

**Town of Gorham
 Planning Board Meeting
 April 4, 2022**

ITEM 1 – Public Hearing - Site Plan - Cross Town Energy Storage, LLC – Battery Storage Facility – Site Plan Review: Cross Town Energy Storage LLC. – a request for site plan review for a 175 MW battery energy storage system, associated substation equipment, and a short generation tie-line to the existing 115KV Mosher’s substation at 61 Hutcherson Drive in the Gorham Industrial Park. The lot is currently zoned Industrial (I). The lot is shown on Map 12, Lot 22-1. The property totals approximately 13.2 acres and a study needs to be provided that includes potential wetlands and vernal pool. The current property owner is Peter Holmes. The applicant is Cross Town Energy Storage, LLC. The applicant is represented by Norm G. Chamberlain II, P.E. of Walsh Engineering, Inc.

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PROJECT TRACKING

| DESCRIPTION | COMMENTS | STATUS |
|----------------------------|--------------------------------------|-------------------|
| Pre-Application (optional) | | December 6, 2021 |
| Site Walk | The Planning Board held a site walk. | December 16, 2021 |
| Public Hearing | | April 4, 2022 |

The following staff notes are written to assist the Applicant with compliance to the Town of Gorham Land Use Development Code and may not be all inclusive of project requirements. Staff notes are review comments and recommendations prepared by the Town Planner and, if applicable, the Town’s peer review consultant, regarding applicability to The Gorham Land Use Development Code and standard engineering practices.

The Planning Board refers to staff notes during the review process; however it shall be noted that staff recommendations are non-committal and all final decisions are those of the Planning Board and not Town Staff.

NAME, Chair, Gorham Planning Board

1. OVERVIEW

The applicant had a pre-application meeting with the Planning Board on December 6, 2021 and a site walk was held on December 16, 2021. This is the second time the item has come before the Planning Board.

As a reminder private utility projects are reviewed under Chapter 4: Site Plan Review. The Planning Board will need to include Findings of Fact for both review criteria. The item has been advertised as a public hearing.

The applicant is represented by Norm G. Chamberlain II, P.E. of Walsh Engineering, Inc.

2. ITEMS OF NOTE

- a. Area is located in the MS4 ME DEP regulated urbanized area
- b. Staff has included an aerial photographs for the Planning Board's review of the project. The aerial photograph is from Google Earth and was taken in May of 2016.



3. WAIVERS REQUESTED

1. The applicant requests a waiver from Ch. 4 Section 4-8 C.d.1 Groundwater Protection - not to submit a groundwater impact analysis for projects with a capacity of 2000 gallons per day or greater since there will not be any sewage disposal facility needs at this unmanned facility.

SUGGESTED MOTION: Move to approve the requested waiver from Ch. 4 Section 4-8 C.d.1 Groundwater Protection – not to submit a groundwater impact analysis for projects with a capacity of 2000 gallons per day or greater since there will not be any sewage disposal facility needs at this unmanned facility.

2. The applicant requests a waiver from Ch. 4 Section 4-8 C. d. 2 Traffic Impact Analysis – not to submit an analysis for projects that provide parking for 50 or more vehicles or generate more than 100 vehicle trips sine the traffic at this facility is proposed to be 5 vehicle trips per month.

SUGGESTED MOTION: Move to approve the requested waiver from Ch. 4 Section 4-8 C. d. 2 Traffic Impact Analysis – not to submit an analysis for projects that provide parking for 50 or more vehicles or generate more than 100 vehicle trips since the traffic at this facility is proposed to be 5 vehicle trips per month.

3. The applicant requests a waiver from Ch. 4 Sec 4-9, C.2 Maximum Driveway Grades – to exceed the standard by allowing a minimum of 20 feet at less than 3% grade rather than the required 40 feet at 3% grade.

SUGGESTED MOTION: Move to approve the requested waiver from Ch. 4 Sec 4-9, C.2 Maximum Driveway Grades – to exceed the standard by allowing a minimum of 20 feet at less than 3% grade rather than the required 40 feet at 3% grade.

4. The applicant requests a waiver from Ch. 4 Sec 4-9, I Sewage Disposal – to allow no sewage disposal rather than require it since this is an unmanned facility.

SUGGESTED MOTION: Move to approve the requested waiver from Ch. 4 Sec 4-9, I Sewage Disposal – to allow no sewage disposal rather than require it since this is an unmanned facility.

4. STAFF REVIEWS

Assessing Department: No comments received.

Code Department: No comments received.

Fire Department: 11/10/2021

November 10, 2021

I have reviewed plans that were submitted dated Nov. 2, 2021

1. My biggest Truck is Ladder 2 that weighs 77,000 lbs.
2. All access roads around the perimeter need to be 20' wide, this truck can drive around.

3. Your Company will develop an Emergency Response plan that meets the needs of Gorham fire and Police Departments.
4. You noted NO Confined Spaces present.
5. We will require a Lock Box installed on the access gate. Cost \$90.00 +/- Here at GFD.
6. The project needs to meet NFPA 855 - Standard for the insulation of energy storage Systems (2020 ed.) including all appendixes, as well as NFPA 1 (2018 ed.)

Gorham Fire may have more requirements as this project progresses in Planning process.

Planning Department: 11/22/2021, 03/28/2022

November 22, 2021

- Zoning – Industrial (I); public water or sewer in Hutcherson Drive
- Wetland and Vernal pool locations should be determined
- Area is located in the MS4 ME DEP regulated urbanized area

March 28, 2022

- C1.1 - e. Approval Block Space shall be provided on the site plan for the seven (7) signatures of the Planning Board and the date, together with the following words, "Approved: Town of Gorham Planning Board".
- Decommissioning bond should be requested.
- The written materials mention a L.0 Landscaping Plan that shows revegetation of the wetland area that was previously disturbed, but it is missing from the plan set. Please clarify.
- The applicant should request a waiver from Section C Access into the Site, if they would like to exceed the standard with the 20 feet at less than 3% grade rather than the required 40 feet at 3% grade.
- A request to provide financial capacity prior to site alterations has never been granted by the Planning Board as a condition of approval.
- Please reconsider the request of Kendyl Reis, Tribal Historic Preservation Officer for the Mi'kmaq nation, in the use of black ash to replenish the wetland areas.
- Please submit a larger lighting plan so that it is legible.
- Sight distance along Hutcherson Drive should be shown.
- The Dudek noise analysis dated February 18, 2022 was received February 23, 2022.

Police Department: No comments received.

Public Works Department/ Stormwater: No comments received.

Engineering - Wright Pierce: 02/28/2022

February 28, 2022

As requested by the Town of Gorham, Wright-Pierce has reviewed the Site Plan Application for the proposed Battery Energy Storage System project by Cross Town Energy Storage, LLC. The Applicant proposes to construct a Battery Energy Storage System (BESS) to be located on a 13.2± acre industrially zoned parcel known as 61 Hutcherson Drive, within the Gorham Industrial Park. The property is identified by the Town of Gorham Tax Assessor's as Map 12, Block 22, Lot 1. The Cross Town Energy Storage Project will consist of a 175 MW BESS, associated project substation equipment, and a short overhead generation tie-line to the existing Central Maine Power (CMP) 115kV Mosher's substation.

Documents Reviewed by Wright-Pierce

- Site Plan Application with Supporting Documents - Prepared by Walsh Engineering Associates (February 14, 2022)
- Site Plans - Prepared by Walsh Engineering Associates (stamp dated January 11, 2022)

Review Comments

Applicant should provide written responses to the review comments recommending clarification or further information be provided by the applicant.

General/Completeness

1. The properties are located within the industrial zone, as stated in the application and on the plans.
2. Deed, agent authorization, and proposed plans have been provided.
3. 24-inch by 36-inch plans submitted, which contain a title block with the following required information:
 - a. Applicant's name and address
 - b. Name of preparer of plans with professional information and professional seal
 - c. Parcel's tax map identification (map-lot)
 - d. Date of plan preparation
4. When submitting drawings for signature, please ensure they are all in grayscale. The Town cannot record plans with color.
5. The Applicant has noted the project is subject to Maine DEP review for a Site Location of Development (SLODA) and Natural Resource Protection Act (NRPA) permits. Applicant to forward permit approvals to the Town upon receipt.
6. The speed bump detail calls for a 4" speed bump while plans call for 6". Revise accordingly.
7. The Driveway Section on C3.2 calls for side slopes of 3:1, however the grading plan shows the side slopes vary from 3:1 to 2:1. Please indicate this variance on the Driveway Section as well.
8. It does not appear that locations of loam and seed are shown on the plan. Please call out areas to be loamed and seeded.
9. The 12" outlet of CB#2 has slope less than 0.4%, which is less than the typical minimum slope of 0.5%. Revise accordingly.
10. It does not appear that the stormwater cell separation locations are shown in plan view. The Stormwater Cell Separation Detail on C3.3 states to provide a separating liner "where indicated".
11. There is overlapping text on the pavement joint detail title on C3.2. Please revise accordingly.
12. Please show a profile of the retaining wall, including underdrain and storm drain outlet locations. Since it appears that the retaining wall is over 4 feet high, submit design calculations and verification that the wall was designed by a structural engineer licensed in Maine.

13. Call out aggregate types on Vertical Curb Detail on C3.2 or refer to the pavement detail.
14. Call out minimum cover depths for each proposed type of pipe on the Typical Pipe Trench Detail. Only the minimum cover for water main is shown and it appears that water main is not proposed. Please clarify and revise accordingly.
15. Sheet C1.1 shows snow storage on pervious pavers. It is recommended that snow storage be outside of drainage features.
16. Maine DEP recommends 30 mil thick liners or greater for stormwater systems and a 20 mil PVC liner is proposed.
17. Both bituminous and concrete curb are proposed. However, only a slipform concrete curb detail is included in the plans. Please provide details for both types of curb.
18. The Applicant indicated the transformer equipment will be oil-filled. Please provide the aggregate oil storage capacity of the transformers. Also, please provide information on how equipment will be monitored and at what frequency the transformers will be inspected for leaks.

General Standards of Performance

1. Environmental
 - a. The project area is not within the 100-year floodplain.
 - b. The project area is not within the Shoreland Protection Zone.
 - c. Plans should include a riprap outlet protection detail for the underdrain outfalls. The detail should specify the riprap class, depth, and dimensions of the apron.
2. Parking, Loading, and Traffic
 - a. Parking is not proposed, nor required since the site is zoned industrial.
 - b. Traffic is anticipated to be less than 5 trips per month. We have no traffic related concerns.

Site Plan Review

1. Access into the Site - The proposed entrance drive maintains a slope of -3% for 20 feet, which is less than the required 40 feet. We believe this to be adequate considering the minimal traffic anticipated. Applicant submitted a waiver request for this item.
2. Stormwater Management
 - a. The Maine DEP Chapter 500 Basic, General, and Flooding Standards appear to have been met, however it is ultimately up to Maine DEP to conclude this in their review. We recommend state permit approvals be a condition of approval.
 - b. Pervious pavers and underground filters are proposed to treat stormwater runoff from the paved portions of the site. These have been designed to the Roof Dripline Filtration BMP guidelines of Chapter 7.5 of the Maine DEP Technical Design Manual. Please explain why Chapter 7.7 Manmade Pervious Surfaces was not used, as it seems more applicable? Review and provide comment on compliance with Chapter 7.7.
 - c. Were level spreaders designed to the design guidelines presented in the Maine DEP Technical Design Manual? Limited information regarding the construction of the level spreaders is shown on the plans. Please submit design calculations, add additional information to the plan, and include a typical detail.
 - d. Peak runoff rates are shown to be reduced in the post-development condition, due to storage provided by the pervious pavers with underground filtration.
 - e. Maine DEP Chapter 500 impervious and developed area treatment requirements are met.
 - f. Provide comment on how the 0.6 in/hr infiltration rate for the underground filters was selected, as shown in the HydroCAD output reports.

- g. We recommend routing the primary outflow of the underground filter through the underdrains. Either the underdrain or the soil infiltration rate may be the limiting factor. This may affect the peak water surface elevation and discharge rate.
 - h. We recommend incorporating the 12” storm drains into the model and routing the orifice/grate outflows (catch basins) to them. This may affect the peak water surface elevation and discharge rate.
 - i. The site is located within the urbanized MS4 area and is therefore subject to Chapter 2 Post-Construction Stormwater Management of the Town’s Stormwater Ordinance. The following comments are relevant to compliance with the Ordinance:
 - i. Indicate in the Inspection and Maintenance Plan that the owner/operator of post-construction stormwater facilities is required to submit a yearly inspection report to the Town in the form identical to that attached as Appendix 1 to the Post-Construction Stormwater Management Ordinance (refer to Section 6.1.c of the Ordinance). The Stormwater Facilities Inspection Report included in the Inspection and Maintenance Plan, summarizing the inspection and any corrective action taken, should also be maintained.
 - ii. It is recommended that inspections of post-construction stormwater facilities be completed by a Qualified Post-Construction Stormwater Inspector as defined in the Post-Construction Stormwater Management Ordinance; however, the Ordinance currently allows the inspection to be completed by a Person owning, operating, leasing, or having control over the stormwater management facilities or a Qualified Post-Construction Stormwater Inspector. We recommend incorporating this into the Inspection and Maintenance Plan.
3. Exterior Lighting - Please submit product information for the proposed dark sky compliant light fixtures.

Gorham Conservation Commission: No comments received

Legal: No comments received

**TOWN OF GORHAM PLANNING BOARD
SITE PLAN REVIEW AND FINDINGS OF FACT
For
CROSS TOWN ENERGY STORAGE**

April 4, 2022

Property Owner: The property owner is Peter Holmes, 60 Hutcherson Drive, LLC, 401 Warren Avenue, Portland, Maine 04103.

Applicant: The applicant is Cross Town Energy Storage, LLC, 1237 9th Avenue, San Francisco, CA 94122.

Property: The lot is identified in the assessor database as Tax Map 12, Lot22-1, and is located at 61 Hutcherson Drive, Gorham, Maine 04038.

Consultant: Norm G. Chamberlain II, P.E., One Karen Drive, Suite 2A, Westbrook, Maine 04092.

Project Description: The applicant is proposing a 175 MW battery energy storage system, associated substation equipment, gravel drive, and a short generation tie-line to the existing 115KV Central Maine Power Mosher's substation.

Site Description: The site is approximately 13.20 acres in size with wetlands located on the north, west and south sides of the parcel. The vegetation on the lot is a mix of canopy trees and understory shrub type brush.

Applicability: Major Site Plan regulations identify the Planning Board as having review and approval authority.

Zoning: Industrial (I)

Variances: None required at this time.

Waivers requested:

- a. The applicant requests a waiver from Ch. 4 Section 4-8 C.d.1 Groundwater Protection – not to submit groundwater impact analysis for projects with a capacity of 2000 gallons per day or greater since there will not be any sewage disposal facility needs at this unmanned facility.
- b. The applicant requests a waiver from Ch. 4 Section 4-8 C. d. 2 Traffic Impact Analysis - not to submit an analysis for projects that provide parking for 50 or more vehicles or generate more than 100 vehicle trips since the traffic at this facility is proposed to be 5 vehicle trips per month.
- c. The applicant requests a waiver from Ch. 4 Sec 4-9, C.2 Maximum Driveway Grades – to exceed the standard by allowing a minimum of 20 feet at less than 3% grade rather than the required 40 feet at 3% grade.
- d. The applicant requests a waiver from Ch. 4 Sec 4-9, I Sewage Disposal – to allow no sewage disposal rather than require it since this is an unmanned facility.

Pursuant to the Application:

Sketch Site Plan Review was held on December 6, 2021. A site walk was held on December 16, 2021. A Site Plan Review public hearing was held on April 4, 2022.

The projects and plans and other documents considered to be a part of the approval by the Planning Board in this ruling consist of the following:

| |
|--|
| C1.0 Exhibit A: Site Plan Sketch – Dated 01/06/2019; Received 07/06/2019 |
| C1.1 Sketch Plan – Dated 11/02/2021; Received 11/02/2021 |
| Boundary Survey – Dated 11/02/2020; Revised through 11/12/2020; Received 11/02/2021 |
| Cover Sheet – Received 02/14/2022 |
| C1.1 Site Plan – Dated 01/17/2022; Revised through 02/11/2022; Received 02/14/2022 |
| C1.2 Existing Conditions and Removals Plan – Dated 01/17/2022; Revised through 02/11/2022; Received 02/14/2022 |
| C2.1 Erosion Control Plan – Dated 01/17/2022; Revised through 02/11/2022; Received 02/14/2022 |
| C2.2 Grading and Drainage Plan – Dated 01/17/2022; Revised through 02/11/2022; Received 02/14/2022 |
| C2.3 Site Cross Section – Dated 01/17/2022; Revised through 02/11/2022; Received 02/14/2022 |
| C3.1 Site Details – Dated 01/17/2022; Revised through 02/11/2022; Received 02/14/2022 |
| C3.2 Site Details – Dated 01/17/2022; Revised through 02/11/2022; Received 02/14/2022 |
| C3.3 Site Details – Dated 01/17/2022; Revised through 02/11/2022; Received 02/14/2022 |
| Hubbell Site Lighting Plan – Dated 12/29/2021; Revised through 02/11/2022; Received 02/23/2022 |
| L1.1 Landscape Plan (Hutcherson Drive Buffer Planting) – Dated 01/18/2022; Revised through 02/10/2022; Received 02/23/2022 |

Other documents submitted consist of the following:

Sketch Plan Application – 06/06/2019, 11/02/2021
Site Plan Review Application – 02/14/2022
Updates to the Site Plan Application – 02/23/2022
Plans – Received; 07/06/2019; 11/02/2021, 02/14/2022, 02/23/2022
Stormwater Management Report – 02/23/2022
Planning Board Letter, Response to Site Walk Questions – 03/22/2022
Gorham Town Planner Comments – 11/22/2021, 3/28//2022
Gorham Assessor Comments – No comments received.
Gorham Fire Chief Comments – 11/10/2021
Gorham Code Enforcement Officer – No comments received.
Gorham Public Works Director – No comments received.
Conservation Commission – No comments received.
Legal Review – No comments received.
Wright-Pierce Comments – 02/28/2022
Abutter Comments – E. Montalvo, 02/21/2021

CHAPTER 4, SITE PLAN REVIEW, SECTION 9 – Approval Criteria and Standards

The Planning Board, following review of the Site Plan Application, makes these findings based on the Site Plan Review criteria found in Chapter 4, Section 9 – Approval Criteria and Standards of the Town of Gorham Land Use and Development Code.

A. Utilization of the Site: The plan for the development will reflect the natural capabilities of the site to support development.

The applicant is proposing to construct a 175 MW battery storage facility with associated infrastructure on a site that is zoned Industrial and which has been recommended with the Town's Comprehensive Plan as a place appropriate for this type of construction.

The plans and written materials describe the location for construction as that of being away from wetlands and other areas that do not support this type of development.

Finding: The plan for the development reflects the natural capabilities of the site to support the development and the natural features and drainage ways are preserved to the greatest extent practical.

B. Access to the Site: Vehicular access to the site will be on roads which have adequate capacity to accommodate the additional traffic generated by the development.

Access to the site is via Hutcherson Drive in the industrial park off Main Street. There are 5 vehicle trips per month proposed with this application. Both streets have the capacity to accommodate this level of increase in traffic.

Finding: Vehicular access to the site will be on roads which have adequate capacity to accommodate the additional traffic generated by the development.

C. Access into the Site: Vehicular access into the development will provide for safe and convenient access.

The proposed paved driveway is 24 feet wide and is located on the southern corner of the lot. The existing sight distance at the intersection with Hutcherson Drive is ? feet looking east and ? feet looking west.

A waiver is requested to allow a steeper entrance than is required.

Finding: The plans provide for safe and convenient vehicular access into the development.

D. Internal Vehicular Circulation: The layout of the site will provide for the safe movement of passenger, service and emergency vehicles through the site.

The site provides for a two-way vehicle access throughout the parcel utilizing a 24 foot wide paved entrance and 20 foot wide lanes within the site. There is no parking proposed since there will be no employees onsite daily. The applicant states that the occasional maintenance vehicle will park along the internal network.

Finding: *The layout of the site provides for the safe movement of passenger, service, and emergency vehicles through the site.*

E. Pedestrian Circulation: The development plan will provide for a system of pedestrian circulation within and to the development.

The occasional maintenance personnel will utilize the internal paved network to walk around the site.

Finding: *The plans provide a system of pedestrian circulation within the development.*

F. Storm water Management: Adequate provisions will be made for the disposal of all storm water collected on streets, parking areas, roofs or other impervious surfaces through a storm water drainage system and maintenance plan which will not have adverse impacts on abutting or downstream properties.

C2.3, D1.0 and D2.0 show that stormwater quantity and quality will be treated via subsurface treatment utilizing underground filters with pervious pavers. Outlets from the soil filters will be directed through level spreaders prior to discharge to the wetlands.

Finding: *The site has adequate provisions for the disposal of all storm water collected on streets, parking areas, roofs or other impervious surfaces through a stormwater drainage system and maintenance plan which does not have adverse impacts on abutting or downstream properties.*

G. Erosion Control: For all projects, building and site designs and roadway layouts will fit and utilize existing topography and desirable natural surroundings to the fullest extent possible.

C2.1 shows a stabilized construction entrance, silt fencing, turf reinforcement matting, and catch basin inlet protection as methods to control sedimentation and erosion.

Finding: *The plan utilizes existing topography and desirable natural surroundings to the fullest extent possible.*

H. Water Supply: The development will be provided with a system of water supply that provides each use with an adequate supply of water meeting the standards of the State of Maine for drinking water.

This project does not require drinking water since it will be unmanned.

Finding: *The development does not require drinking water and therefore this section does not apply.*

I. Sewage Disposal: A sanitary sewer system will be installed at the expense of the developer if the project is located within a sewer service area as identified by the sewer user ordinance. The Site Plan Review Committee or Planning Board may allow individual subsurface waste disposal systems to be used where sewer service is not available.

This project does not require sanitary sewer since it will be unmanned

Finding: *The development does not require sanitary sewer and therefore this section does not apply.*

J. Utilities: The development will be provided with electrical and telephone service adequate to meet the anticipated use of the project.

As shown on C1.1, the project will utilize electrical distribution to serve auxiliary facilities such as heating and cooling equipment. The project will also require connection to internet and telecommunications.

Finding: *The development will provide for adequate electrical and phone service to meet the anticipated use of the project.*

K. Natural Features: The landscape will be preserved in its natural state insofar as practical by minimizing tree removal, disturbance and compaction of soil, and by retaining existing vegetation insofar as practical during construction.

Grading and blasting is limited to the eastern portion of the site to limit encroachment into the wetlands. Approximately 55% of the site will remain undisturbed and remain in its natural state.

Finding: *The development of the site will preserve existing vegetation to the greatest extent practical during construction.*

L. Groundwater Protection: The proposed site development and use will not adversely impact either the quality or quantity of groundwater available to abutting properties or public water supply systems.

The project will not utilize onsite sewage disposal or drinking water since it is an unmanned facility.

Finding: *The proposed development will not adversely impact either the quality or quantity of the groundwater available to abutting properties or public water supply systems.*

M. Exterior Lighting: The proposed development will provide for adequate exterior lighting to provide for the safe use of the development in nighttime hours.

Exterior lighting will be limited to security lighting at the access gate and limited fixtures within the facility for minimal lighting. The proposed lighting will be downward directed, dark sky compliant, motion sensor lighting in locations to limit neighboring adverse impacts.

Finding: *The proposed development provides for adequate exterior lighting to provide for the safe use of the development during nighttime hours.*

O. Waste Disposal: The proposed development will provide for adequate disposal of solid wastes and hazardous wastes.

Construction debris will be disposed of in a rented roll-off container and will be removed and replaced as necessary. The everyday trash receptacles after construction will not be needed since this facility is unmanned. The occasional trash that collects onsite from neighboring properties will be removed as needed.

Finding: *The development will provide for adequate disposal of solid wastes and hazardous waste.*

P. Landscaping: The development plan will provide for landscaping to define street edges, break up parking areas, soften the appearance of the development and protect abutting properties from adverse impacts of the development.

L1.1 shows landscaping along the frontage of the parcel.

Finding: *The proposed plan will provide landscaping to soften the appearance of the development.*

Q. Shoreland Relationship: The development will not adversely affect the water quality or shoreline of any adjacent water body. The development plan will provide for access to abutting navigable water bodies for the use of occupants of the development.

This project is not located on the shoreline of a water body.

Finding: *The development is not located on the shoreline of body of water. Therefore, this section does not apply.*

R. Technical and Financial Capacity: The applicant has demonstrated that he has the financial and technical capacity to carry out the project in accordance with this Code and the approved plan.

Financial capacity has not been shown with this application. The applicant may want to submit this information to the Town Planner prior to a pre-construction meeting as a condition of approval.

Technical capacity is demonstrated by the hiring of Walsh Engineering Associates, Inc. for civil engineering, as well as Albert Frick Associates for wetlands delineation and functional assessments.

Finding: *The applicant has the financial and technical capacity to complete the project in accordance with Gorham's Land Use and Development Code and the approved plan.*

S. Buffering: The development will provide for the buffering of adjacent uses where there is a transition from one type of use to another use and to screen service and storage areas. The buffer areas required by the district regulations will be improved and maintained.

The development will be buffered using landscaping along Hutcherson Drive and will plant addition vegetation within the wetland area that was removed previously.

Finding: *The development provides buffering to screen service and storage areas.*

T. Noise: The applicant has demonstrated that the development will comply with the noise regulations listed in Table 1 – Sound Level Limits and the associated ordinances.

The Dudek noise analysis dated February 18, 2022 and received on February 23, 2022 states that the noise emission from operation of the total suite of proposed equipment as modeled at each corner of the property boundaries as well as at least one point along each side of the property boundaries will

not exceed the ordinance requirements.

Finding: *The development will comply with the A-weighted hourly equivalent sound level limits of 70 dBA daytime (7am-7pm) and 60 dBA nighttime (7pm-7am).*

Conditions of Approval

1. That this approval is dependent upon, and limited to, the proposals and plans contained in this application and supporting documents submitted and affirmed by the applicants and that any variation from the plans, proposals and supporting documents is subject to review and approval by the Planning Board or Site Plan Review Committee, except for minor changes which the Town Planner may approve;
2. That prior to the commencement of construction of the site plan, the applicant is responsible for obtaining all required local, state and federal permits;
3. This parcel is located within the DEP MD4 Urbanized Area and the applicant will need to provide yearly inspection reports to the town;
4. Map and Lot number shall be added to the bottom right corner of each plan.
5. All staff and peer review comments will be addressed prior to the Planning Board's signature;
6. That any proposed use on the site shall meet the sound level requirements outlined under Chapter 4, Section 9, T. Noise;
7. An Emergency Response plan that meets the needs of Gorham Fire and Police Departments will be developed prior to pre-construction meeting;
8. A Lock Box will be installed on the access gate;
9. The project needs to meet NFPA 855 - Standard for the insulation of energy storage Systems (2020 ed.) including all appendixes, as well as NFPA 1 (2018 ed.);
10. That prior to the pre-construction meeting, the applicant will establish the following: an escrow for field inspection meeting the approvals of Town Staff;
11. That prior to the pre-construction meeting a decommissioning bond will be established;
12. That prior to the commencement of any site improvements, the applicant, its earthwork contractor, and the design engineer shall arrange a pre-construction meeting with the Town's Review Engineer, Public Works Director, Fire Chief, Code Enforcement Officer and the Town Planner to review the proposed schedule of improvements, conditions of approval, and site construction requirements;
13. That all site construction shall be carried out in conformance with the Maine Erosion and Sediment Control Best Management Practices, Maine Department of Environmental Protection, latest edition

and in accordance with the erosion and sedimentation control information contained in the application;

14. That the site plan shall not be released for recording at the Registry of Deeds until the required performance guarantee has been posted meeting the approval of Town Staff, and the site plan is required to be recorded within one year of original approval or the approval becomes null and void;
15. That the Planning Board Chairman is authorized by the Planning Board to sign the Findings of Fact on behalf of the entire Board; and
16. That once the site plan has been recorded at the Cumberland County Registry of Deeds, a dated copy of the recorded site plan shall be returned to the Town Planner prior to the pre-construction meeting.

SUGGESTED MOTIONS:

FOR SITE PLAN APPROVAL:

Move to grant Cross Town Energy LLC request for site plan approval to construct a 175 MW battery energy storage system, associated substation equipment, and a short generation tie-line to the existing 115KV Mosher's substation located at 61 Hutcherson drive on Map 12 Lot 22-1 in the Industrial zoning district with Findings of Fact and Conditions of Approval as written by the Town Planner (and modified this evening by the Planning Board).

TO TABLE APPROVAL:

Move to table further review of Cross Town Energy LLC request for site plan approval pending responses to remaining issues (and finalizing revisions to the plan).

TO PLACE THE ITEM ON THE CONSENT AGENDA:

Move to place the item on the consent agenda pending the submission of responses to remaining issues.

PLANNING BOARD DECEMBER 6, 2021 MEETING MINUTES

ITEM 6 Pre-Application - Cross Town Energy Storage, LLC - Battery Storage Facility - a request for approval of a 174 MW battery energy storage system located at 61 Hutcherson Drive.

Ms. Eyerman described the battery storage facility as a series of small utility cabinets set on individual concrete pads, to be located at the end of Hutcherson Drive, right where the Cross Town Trail ends at a fence. The proposed facility is next to the CMP corridor.

Norman Chamberlain, Walsh Engineering Associates, came to the podium, and introduced Allyson Sand and Georgia Meisler.

Allyson Sand, Cross Town Energy Storage, LLC, told the Board the project is located within the Gorham Industrial Park and gave the Board an overview of the company, Plus Power Company, a

transmission connected battery energy storage developer. The company is American owned with offices in Houston, Texas and San Francisco, California and was founded in 2018 by storage and renewable energy veterans. The company has over 7,000 mega watts of developments in place across the country. Ms. Sand told the Board that facilities such as being proposed in Gorham are called stand-alone and are not co-located or adjacent or connected to any renewable resource, and in this case are directly connected to the existing electrical infrastructure. The purpose of a storage facility is to manage variations in power supply, so this project would be able to charge during periods of over supply and then basically discharge that electricity back on to the system when there are periods of peak demand. This type of project can keep the electrical grid functioning properly and manage the system as it evolves.

Georgia Meisler gave the Board a slide presentation describing the site, at 61 Hutcherson Drive in the Gorham Industrial Park, just over 13 acres and located next door to the Mosher Substation. Delineated wetlands are present on the site, along the western and northern edges. Studies have been done already, looking at endangered species and cultural resources, with no areas of concern identified. The site is not located inside a flood plain. Ms. Meisler pointed out a significant stand of mature trees located on the eastern property line, which will remain as providing as good visual buffer to abutters on the east.

Ms. Meisler said the proposed development will sit on approximately 5 acres out of the 13 on the site, designed primarily to avoid all of the wetlands located within that area. Proposed are 240 enclosures, housing the individual battery cells that actually store the energy. The rest of the facility is made up of the electrical and mechanical equipment that converts that energy into electricity that is fed into the grid. A line is proposed at the back western corner of the site connecting to the substation next door. There are 24 foot wide roads both for access to the site and for internal circulation, provided for maintenance vehicles and designed for emergency vehicle access. Ms. Meisler showed a proposed street view, showing buffering along the southern fence line to act as buffering not only along the trail but Hutcherson Drive and neighboring businesses as well.

In reply to Ms. Butler-Bailey, Mr. Chamberlain said they would like to know the Board's feedback on the project, noting that they are already working with the Fire Department and with the DEP on stormwater. Mr. Chamberlain said that some blasting will be needed on site, basically to create a flat pad, collecting stormwater underneath, treating it, and discharging it.

PUBLIC COMMENT PERIOD OPENED: Ed Montalvo, president of the Montalvo Corporation at 50 Hutcherson Drive, said he will see this site out of his office window. His concerns involve the safety issue of lithium ion batteries and would like to hear more about the discussions with the Fire Department. Mr. Montalvo asked about proposed landscaping to buffer this site, will there be a wall around it and will the trees be there and will they grow.

PUBLIC COMMENT PERIOD ENDED.

Ms. Sand said they will give more detail in their next presentation relating to thermal safety. Stationery storage must meet certain codes from the Underwriters Laboratory UL codes, NFPA standards, all of which are different from the consumer electronic standards and are more stringent. In reply to Ms. Butler-Bailey, Ms. Sand said they will also provide a landscape plan, which will include the proposed trees to be planted along the fence line along the southern edge of Hutcherson Drive.

Mr. Fox asked how long the equipment is expected to last. Ms. Sand said the technology today typically lasts about 20 years, but the battery cells will continue to degrade over time so there will be periods of augmentation over that 20 year useful life. They do expect to either re-use the batteries or continue to operate the project past the 20-year life, but throughout that 20 year period there is augmentation and maintenance to make sure the batteries are operating at maximum capacity. In reply to Mr. Fox, Ms. Sand there is a decommissioning requirement in their land contract with the land owner, which they will discuss with the Board during the permitting process. Ms. Sand answered a question from Mr. Grassi that typically the noisiest increment to a battery storage system like this is from the HVAC units helping to control and maintenance temperature, and there will be some noise from the substation equipment connecting the project to the substation to the west. She said they will be compliant with the standards in the Gorham Industrial zone. Mr. Chamberlain said they have data showing that there will be 84 decibels of noise at one meter, with 60 decibels at 75 feet. He said the batteries themselves don't make any noise.

Mr. Anderson and Mr. Chamberlain discussed elevations, which the proposed screening will take into account. In reply to Mr. Fox, Ms. Sand said a specific lighting plan will be prepared, with the lighting being for safety and security and limited to just the perimeter of the site and is motion detected. Mr. Hughes asked if there are any other sites in Maine where this kind of project has been done. Ms. Sand said there are no operational projects in the state of Maine but they are starting construction on a project in Hawaii.

Ms. Sand and Mr. Fox discussed the financial business model for such a project.

Ms. Butler-Bailey asked if any Board member is interested or feels the need for a site walk. Ms. Eyerman suggested a doodle poll to determine Board interest in a site walk.
