility of ReVision Energy to sign and secure the solar construction site, and it will be the responsibility of the City to sign the remaining area of the landfill cap.
3. Public access to the dog park will not be restricted during or after construction, and access to the perimeter walking path will not be impacted by the solar array post construction. There may however, be times during construction where access will need





to be restricted along the southern end of the perimeter walking path. Access will be restricted when it is deemed that construction activities may represent a hazard to the public. Whenever feasible this access restriction will only occur during working hours and will be lifted during evenings and Sundays.

4. When areas of the perimeter trail need to be closed for construction activities, temporary construction fencing will be used along with signs in the areas denoted on the accompanying construction management site plan.
5. During construction, the City or Contractor may install or modify the locations of signage and trail closures responsive to safety and security of the site and pedestrians utilizing the trail.
6. There will be no blasting associated with this project

### **Traffic Control**

Overall there will not be a large traffic demand created during this project, and there will be no traffic demand post construction aside from occasional inspection and maintenance visits. During construction there may 5-8 standard size vehicles visiting the site a day as well as both tractor trailer and dump truck material deliveries. The amount of deliveries per day will vary with up to 8 on busy days with none on many days. Speed limits of trucks will be limited to 5 mph on site and all delivery routes will be signed with directions of traffic flow. Every effort will be made to schedule deliveries between the hours of 9:00 a.m and 3:00 pm to avoid the peak usage hours of the dog park.

### **Erosion Control**

The City will be required to install and maintain erosion control measures for the duration of the DEP required landfill cap remediation work. After that work has concluded, ReVision Energy will be responsible to maintain the erosion control and remove it once vegetation has been re-stabilized. Post construction, the site will be returned to pre-construction (or better) vegetative conditions. ReVision Energy will be responsible for re-seeding any soils disturbed by the construction of the solar project however will not be responsible for disturbed area outside of the solar array as a result of the cap remediation work. ReVision Energy will coordinate with the city to ensure stable vegetation prior to removing erosion control.

### **Site Management**

1. The construction site will be kept tidy and all construction trash and waste will be sorted for recycling and placed in a dumpster or removed off-site. Any dumpster will be maintained and emptied when full.





2. Dust control if needed will comply with Portland requirements under Section 17-18

### **Construction Staging Area**

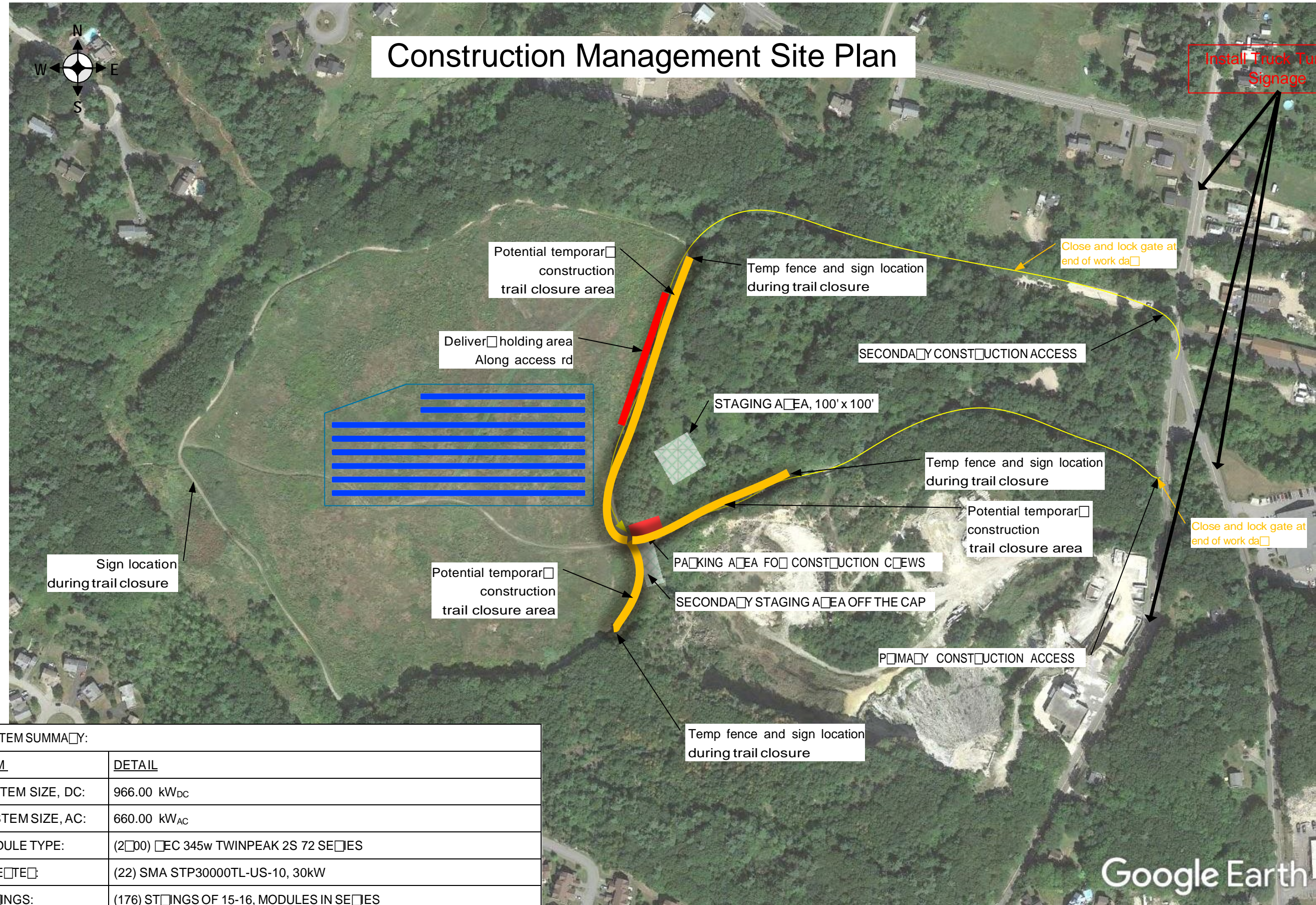
1. Construction staging areas are detailed on the construction management site plan submitted with this application. These staging areas will not impact public use of the perimeter walking path or dog park.
2. Delivery holding area is marked on construction management site plan however deliveries will be scheduled to minimize the possibility of trucks stacking up.
3. The off site truck holding area if needed will be at ReVision Energy, 142 Presumpscot st.

### **Construction Parking**

Parking will occur in designated staging areas and along the southern access road. The public dog park parking areas will not be impacted by this project either during or post construction.



# Construction Management Site Plan



142 Presumpscot Street  
Portland, ME 04103  
(207) 221-6342

Client:

CITY OF PORTLAND, ME

Project Address:

OLD CITY LANDFILL  
EDGE ROAD  
PORTLAND, ME 04103

System Type:

966.00 kW<sub>DC</sub>  
Photovoltaic Array

SYSTEM SUMMARY:	
ITEM	DETAIL
SYSTEM SIZE, DC:	966.00 kW <sub>DC</sub>
SYSTEM SIZE, AC:	660.00 kW <sub>AC</sub>
MODULE TYPE:	(200) REC 345w TWINPEAK 2S 72 SERIES
INVERTER:	(22) SMA STP30000TL-US-10, 30kW
STINGS:	(176) STINGS OF 15-16, MODULES IN SERIES
ORIENTATION:	30° TILT, 100° AZIMUTH
PACKING:	FIXED-TILT, GROUND MOUNT, BALLAST FOUNDATION, 2X PORTAL
PROJECT ACCEGE:	AREA ENCLOSED BY PERIMETER BOUNDARY FENCE, 4.3 ACRES
FENCE:	7' HEIGHT, GALVANIZED CHAINLINK, 1900' (MIN)

Designed by:	LB
Revision:	4
Print Size:	17" x 11"
Scale:	1" = 250'
Date:	JUNE 15, 2017

DWG Title:  
SITE ACCESS & LAYDOWN AREA

DWG Number:  
AO4

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This diagram is provided as a service and is based on the information supplied. It is subject to change based on actual conditions, applicable edition of the National Electric Code, and local governmental authorities.