

**City of Ellsworth  
Planning Board Meeting Minutes  
Wednesday, September 1, 2021  
5:30 PM**

Chairman John Fink, Vice-Chairman John DeLeo, Members Marc Rich and Nelson Geel, and Alternate Members Molly Friedland and Patrick Lyons attended the regular meeting of the Ellsworth Planning Board. Secretary Rick Lyles was absent from the meeting.

**Six board members present**

City Planner Elena Piekut, Code Enforcement Officer Lori Roberts, Development Services Coordinator Kerri Taylor, and Fire and Life Safety Inspector Thomas Canavan attended the meeting.

**Four staff members present**

**1.) Call to Order**

Chairman Fink called the meeting to order at 5:31 PM.

**Call to Order**

**2.) Adoption of Minutes** from the August 4, 2021 meeting. John DeLeo moved to approve the minutes. Marc Rich seconded the motion, and with no further discussion, the motion passed unanimously **(5-0)**.

**Adoption of minutes**

Chairman Fink notified Alternate Member, Molly Friedland that she will be a voting member for the meeting.

**3.) Final Plan Review for a Major Use Site Development entitled Ellsworth ME Solar LLC for Ellsworth ME Solar, LLC.** The proposal is to construct a 4.98-megawatt solar energy facility on a 48.68-acre parcel (Tax Map 30 Lot 15) located at 889 Bucksport Road. All of the subject property is located in the Rural and Drinking Water Zones.

**Final Plan Review  
Ellsworth ME Solar  
LLC**

Sean Hale of VHB was present to represent the applicant Ellsworth ME Solar, LLC. Joel Lindsay of Ameresco was also present.

Mr. Hale provided a brief overview of the project for the board. He explained that the proposed project is a 35-acre solar facility located on the back, northern portion of the property. The existing access drive will be used to access the facility. A note has been added to the Operations and Maintenance Plan and the site plans to allow City Staff to be included in regular inspections to monitor stormwater management and site revegetation. Notes stating that the existing residential access drive will be repaired post construction to meet Fire Department emergency access standards and that the driveway will remain open at all times for emergency vehicle access were also added to the plan. The perimeter fencing detail was also updated to indicate a gap at the base for wildlife passage.

**Introduction**

Marc Rich inquired what the as needed inspections regarding stormwater management is referring to in the Operations and Maintenance Plan. Mr. Hale explained that, as needed inspections would occur in response to significant precipitation events.

John DeLeo addressed concerns submitted in a letter to the board from abutting property owner, Linda Ackerman. Mrs. Ackerman questioned if the panels will be grounded so that lightning will not easily travel to the ground and cause fires in the grassy meadow. Joel Lindsay responded that system has to be grounded. Mr. DeLeo noted a request from Mrs. Ackerman that the applicant install circular turnarounds to avoid beeping noises from large trucks that will have to use the T-turns in the current proposal. Mr. DeLeo stated that he did not see this as a big problem once construction is complete. Mr. DeLeo continued and relayed another concern of Mrs. Ackerman's regarding a hiking path located on the property. Mr. Hale explained that he is not aware of a hiking path on the property. Mrs. Ackerman included concerns regarding a 30-foot visual cover of the perimeter of the project. Mr. Hale responded that zoning setbacks for the project range from 15 to 20 feet, which the project does meet. Mr. DeLeo added that he thinks the concern is surrounding the area abutting the house lots on Catherine Avenue. Mr. Hale explained that they intend to leave a 15 foot wide vegetated buffer consisting of the existing vegetation and they have proposed a planting plan to provide additional visual buffer in that specific area of the project. Mr. DeLeo read Mrs. Ackerman's concerns regarding the plantings of invasive species and the proposed mowing of the field twice per year in consideration of grass fires. Mr. Hale explained that the Maine DEP requires that the field not be mowed more than twice per year. Mr. DeLeo inquired if the tree stumps would be removed from the site or chipped and left on the property. Mr. Lindsay responded that he need to consult with the property owners to see how they would like to address that issue. Mr. Hale added that in wetlands the stumps are not removed, trees are cut to eliminate shade, however the ground surface is not disturbed. Mrs. Ackerman asked in her letter if blasting or drilling is used to remove any boulders that may inhibit the installation of the metal posts. Mr. Lindsay explained that standard procedure is to drive the posts into the ground using a pickup truck mounted pile driver. If the posts will not go into the ground, they will then use a screw that has a diamond bit on it to install them. Mrs. Ackerman's next concern was regarding the use of pesticides or herbicides on the property. Mr. Lindsay responded that they do not use either pesticides or herbicides. Mrs. Ackerman's letter included a question on how the electricity is transferred. Mr. Hale answered it is connected to an overhead line that runs parallel to the existing access road.

Patrick Lyons requested that the applicant provide the net greenhouse gas benefit of this project. Mr. Lyons added that it would be helpful to educate the board and the public. Mr. Lindsay replied that he can provide that information.

Mr. Lyons read comments submitted from absent member Rick Lyles, Mr. Lyles inquired if Watershed Steward John Wedin was satisfied with stormwater management. City Planner, Elena Piekut answered that she had worked with Mr. Wedin to develop the conditions of approval regarding stormwater treatment and that specific language will appear in both the Operations and Maintenance Plan and the site plan.

Mr. DeLeo asked Fire and Life Safety Inspector, Thomas Canavan if he is satisfied with the proposed access road and turn arounds. Mr. Canavan explained that an update needed to be made on the site plan, but he is satisfied as long as that needed amendment is made a condition of approval.

A brief discussion ensued regarding approval by the City Attorney for the decommissioning plan and adding that as a condition of approval.

**Chairman Fink opened a public hearing at 6:00 PM.** With no one coming forward, the public hearing was subsequently closed.

**John DeLeo made a motion to approve the Final Plan for a Major Use Site Development entitled Ellsworth ME Solar LLC for Ellsworth ME Solar, LLC. based on the following conditions of approval:**

**Conditions to be Met Prior to Signing of Plans:**

1. **Revise operations and maintenance plan to indicate that erosion and sedimentation control inspection requests by City staff following significant storm events will be accommodated for a minimum of two years post-construction.**
2. **Submit a copy of all required State/Federal permit applications to the Planning Department.**
3. **Add a note to Sheet C2.0: "City of Ellsworth Water Department and/or Code Enforcement staff to attend quarterly and as-needed inspections of erosion and sedimentation controls for a minimum of two years post-construction. See Operations & Maintenance Plan."**
4. **Revise note on Sheet C3.1 regarding access road repairs up to residence: "Existing driveway to remain. Existing driveway to be repaired post-construction to meet Ellsworth Fire Department standards for Fire Apparatus Access Roads per Ellsworth City Ordinances and Codes, Chapter 4 Fire Protection and Prevention, Section 3.14.1.A."**
5. **Revise Site Details (Sheet C4.1) to indicate 20-foot-wide gravel surface on access road.**
6. **Revise Site Details (Sheet C4.1) to show 6-inch gap at base of**

**Public Hearing**

**Final Plan for a  
Major Use Site  
Development  
entitled Ellsworth  
ME Solar LLC:  
Approved**

perimeter fencing to allow for wildlife passage.

**Conditions to be Met Prior to Issuance of a Building Permit:**

1. Provide financial assurance of performance in accordance with Ch. 56, Section 825.D.v to the satisfaction of the Planning Department and the City Attorney.
2. Provide street name application approval issued by City Assessor.

Nelson Geel seconded the motion and with no further discussion, the motion passed unanimously (5-0).

4.) Preliminary Plan Review for a Major Use Site Development entitled **BD Solar Ellsworth** for BD Solar Ellsworth, LLC. The proposal is to construct a 3.3-megawatt solar energy facility on a 95-acre parcel (Tax Map 93 Lot 2) located on Nicolin Road. The subject property is located in the Rural and Resource Protection Zones.

Sean Thies of Haley Ward was present to represent the applicant, BD Solar Ellsworth. Audrey Puleio of BD Solar also attended the meeting.

Mr. Thies addressed the board and gave an overview of the updates on the project. Mr. Thies explained that changes were made to the site plan to keep the project out of the wetlands and Resource Protection Zone. The footprint of the project is 17-acres on a 95-acre parcel. The applicant name has been corrected from BD Solar Ellsworth to BD Solar Nicolin. Mr. Thies brought updated copies of the lease agreement reflecting the corrected name. For final plan review he will provide amended plans and application documents that reflect the correct applicant name. Due to the redesign of the site a full stormwater report is required, which was submitted with the Preliminary Plan submission materials.

Mr. DeLeo inquired about an aerial photograph of farmland soils labeled as Davis Road in Eddington. Mr. Thies explained that he believes that Maine Natural Areas made an error and attached the incorrect map to their response letter. He is working to get a corrected letter.

A brief discussion ensued regarding the site location in proximity to Boggy Brook and Green Lake.

A discussion followed in regards to the applicant submitting revised application materials for all agency letters, etc. with the corrected name. Chairman Fink requested that the applicant submit a letter to the Planning Office that a name change has been submitted.

Preliminary Plan Review BD Solar

Introduction

Deliberations & Findings of Fact

Mr. DeLeo voiced concerns about the impact to Boggy Brook. He requested a peer review to analyze the effects of the project on the brook. Ms. Piekut explained that the project is now required to obtain a Permit by Rule from DEP and it must meet the City's flooding control threshold standard for stormwater quantity. Ms. Piekut added that the stormwater quantity and calculations could be reviewed in a peer review.

Mr. Thies explained the applicant is required to submit a stormwater Permit by Rule application to the DEP, which is essentially a detailed erosion control plan. Grubbings from tree stumps will be used on site as an erosion control measure to make berms.

Ms. Piekut mentioned that possibly the Branch Lake Watershed Steward could participate in inspections to monitor stormwater. This would allow the City to have a role in ensuring that the vegetation is established and there are no erosion issues on the site. Mr. Thies added that based on the Inland Fisheries and Wildlife review there is no impact to any protected species.

Mr. Lyons inquired what the nature of the wetlands on the property are and if the project will disturb them. Mr. Thies responded that the wetlands are forested and the project will not disturb them. No wetland permitting is required for the project.

Mr. Lyons asked if the proposed stormwater management plan is consistent with the state's best management practices. Mr. Thies answered that it is and that is why they are not submitting anything beyond the Permit by Rule. Mr. Thies added that the City's requirements essentially mirror the state's requirements and they have provided stormwater calculations to meet those standards. Mr. Lyons remarked that since stormwater management requirements are being met, wetlands are not being directly impacted, and there is no significant resource impact identified by the state he thinks it would be prudent and acceptable for the board to request that City Staff inspect this project to confirm stabilization of the plantings after construction.

Mr. DeLeo suggested conducting a peer review just for the stormwater figures.

Molly Friedland asked if it would be appropriate for the board to do a site visit. A brief discussion followed regarding a site visit of the property.

Ms. Friedland inquired as to how the applicant chooses sites for their solar arrays. Audrey Puleio explained that capacity is a big motivator for selecting sites. If there are available megawatts at a station they would target parcels in the surrounding area that have agreeable slopes to build on. They conduct a preliminary wetland assessment that is then validated by their environmental

consultants, as well as conducting initial habitat screenings. Alternatively, landowners may reach out and suggest their parcel of land, which is what happened in this case.

Mr. DeLeo inquired about the location of the current wood harvesting on the parcel. Mr. Thies explained that he is unsure of the details of the wood harvesting and it is unrelated to this project.

A brief discussion regarding the use of pesticides and herbicides ensued.

A discussion followed in regards to holding a peer review for the project.

Mr. Lyons read some concerns submitted by absent member Rick Lyles. Mr. Lyles asked if the Fire Department was satisfied with the current site plan. Mr. Canavan stated that they have met all Fire Department requirements. Mr. Lyles next concern was if the board was satisfied with the visual impact of the proposed development that was discussed at the previous meeting. Mr. Thies responded that they are required to have a 30-foot buffer along the road. He did visit the site prior to the meeting and despite the current wood harvesting, there is still vegetation on the location. If required they could add to what is remaining, but it has not been clear-cut to the road. Mr. Lyles' final question was if John Wedin had reviewed the current plans in regards to the potential impact on Green Lake. Ms. Piekut replied that she is unsure if Mr. Wedin has thoroughly reviewed the project, but he could provide his comments for the final review.

**Chairman Fink opened a public hearing at 6:31 PM**

**Public Hearing**

Dale Jellison, address not stated, approached the board to voice his concerns. Mr. Jellison informed the board that on August 24<sup>th</sup>, Robert Cleaves who is an owner of BD Solar or Dirigo Solar met with him, Joe Kitchen, and Audrey Tunney at the project location. Mr. Jellison stated that the wood clearing company took all of the major trees within the 30-foot buffer. Mr. Jellison suggested a requirement of decommissioning for all solar projects constructed on a previously wooded site should have to replant that site.

Mr. Jellison mentioned stormwater and erosion control concerns and inquired if a retention or detention pond will be installed. Mr. Thies clarified that none are being proposed.

Mr. Jellison noted that another stream is located on the property that flows into Boggy Brook; he referred to it as No Name Brook.

Mr. Jellison informed the board that there is a significant amount of surface boulders on the site. He has concerns about blasting and/or excavation of the boulders.

Mary Ellen Hunt, an abutting property owner, approached the board to express her concerns regarding the project. Ms. Hunt voiced concerns about the project impacting the value of her property and any potential impact to groundwater. Ms. Hunt also mentioned concerns regarding noise, erosion, and impacts to Green Lake.

Mr. Fink informed Ms. Hunt that property values is not something that the board is empowered to deal with.

Ms. Hunt expressed concerns regarding the impact to the road that currently washes out throughout the year. She inquired if anyone considers the multiple projects in process in the area when reviewing applications. Ms. Hunt noted that multiple people are clearing land in the area for different purposes. Mr. Lyons explained that the board's review is limited to just the solar project and cannot consider the current timber harvesting. A brief discussion ensued regarding who regulates the timber harvesting.

Joe Kitchen, an abutting property owner, approached the board. Mr. Kitchen asked if anyone from the City, such as City Councilors or board members had been to the site. Mr. Fink explained that the board is going to schedule a site visit.

Mr. Kitchen stated that the area is surrounded on three sides by a brook and wetlands. Mr. Kitchen added that half of the 95-acre parcel is probably wetlands and that all of the merchantable trees on the site have been cut. Mr. Kitchen explained his main concerns are erosion and aesthetics.

Mr. Fink stated that if there is not an existing buffer on site the applicant will be required to establish one. He added that the buffer will not be instant, but the plans will need to show that one will be established.

Chairman Fink closed the public hearing at 6:48 PM.

Mr. Thies addressed some of the comments mentioned during the public hearing. Mr. Thies commented that if more of a buffer is needed they will plant trees to meet the requirement. He informed the board that there is no intention to do any blasting on the site. Occasionally a boulder or a rock may need to be moved to work around, but there is no intention to do extensive grading on the site. Mr. Thies added that solar arrays do not have any impact on groundwater and in regards to noise; there is a slight hum similar to a refrigerator that can be heard if you are standing next to the transformers and/or the inverters. The erosion control plan will be submitted to the City and is part of the stormwater Permit by Rule application that is reviewed by DEP.

The erosion control measures are maintained throughout construction until vegetation is established.

Mr. Lyons asked if the applicant would mind providing the net greenhouse gas benefit of this project. He noted that it is not a requirement of the ordinance.

Ms. Friedland inquired about scheduling a site visit. Mr. Fink responded the City Planner can coordinate with the applicant to arrange a site visit.

**John DeLeo made a motion to determine the Preliminary Plan for a Major Use Site Development entitled BD Solar Ellsworth for BD Solar Ellsworth, LLC complete, with the condition that the stormwater calculations are reviewed through a peer review. Marc Rich seconded the motion and with no further discussion, the motion passed unanimously (5-0).**

**Preliminary Plan for a Major Use Site Development entitled BD Solar Ellsworth: Complete**

**5.) Final Plan Review for a Major Use Site Development and Major Subdivision entitled 64 Pine for Opus One, LLC.** The proposal is to construct a 12-unit residential apartment building on 0.37 acre (Tax Map 134 Lots 91 & 104) located at 64 Pine Street and 33 Spruce Street. All of the subject property is located in the Downtown Zone.

**64 Pine Final Review**

Chip Haskell of Haley Ward was present to represent the applicant. Jonathan Bates, owner of the property also attended the meeting.

Chairman Fink expressed concerns surrounding the recently submitted letters from property abutters. Mr. Fink suggested that the item be tabled until the next meeting to allow time to address the concerns of the neighboring property owners.

**Chairman John Fink made a motion to Table the Final Plan for a Major Use Site Development and Major Subdivision entitled 64 Pine for Opus One, LLC. There was no second; therefore, the motion did not pass.**

Mr. Haskell gave the board a brief presentation of the project. Mr. Haskell explained the applicant is proposing to construct a 12-unit, 3 story apartment building, with an 18 space parking lot. There will be a handicap parking space off Pine Street where a screened area for trash will be as well. A vegetated underdrain soil filter is proposed for stormwater treatment. There will be a slight increase in impervious area compared to the previous structures on the site. Outside lighting will be minimal and a lighting plan has been provided which meets the City's standard.

**Introduction**

Mr. DeLeo commented on the proximity of the building to Pine Street and

asked if the building could be built further away from the road. Mr. Haskell stated that he thinks it can be set a little further back.

A brief discussion ensued regarding trash pickup and the location of the designated trash bin area.

Mr. DeLeo inquired about the proposed landscaping plan. Mr. Haskell explained they are proposing to plant salt resistant dogwood trees in front of the building, on both sides, and near the road. The soil filter will have vegetation and some shrubs will be planted in front of the building. Mr. Haskell added that they had to consider snow storage in those areas as well.

Mr. DeLeo requested to discuss the architectural aspects of the building because of the emphasis of the historical considerations from the neighbors. Ms. Piekut conveyed that the City does not have any design guidelines in the site plan review or subdivision guidelines. The City of Ellsworth does have a historic district, there are buildings such as City Hall and the old jail and there are locally listed historic sites, which is all overseen by the Historic Preservation Commission. There are regulations that apply to that small district and those specific properties. However, this property is not within the district or on the list of historic properties in Ellsworth. Ms. Piekut addressed the applicant and stated that any information that can be provided to the public regarding the building can help the public to feel more comfortable with the project. However, the board has to refer to the City's regulations. Ms. Piekut added the state imposed subdivision criteria does include that a project should not have any undue adverse effect on aesthetics or historical sites. Her interpretation of the regulation is that a situation would have to be rather extreme to meet that standard.

Mr. DeLeo asked if the applicant was still waiting for the State Historical Preservation Commission to issue their opinion. Ms. Piekut responded that was correct. Mr. Haskell explained that he has been communicating back and forth with the Maine Historic Preservation Commission and they did request some additional information. During his last communication with them they informed him that they were behind and that they would hopefully have a response within the next month.

Mr. Geel asked when the applicant plans to start construction if final approval were obtained. Mr. Haskell answered that construction would not begin until next spring. Mr. Geel suggested deferring the approval until next month since the applicant is waiting for the historic preservation letter at this time.

Mr. Bates commented that he was originally going to start the project mid September, but due the current situation they will postpone the project, possibly for two to three years. Mr. Bates informed the board that he met with the Heart of Ellsworth and neighbors in March to discuss the façade of the

**Deliberations and  
Findings of Fact**

building.

Mr. Lyons commented that he does not think the project needs to be delayed. He added that the site has not been designated as historic. Ms. Piekut explained that it is not listed as a historic site by the historic preservation commission.

Mr. Bates stated that he targeted this property and the City was in favor of the previous buildings being demolished due to numerous reports of vandalism.

Mr. Lyons asked if the property is designated on the National Register of Historic Places. Ms. Piekut and Mr. Haskell both confirmed that it is not. Mr. Lyons then asked if it is designated by the local historical society. Ms. Piekut answered that it is not. Mr. Lyons stated that the historical provisions do not apply to the property and in his interpretation of the ordinance, the only provision that does is the subdivision regulation.

A lengthy discussion ensued in regards to if the proposed building would cause an undue adverse effect on neighboring historical properties, the proposed façade of the building, and the possibility of a conditional approval.

#### **Chairman Fink opened a public hearing at 7:40 PM**

#### **Public Hearing**

Christina Holt, no address provided, approached the board. Ms. Holt informed the board that she grew up on Pine street and currently runs a rental property business with her mother and rents out 65 Pine Street and 56 Church Street. Ms. Holt conveyed to the board that she obtained a copy of the Maine Historical Commission letter. Ms. Holt read the letter from the Maine Historic Preservation Commission to the board. The letter addressed to Drew Olehowski of Haley Ward, from Kirk F. Mohny , State Historic Preservation Officer stated the following:

In response to your recent request, I have reviewed the information received August 23, 2021 to continue consultation on the above referenced project. Judging from Google Street view imagery, many of the buildings located along Pine Street are one and a half or two story Greek Revival style residences whose gable ends face the street. The two-story house that was formerly on the building site also had Greek Revival style characteristics, but it was oriented with the roof ridge parallel to the street. Although the precise development history of this area is not known to us, it appears that most if not all of these houses were constructed in the second quarter of the nineteenth century. After review of the elevation drawings provided to us, it our opinion that the proposed building is not compatible with the surrounding buildings. In particular, the scale and massing of the new construction are incongruent with the neighboring properties on Pine Street. In addition, the siting of the building with its entrance onto the rear parking lot, results in a design that is

inconsistent with the historic relationship and interaction of building to street that exists here.

Mr. Haskell commented that the elevation plan had changed drastically from the initial elevation that was sent to the Commission. He noted that the updated plan has the roofline rotated and they have added many architectural details. Mr. Haskell added that he had not received a copy of the letter yet, but he is confident they will get a different opinion once they submit the revised elevation drawings.

Ms. Holt requested a copy of the revised elevation drawings. Ms. Piekut responded that the copy she just received can be scanned and emailed or she can come into the Planning Office and look at them.

Ms. Holt stated that her understanding of the Commission's role is to look at the environment of the proposed project and in the subdivision ordinance it says that any new construction needs to not adversely affect the people on either side or facing the new construction. The ordinance also refers to not only the historic district, but includes all places where historic buildings are located. Ms. Holt listed several surrounding and nearby properties that are designated historic landmarks and informed the Board that she included pictures of the properties in the letter that she and her mother submitted to the board. Ms. Holt added that she would argue that the Planning Board has an opportunity to capitalize on the attractiveness of this historic town by allowing the process to build housing that is needed to bring people in. Also, this could allow people to live in a place that carries history and that has their economic well being tied up with the ability to protect what makes the town so attractive.

Ms. Holt expressed concerns regarding water runoff.

Ms. Holt continued with her comments by stating that although the Planning Board does not have the purview to do lots of things it certainly has the purview to assure that any new construction be completed in a manner which is compatible with the character of those properties, which come from the Ellsworth Historic Ordinances and also the planning commission's charge. In addition, she conveyed that the time frame of this may be unfortunate for the developer, but she feels there is an opportunity for everybody to come to a great understanding and come up with a project that suits the needs of the not only the developer, but the future residents of Ellsworth.

Mr. Fink commented that the Historic Preservation Commission works with their own ordinance, which the Planning Board is not empowered to enforce. Mr. Fink added that the ordinance the Board has to follow is very vague and the definition for adverse impact is a negative consequence for the physical, social, or economic environment resulting from an action or project. This definition does not give the board much to go on and should the project go to appeal it is

unlikely that a court would uphold the decision because the board is not acting upon specifics.

Ms. Holt voiced concerns over where tenants of the building would gather outside because of the layout of the project. In addition, she mentioned that the proposed building is taller than the other buildings on the street.

Mr. Fink stated that the Planning Board does not have the authority to dictate how the property is used as long as the proposal meets the requirements of the ordinance.

Further discussion ensued regarding the Planning Board's authority to act upon the opinion of the Maine Historic Preservation Commission.

Mr. Bates addressed the board and suggested tabling the project until he is able to meet with the Pine Street residents to discuss the project and to address the Maine Historic Preservation Commission's concerns as well. A brief discussion followed regarding tabling the proposal.

Betsy Arntzen, resident of 61 Pine Street, approached the board and provided them with a sheet outlining the height she calculated of the adjacent building that faces High Street. Mrs. Arntzen informed the board that she believed the project is a worthy project because it does provide needed additional housing. She has met with Mr. Bates three times and her unwavering message is that the façade of the building needs to conform to the design elements of the surrounding houses. Mrs. Arntzen commented that there are four buildings of historic significance that flank the project. Mrs. Arntzen conveyed to the board that according to article 602.2 it's important to have a complete plan and until today they didn't have a complete plan because it is customary and usual for a plan to show in a three dimensional structure. Mr. Fink responded that it is not required by the ordinance.

Mrs. Arntzen noted that chapter 39 of the Historic Preservation Ordinance is relevant to the project. She stated that it was adopted for the purposes of preserving, protecting, and enhancing buildings and places or areas within the City that possess particular historical architectural significance in order to promote the education, cultural, and economic welfare of the residents and the visitors to the City. Any new construction shall be completed in a manner, which is compatible with the character of those designated historic properties, and Pine Street is a historic place or area within the City.

Mrs. Arntzen commented that since the Planning Board and Historic Preservation Ordinances are not in alignment and that she would like to assist with resolving that. She believes it is important to collaborate between several organizations because the ordinances do make a difference and will be an

important part of Ellsworth's history.

Chairman Fink closed the public hearing at 8:19 PM.

**John DeLeo made a motion to Table the Final Plan for a Major Use Site Development and Major Subdivision entitled 64 Pine for Opus One, LLC. Marc Rich seconded the motion and with no further discussion, the motion passed unanimously (5-0).**

**Final Plan for a Major Use Site Development and Major Subdivision entitled 64 Pine: Tabled**

**6.) Staff Comments**

No Staff comments.

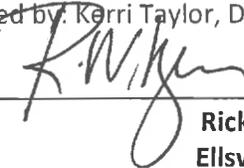
**7.) Adjournment**

John DeLeo made a motion to adjourn the meeting. Marc Rich seconded the motion and with no further discussion, it passed unanimously (5-0). The meeting was adjourned at 8:22 PM.

**Vote to adjourn at 8:22 PM**

Minutes prepared by: Kerri Taylor, Development Services Coordinator.

10/6/21  
Date



**Rick Lyles, Secretary  
Ellsworth Planning Board**

*Agendas and minutes posted on the City of Ellsworth's website: [ellsworthmaine.gov](http://ellsworthmaine.gov)  
A video transcript of this meeting is also available on YouTube.*