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**TO: FREEPORT TOWN COUNCIL**  
**FROM: CECILIA SMITH, ASSISTANT TOWN PLANNER**  
**RE: AMENDMENTS TO SECTION 534. SOLAR ENERGY GENERATION SYSTEMS OF CHAPTER 21 FREEPORT ZONING ORDINANCE**  
**DATE: THURSDAY, NOVEMBER 30<sup>TH</sup>, 2023**

**Background:** At the November 1<sup>st</sup>, 2023 Planning Board meeting, the Planning Board held a public hearing to discuss proposed amendments to the Freeport Zoning Ordinance regarding Theodore Crooker's application for a zoning text amendment. Mr. Crooker, a resident and property owner in Freeport, requested a zoning text amendment to Section 534 of the Freeport Zoning Ordinance to amend the language regarding the maximum height of ground-mounted Accessory Solar Energy Generation Systems.

In simple terms, ground-mounted Accessory Solar Energy Generation Systems are pole or rack mounted solar panels that sit on the ground and are installed to provide solar power to a primary structure on the same lot, such as a house or commercial building. Currently, the maximum height standard for ground-mounted accessory solar panels is *"25 feet or the height of the principal structure, whichever is less"* (See 534.B.2 of the Freeport Zoning Ordinance). The applicant, Mr. Crooker, requested that the language be changed to 35 feet to match the existing maximum building height in their zoning district.

The Planning Board held a public hearing on this topic on 11/01/23 and made a motion to recommend the proposed amendments to the Town Council. The agenda item was as follows:

**ITEM III: PUBLIC HEARING – Proposed Text Amendments to Section 534. Solar Energy Generation Systems of Chapter 21 Freeport Zoning Ordinance.**

The Planning Board will hold a Public Hearing to discuss proposed amendments to Section 534 of the Freeport Zoning Ordinance to amend the existing language regarding maximum height standards for ground-mounted Accessory Solar Energy Generation Systems. Theodore Crooker, applicant and owner; 51 Baker Road (Tax Assessor Map 17 Lot 20 A).

**Process:** The Planning Board held a Public Hearing on 09/06/23. Required legal notice was published in the Times Record on 10/20/23 and 10/24/23. The text for the legal ad was as follows:

**Public Notice**

**TOWN OF FREEPORT  
PLANNING BOARD—PUBLIC HEARING**

The Freeport Planning Board will hold a public hearing on Wednesday, November 1st, 2023 at 6:00pm in the Freeport Town Hall Council Chambers at 30 Main Street, Freeport, Maine, to discuss a proposed text amendment to Chapter 21 Freeport Zoning Ordinance, Section 534. Solar Energy Generation Systems, to amend the existing language regarding maximum height standards for ground-mounted Accessory Solar Energy Generation Systems. Theodore Crooker, applicant and owner; 51 Baker Road (Tax Assessor Map 17 Lot 20 A).

The public is welcome to attend and may choose to attend in person or on Zoom. Information on how to participate (including information on how to join on Zoom) can be found on the meeting agenda posted on the meeting calendar of the Town's website at [www.freeportmaine.com](http://www.freeportmaine.com). Meeting materials will be available for viewing on the Town's website or by contacting the Planning Office at the Freeport Town Hall at (207) 865-4743, option 5.

**Recommendations from the Planning Board:**

The Planning Board made the following recommendations:

**MOVED AND SECONDED:** To approve the amendments to Section 534 of the Town of Freeport Zoning Ordinance, to amend the existing language for maximum height standards for ground-mounted Accessory Solar Energy Generation Systems to increase the height limit to thirty-five (35) feet. (Jortner & Arsenault)

Discussion followed. Ms. Pelletier asked if the Board found consistency with the Comprehensive Plan.

Mr. Jortner added "The Board finds that the proposal is consistent with the 2011 Town of Freeport Comprehensive Plan in that Freeport's energy needs would be met by increasing the use of renewable energy resources."

**VOTE ON MOTION AS AMENDED:** (6 Ayes) (1 Nay - Rouda)

**Attachments:**

- The recommended text amendments by the Planning Board to Section 534. Solar Energy Generation Systems of Chapter 21 Freeport Zoning Ordinance.
- Theodore Crooker's application for a zoning text amendment.

## **Section 534. Solar Energy Generation Systems** *{Amended, effective 03/16/21}*

The purpose of this Section 534 is to allow for the construction and operation of Solar Energy Generation Systems by establishing appropriate standards to ensure safe, effective, and efficient use of Solar Energy Generation Systems that are compatible with existing surrounding uses.

### A. General Standards.

1. Accessory Solar Energy Generation Systems, Small Solar Farms, and Large Solar Farms must obtain all applicable permits from the Freeport Codes Enforcement Officer, including but not limited to building and electrical permits.
2. Accessory Solar Energy Generation Systems, Small Solar Farms, and Large Solar Farms shall be subject to the standards of the Freeport Design Review Ordinance and/or the Freeport Village Overlay District, as applicable.

### B. Additional Standards for Accessory Solar Energy Generation Systems.

1. An Accessory Solar Energy Generation System shall be permitted wherever accessory structures or uses are permitted and shall conform to the standards for such accessory structures or uses of the applicable zoning district(s).
2. A roof-mounted Accessory Solar Energy Generation System shall be excluded when calculating the maximum building height set forth in the applicable zoning district(s). The maximum height of a ground-mounted Accessory Solar Energy Generation System shall be 35 25 feet or the height of the principal structure, whichever is less, or the maximum height set forth for the underlying Zoning district(s) pursuant to Article IV of this Ordinance, whichever is less.
3. Roof-mounted Accessory Solar Energy Generation Systems are not subject to Site Plan Review.
4. Ground-mounted Accessory Solar Energy Generation Systems accessory to uses other than single and two family dwellings are subject to Site Plan Review by the Freeport Staff Review Board, per Section 602 of this Ordinance.

### C. Standards for Small Solar Farms and Large Solar Farms.

1. Site Plan Review. Small Solar Farms and Large Solar Farms are subject to Site Plan Review by the Freeport Project Review Board, per Section 602 of this Ordinance.

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2. Application Requirements. In addition to all of the applicable site plan review submission requirements set forth in Section 602.D.4 of this Ordinance, the following additional submissions are required unless waived by the Project Review Board.
  - a. Name(s) and contact information for the owner, operator and installer of the proposed system and the name(s) of the owner of the subject property on which the Small Solar Farm or Large Solar Farm is to be located.
  - b. Cover letter describing the project, including details regarding the subject property on which the Small Solar Farm or Large Solar Farm will be located; the construction schedule and anticipated commercial operation date; dimensions of all major components of the Small Solar Farm or Large Solar Farm, including the solar panel specifications, manufacturer(s), and manufacturer-identified period of time for which the solar photovoltaic (PV) technology will be economically feasible for its intended use (referred to in this Section 534 as “useful life”); and a detailed description of how the project complies with each applicable standard of this Ordinance.
  - c. A deed, lease, lease option agreement, or similar legal instrument describing the applicant’s right, title, and interest to the subject property and right of access to the subject property from the nearest public roadway.
  - d. Site photos showing existing site vegetation, existing and adjacent structures, and views of and from the subject property.
  - e. Plans, prepared by a professional engineer, professional surveyor, or licensed landscape architect containing, at minimum, the following information:
    - i. The proposed location of the Small Solar Farm or Large Solar Farm in relation to existing lot lines and natural features (including but not limited to vegetation, streams, and wetlands), as well as existing and proposed deed and lease lot lines, structures, fencing, roads and rights-of-way, driveways, parking areas, curb cuts on the subject property, easements, and underground and overhead utility lines.
    - ii. The proposed location of all Solar Energy Generation System components (including solar collectors (including the location of all inter-panel space), mounting hardware, electricity storage equipment, transmission and distribution lines, and related infrastructure), all existing and proposed structures, all existing and proposed impervious surfaces, all areas proposed to be cleared of vegetation, and their physical dimensions, including the dimensions and square footage of the Solar Array Development Area.
    - iii. A landscaping plan reflecting the location of any existing and proposed screening and demonstrating compliance with all applicable buffer requirements of this Ordinance.

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- iv. Scaled elevation drawings of all Solar Energy Generation System components (including solar collectors (including the location of all inter-panel space), mounting hardware, electricity storage equipment, transmission and distribution lines, and related infrastructure) and all existing and proposed structures, foundations, supports, fencing, security barriers, vegetation, and landscaping.
- v. For ground-mounted Small Solar Farms or Large Solar Farms, a statement prepared and stamped by a professional engineer certifying that the proposed Solar Energy Generation System design is safe in terms of its strength, stability, security, and grounding.
- f. Documentation that the Small Solar Farm or Large Solar Farm complies with applicable state and federal laws and rules. Include copies of applications submitted to and permits granted by state regulatory agencies, including any applications and permits related to the interconnection of the Small Solar Farm or Large Solar Farm to the energy grid.
- g. A decommissioning plan for the removal of the Small Solar Farm or Large Solar Farm and stabilization of the site, consistent with the requirements of Section 534.C.3.f.i. A decommissioning plan shall include a proposed decommissioning time schedule and details of how the owner or operator of record of the Small Solar Farm or Large Solar Farm will ensure completion of the following tasks:
  - i. Physical removal of all Solar Energy Generation System components (including solar collectors, mounting hardware, electricity storage equipment, transmission and distribution lines, and related infrastructure), structures, foundations, supports, fencing, and security barriers from the site.
  - ii. Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal laws and rules.
  - iii. Stabilization or re-vegetation of the site as necessary to minimize erosion and return the site to substantially its pre-construction state. Native, pollinator friendly seed mixtures shall be used to re-vegetate areas the greatest extent practicable.
- h. Proof of financial capacity to build, maintain, and remove the Small Solar Farm or Large Solar Farm, including evidence which satisfies the requirements of Section 534.C.3.e.i. This proof should include documentation of the cost of constructing the Small Solar Farm or Large Solar Farm, as well as a statement or other documentation from a bank or lending institution that the owner of the Small Solar Farm or Large Solar Farm has secured adequate financing to cover the cost of construction.

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- i. The following additional submission requirements apply to applications for Large Solar Farms:
  - i. Written documentation from the Maine Historic Preservation Commission (MHPC) regarding any known or likely historic, prehistoric, or archeological resources located in or on the subject property. If such resources are identified, the applicant shall submit a plan demonstrating compliance with the requirements of Section 534.C.3.d.i.
  - ii. Written documentation from the Maine Natural Areas Program (MNAP) regarding the presence of rare or exemplary natural communities located on the subject property, including any critically imperiled (S1) or imperiled (S2) natural communities or plant species. If such resources are identified, the applicant shall submit a plan demonstrating compliance with the requirements of Section 534.C.3.d.ii.
  - iii. Written documentation from the Maine Department of Inland Fisheries and Wildlife (MDIFW) regarding known locations of rare, endangered, threatened, and special concern species; essential and significant wildlife habitats (including waterfowl and wading bird habitats, deer wintering areas, and significant vernal pools); and significant fisheries habitats (including Atlantic salmon spawning, limited spawning, and rearing habitats) on the subject property. If such resources are identified, the applicant shall submit a plan demonstrating compliance with the requirements of Section 534.C.3.d.iii.
  - iv. For Large Solar Farms that trigger review by the Maine Department of Environmental Protection (MDEP) pursuant to the Site Location of Development Act (Site Law), 38 M.R.S.A. §§ 481-490, a copy of the Site Law application submitted to MDEP and any permits granted by the MDEP at the time of submission of the application to the Town.
3. Performance Standards for Small Solar Farms and Large Solar Farms.
  - a. Dimensional Standards.
    - i. The maximum height of any ground-mounted Small Solar Farm or Large Solar Farm shall be twenty-five (25) feet. Height shall be measured from the lowest point of the Solar Energy Generation System components above grade to the highest point of the solar photovoltaic (PV) technology when oriented at maximum tilt or any other structures. This maximum height limitation does not apply to the transmission and distribution lines.
    - ii. The minimum setback of any part of the Solar Array Development Area and any other proposed structures shall conform to requirements of the applicable zoning district or

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twenty (20) feet from any lot lines, whichever is greater. This minimum setback does not apply to fencing or transmission and distribution lines.

iii. For Small Solar Farms or Large Solar Farms permitted in the following districts (RR-IA, C-I, C-III, C-IV, MD-A, MD-B, LB, I-I, I-II) which about the following districts (RR-I, RR-IA, RR-II, RP-I, RP-II, MDR-I, MDR-II, V-I, V-II, VMU-1 and VMU-2), the Solar Array Development Area and any other proposed structures shall meet the minimum setback requirements of the applicable zoning district or following minimum whichever are greater:

- (a) Front: 50 feet
- (b) Side: 50 feet
- (c) Rear: 75 feet

iv. In addition to the performance standards in Section 534.C.3.a.iii above, Large Solar Farms in the Commercial I (C-I) District must also meet a minimum setback of 150 feet from the US Route One right-of-way and may not locate within one mile of the solar array development area of another large solar farm within the Commercial I District. *{Amended, effective 10/05/21}*

b. Design & Aesthetics.

i. Buffer Zones. The Small Solar Farm or Large Solar Farm shall, at minimum, conform to the requirements of the applicable zoning district and, where applicable, to the requirements of Section 506 of this Ordinance. For purposes of applying Section 506 to a Small Solar Farm or Large Solar Farm, (i) the Solar Array Development Area and any proposed structures shall be considered the “building or structure” to be buffered, and (ii) stands of trees shall be used to meet the buffer requirement only if the trees do not interfere with the capture of unobstructed flow of solar insolation (sunlight) by the solar photovoltaic (PV) technology.

ii. Stormwater Management. The Small Solar Farm or Large Solar Farm shall conform to the requirements of Section 529 of this Ordinance.

iii. Lighting. The Small Solar Farm or Large Solar Farm shall conform to the requirements of Section 521.A of this Ordinance.

iv. Land Clearing, Soil Erosion, and Habitat Impacts. Clearing of natural vegetation shall be limited to what is necessary for the construction, operation, and maintenance of the Small Solar Farm or Large Solar Farm, including the need to maximize the capture of unobstructed flow of solar insolation (sunlight). Native, pollinator-friendly seed mixtures shall be used to re-vegetate cleared areas to the greatest extent practicable. Herbicide used shall be prohibited and pesticide use shall be avoided or

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minimized. No prime agricultural soil or significant volume of topsoil or prime agricultural soil shall be removed from the site for installation or repair of the Small Solar Farm or Large Solar Farm.

- v. Additional Performance Standards for Commercial Districts (C-I, C-III, C-IV). If the Small Solar Farm or Large Solar Farm is proposed to be located in a Commercial District (C-I, C-III, or C-IV), the requirements of Section 527 of this Ordinance shall apply; provided, however, that the requirements of Section 527.B (Building Design) shall only apply to proposed structures, if any, and not to the Solar Array Development Area. For purposes of applying Section 527.E (Front landscaped setback) to a Small Solar Farm or Large Solar Farm, (i) the Solar Array Development Area and any proposed structures shall be considered the “structure” whose appearance is to be softened, and (ii) landscaping using trees and preservation of existing mature trees shall be required only if such trees do not interfere with the capture of unobstructed flow of solar insolation (sunlight) by the solar photovoltaic (PV) technology.
- c. Safety.
    - i. Small Solar Farm or Large Solar Farm shall comply with all applicable codes and ordinances, including but not limited to, the Town of Freeport Building Code Ordinance, the Town of Freeport Electrical Code Ordinance, the Town of Freeport Fire Protection Code, the Town of Freeport Floodplain Ordinance, and the Town of Freeport Shoreland Zoning Ordinance.
    - ii. A sign shall be installed on the property to identify the owner or operator of the Small Solar Farm or Large Solar Farm and provide a 24-hour emergency contact phone number. Additional signage may be required, per the Town of Freeport Electrical Code Ordinance and the Town of Freeport Fire Protection Code. All signage shall also conform to the Town of Freeport Sign Ordinance.
    - iii. All electrical and control equipment for a ground-mounted Small Solar Farm or Large Solar Farm shall be labeled and secured to prevent unauthorized access.
    - iv. For any ground-mounted Small Solar Farm or Large Solar Farm, fencing shall be installed around the perimeter of the Solar Array Development Area. Where fencing is used, fences should be elevated by a minimum of 5 inches to allow for passage of small terrestrial animals.
  - d. Protection of Natural and Cultural Resources.
    - i. If any portion of the Small Solar Farm or Large Solar Farm includes an archaeologically sensitive area or a structure listed in the National Register of Historic Places or is considered by the Maine Historic Preservation Commission (MHPC) as



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- likely to contain a significant archaeological site or structure, the applicant shall conduct archaeological surveys or submit information on the structure, as requested by the MHPC. If a significant archaeological site or structure is located in or on the subject area, the applicant shall demonstrate that the proposal will cause no or minimal impact to the archaeological site or structure, either by project design, physical or legal protection, or by appropriate archaeological excavation or mitigation.
- ii. If any portion of the Small Solar Farm or Large Solar Farm lies within an area identified by the Maine Natural Areas Program (MNAP) as containing rare or exemplary natural communities, including any critically imperiled (S1) or imperiled (S2) natural communities or plant species, the applicant shall demonstrate that the proposal will cause no or minimal impact to any such identified resources. The plan shall provide for protection of the identified resources in a manner acceptable to MNAP or in accordance with the recommendations of a biologist with demonstrated experience with the identified resources. In the latter situation, the report prepared by the biologist shall assess the potential impact of the Small Solar Farm or Large Solar Farm on the identified resources and any adjacent areas that are important to the maintenance of the identified resources and shall describe appropriate mitigation measures to ensure that the Small Solar Farm or Large Solar Farm will have minimal impacts on the identified resources.
  - iii. If any portion of the Small Solar Farm or Large Solar Farm lies within an area identified and mapped by the Maine Department of Inland Fisheries and Wildlife (MDIFW) as containing rare, endangered, threatened, and special concerned species; designated essential and significant wildlife habitat; or fisheries habitat concern, the applicant shall demonstrate that the proposal will cause no or minimal impact to any such identified resources. The plan shall provide for protection of the identified resources in a manner acceptable to MDIFW or in accordance with the recommendations of a wildlife biologist with demonstrated experience with the identified resources. In the latter situation, the report prepared by the wildlife biologist shall assess the potential impact of the Small Solar Farm or Large Solar Farm on the identified resources and any adjacent areas that are important to the maintenance of the identified resources and shall describe appropriate mitigation measures to ensure that the Small Solar Farm or Large Solar Farm will have minimal impacts on the identified resources.
- e. Financing and Insurance.
- i. The owner or operator of record of the Small Solar Farm or Large Solar Farm shall secure financing to fully construct the Solar Energy Generation System before any construction or pre-construction site preparation activity (including, but not limited to, any clearing of vegetation) begins.

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- ii. Prior to commencing operations, the owner or operator of record of the Small Solar Farm or Large Solar Farm shall obtain and maintain for the full length of the useful life of the Small Solar Farm or Large Solar Farm, liability insurance in an amount not less than \$1,000,000 per occurrence and \$2,000,000 in the aggregate.
- f. Decommissioning and Removal; Performance Guarantee; Abandonment.
- i. The owner or operator of record of a Small Solar Farm or Large Solar Farm shall, at its expense, be responsible for the decommissioning and removal of the Small Solar Farm or Large Solar Farm, in compliance with a decommissioning plan approved by the Project Review Board, within 12 months of the end of the useful life of the solar photovoltaic (PV) technology, or within 90 days of the receipt of a notice to the owner or operator of record of a determination by the Codes Enforcement Officer that the Solar Energy Generation System has been abandoned. A Solar Energy Generation System shall be considered abandoned if it ceases to generate electricity for a consecutive period of 12 months. The Project Review Board may extend the 12month decommissioning deadline if the applicant demonstrates that the solar photovoltaic (PV) technology is likely to remain economically feasible for its intended use for longer than 12 months after the end of its manufacturer-identified useful life.
  - ii. For any ground-mounted Large Solar Farm, or any ground-mounted Small Solar Farm with a Solar Array Development Area that is 43,560 square feet (1 acre) or greater in size: A performance guarantee in the form of an escrow account, irrevocable letter of credit, or other form satisfactory to the Town Manager covering the cost of the decommissioning plan shall be delivered to the Town Manager at the time of Project Review Board approval. The amount of the performance guarantee shall be determined by the Project Review Board according to the time schedule for the decommissioning, shall be in an amount equal to 125% of the projected total cost of decommissioning and removing the Small Solar Farm or Large Solar Farm and restoring the site to its pre-construction condition, plus any adjustments for reasonable inflation estimates. The amount shall include a breakdown of costs of the various stages of decommissioning, if any. The performance guarantee shall remain in force until the Codes Enforcement Officer certifies that the site has been rehabilitated according to the approved decommissioning plan. Failure to complete the decommissioning plan approved by the Project Review Board shall constitute a violation of this Ordinance, subject to enforcement and legal action as provided in Section 601. In addition, if there is a default of any obligation to decommission a project under this Section 534 or if the Solar Energy Generation System is not removed within 90 days after a determination of abandonment made pursuant to Section 534.C.3.f.i, the Town may call upon the performance guarantee and cause the decommissioning plan to be implemented pursuant to the terms of that guarantee.

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g. **Additional Performance Guarantee.**

The Project Review Board as a condition of approval may require the applicant to post a performance guarantee to ensure completion of site improvements associated with a Small Solar Farm or Large Solar Farm, as provided in Section 602.C.1.j.

### Proposal to Planning Board

We propose to change section 534 of the Freeport Zoning Ordinance which outlines the Standards for Accessory Solar Energy Generation Systems. We are asking that the language in part B2 be changed to 35 ft to match the maximum building height code in section 402-part C.

### Our Reasons for Changing the Ordinance

Maine is progressively moving toward a climate action commitment to decrease greenhouse gas emissions. With goals to decrease greenhouse gas emissions by 80% (from 1990 levels) by 2050 and achieve net-zero by 2045. Northeast Solar Trackers are excited to help in this goal by providing an advanced method of harnessing the sun's power.

Freeport is working on the town's first climate action plan. We believe we can help the town's goals to prioritize projects to optimally improve the community's resilience. The interest and need for solar installation are growing, and the dual Axis solar tracker we are offering generates optimal power for our homes and Businesses that might not have the ability for roof or ground mount systems. With solar trackers there is little to no disturbance to the land surrounding them and the land underneath can still serve for other needs as they are elevated off the ground below. The trackers are only at their max height for a few hours during the day and flatten out at night and in high wind events.

The dual axis solar tracker has a higher degree of accuracy due to the ability to follow the sun's path.

- they can generate 40% more electricity than a non-moving solar panel.
- they are practical for this region because of the tilt for optimal solar generation.
- can use bi facial panels with them
- they will dump snow
- they take up less space than ground mount solar

We have included pictures of the solar trackers installed in your neighboring towns, Durham, New Gloucester, North Yarmouth, and Brunswick. Please consider our proposal to change Freeports Solar Height ordinance and improve the climate action plan.

Please also complete and submit the applicable checklist to supplement this form.



**Town of Freeport  
Planning Department  
30 Main Street  
Freeport, ME 04032  
(207) 865-4743 ext. 107**

### 1. SUBMISSIONS

- Twelve (12) copies each of the completed application form and a copy of the recorded deed(s) for the property. If the applicant is not the property owner, a purchase and sale agreement or a lease agreement shall also be submitted to show that the applicant has a serious interest in the project and sufficient title, right, and/or interest to complete the project. *The amount being paid for the property may be blacked out.*
- For applications to the Project Review Board, you must also submit twelve (12) copies of all other supplemental materials collated into individual packets which will fit into a large manila envelope. Please clip materials together; do not use special binding or binders. If copies of plans are being submitted, please include 2 full size sets (24" x 36") and 10 copies reduced to 11" x 17". The scale of any site plans shall be sufficient to allow review under the Criteria and Standards of Section 602.G of the Freeport Zoning Ordinance, but at not more than 50 feet to the inch for that portion of the total tract of land being proposed for development. **All plan sheets must also be submitted electronically in a pdf format.** For a complete list of detailed submission requirements, please refer to the applicable ordinance(s) which may include the Design Review Ordinance, the Subdivision Ordinance or the Zoning Ordinance (Section 602 – Site Plan Review).

For applications to the Planning Board, you must also submit eight (8) copies of all other supplemental materials.

- Payment of application fee and abutter fee (if applicable)
- This application form, along with the required accompanying materials, must be submitted to the Town Planner at least 21 days prior to the meeting at which it is to be considered.
- The applicant or an agent needs to be present at the meeting to present the application to the Board. If the applicant is going to be represented by someone other than themselves, they must submit a signed letter of authorization.

### 2. ABUTTERS

Abutters will be notified as required by State and Town regulations. Abutters will be determined by the Freeport Planning Department using most recent Assessing Records. If there are other people that you would like notified of the meeting, their contact information (either mailing address or email address) must be submitted with the application form. A fee of \$2.50 per abutter will be charged.

### 3. FEES

Refer to current fee schedule.

**Town of Freeport  
Planning Department**

Application for Review

**Project Type: (check all applicable)**

Site Plan Review     Design Review Certificate     Subdivision  
 Zoning Ordinance Amendment     Other (please explain) \_\_\_\_\_

Name of Project: Theodore Crooker

Proposed Use of Property: Install Dual Axis Solar Tracker

**1) Applicant Information:**

Name: Theodore Crooker Tel: 561-379-5451  
(If a Company, provide name of person also)

Address: 51 Baker Rd. Freeport, Maine

Email: ted@crookers.me

**2) Interest in Property:** Please attach a copy of the recorded deed for the property. If the applicant is not the property owner, a purchase and sale agreement or a lease agreement shall also be submitted to show that the applicant has a serious interest in the project and sufficient title, right, and/or interest to complete the project. The amount being paid for the property may be blacked out. This application will not be processed without this information.

**3) Do you own any abutting property?**     Yes     No

If yes, please explain: owns 44 Baker Rd. abbutts 51 baker Rd.

**4) Property Information:**

Present Use of Property residential rental property

Location: Street Address 51 Baker Rd.

Assessor's Office Map: 017 - 020

Lot: 00a

Size of Parcel (acres): 3.3

Zoning District (s): RR1

**5) Design Review Information** (please circle one from each category)

Design Review District:    One    Two    Not in the Design Review District

Building Class, as designated on the Design Review District Map(s):    A    B    C

Is this building in the Color Overlay District:    Yes    No

Please describe the proposed changes: \_\_\_\_\_  
\_\_\_\_\_

6) **Other Information:**

Proposed # of Buildings: 1 Gross Square Footage of Non-Residential Buildings: 1200

Is Zoning Board of Appeals Approval Required? Yes No

If YES, provide reason Solar height restriction

7) **Subdivision Approval or a Subdivision Amendment: (if applicable)**

Proposed Number of Lots \_\_\_\_\_

Does the applicant intend to request any waivers of Subdivision or Site Review provisions?

NO \_\_\_\_\_ YES \_\_\_\_\_

If YES, list and give reasons why \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8) **Applicant's Engineer, Land Surveyor, Landscape Architect and/or Planner:**

Name: \_\_\_\_\_ Tel: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_

9) **Billing Contact (If different than applicant information)**

Name: Northeast Solar Trackers Tel: 207-522-6731

Address: 211 Pleasant St. Brunswick, ME 04011


Email: manager@northeast-solar-trackers.com

Application Fee: \$ \_\_\_\_\_ Abutter Fee: \$ \_\_\_\_\_

**Submission:** This application form, along with required accompanying materials, must be submitted to the Town Planner at least 21 days prior to the meeting at which it is to be considered.

The undersigned, being the applicant, owner or legally authorized representative, states that all information in this application is true and correct to the best of his/her knowledge and hereby does submit the information for review by the town and in accordance with applicable ordinances, statutes and regulations of the Town, State and Federal governments.

10/10/23  
DATE

  
SIGNATURE OF APPLICANT/OWNER/REPRESENTATIVE

## EXHIBIT A

A certain lot or parcel of land situated on the northwesterly side of the Old County Road, now known as the Baker Road, so called, in the Town of Freeport, County of Cumberland, State of Maine and bounded and described as follows:

Beginning at a point in the northwesterly boundary line of said Road two hundred thirty-one (231) feet northeasterly from a parcel of land described in a deed from Ernest F. Marstaller to Liston Eastman;

Thence at an approximate right angle with said Road and running northwesterly one hundred eighty-seven (187) feet to a point;

Thence at an approximate right angle and running approximately northeasterly and parallel with said Road one hundred eighty-seven (187) feet to a point;

Thence at an approximate right angle and running southeasterly and parallel with the first mentioned boundary one hundred eighty-seven (187) feet to the boundary line of said Road at the end of a stone wall;

Thence approximately southwesterly along the boundary line of said Road one hundred eighty-seven (187) feet to the point of beginning.

Reference is made to the following deeds:

- 1) Deed conveyed by Ernest F. Marstaller to Robert P. Harlow and Alberta L. Harlow, as joint tenants, dated November 12, 1968, and recorded in the Cumberland County Registry of Deeds in Book 3071, Page 452;
- 2) Deed conveyed by Ernest F. Marstaller to Robert P. Harlow and Alberta L. Harlow, as joint tenants, dated June 16, 1970, and recorded in the Cumberland County Registry of Deeds in Book 3135, Page 40; and
- 3) Deed conveyed by Ernest F. Marstaller to Robert P. Harlow and Alberta L. Harlow, as joint tenants, dated January 1, 1979, and recorded in the Cumberland County Registry of Deeds in Book 4373, Page 349.

Alberta L. Harlow died July 21, 2018 leaving Robert P. Harlow as sole surviving joint tenant.



DLN: 1002140176304

MAINE REAL ESTATE TAX-Paid

**DEED OF SALE BY PERSONAL REPRESENTATIVE**  
**Maine Statutory Short Form**

**Know all Persons by these Present,**

That We, **CAROLE HARLOW MENDONCA**, of La Quinta, County of Riverside and State of California, and **WAYNE S. HARLOW**, of Berthoud, County of Larimer, State of Colorado, duly appointed and acting co-personal representatives of the **Estate of Robert P. Harlow**, deceased (testate), as shown by the probate records of Cumberland County, Maine, by the power conferred by the Probate Code, and every other power, for consideration paid, grant to:

**THEODORE CROOKER**

having a mailing address of 44 Storer Road, Brunswick, Maine 04011, the real property, together with the improvements thereon, situated in the Town of Freeport, County of Cumberland and State of Maine, described in the Exhibit A attached hereto and made a part hereof.

Witness our hands and seals this 13<sup>th</sup> day of December, 2021.

Signed, Sealed and Delivered  
in the presence of

*Carole Harlow Mendonca*

Carole Harlow Mendonca, Co-Personal Representative  
of the Estate of Robert P. Harlow

STATE OF CALIFORNIA  
County of Riverside

December 13<sup>th</sup>, 2021

Then personally appeared before me the above named Carole Harlow Mendonca, in her said capacity, and acknowledged the foregoing instrument to be her free act and deed.



*Anna Olvera*

Notary Public, Printed Name: ..... Anna Olvera

*Wayne S. Harlow*

Wayne S. Harlow, Co-Personal Representative  
of the Estate of Robert P. Harlow

STATE OF COLORADO

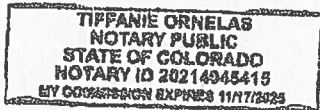
County of La Plata

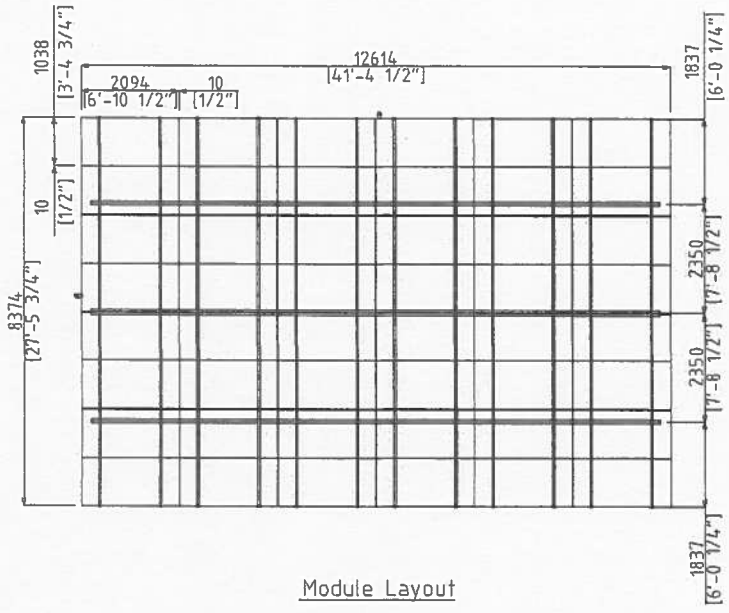
December 14, 2021

Then personally appeared before me the above named Wayne S. Harlow, in his said capacity,  
and acknowledged the foregoing instrument to be his free act and deed.

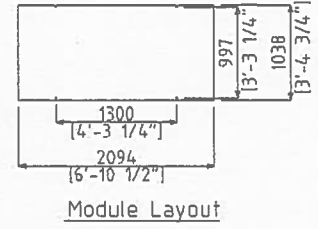
*Tiffany Ornelas*

Notary Public, Printed Name: Tiffany Ornelas





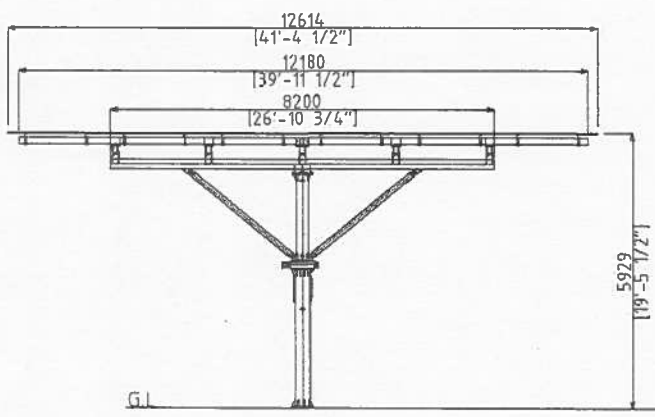
Module Layout



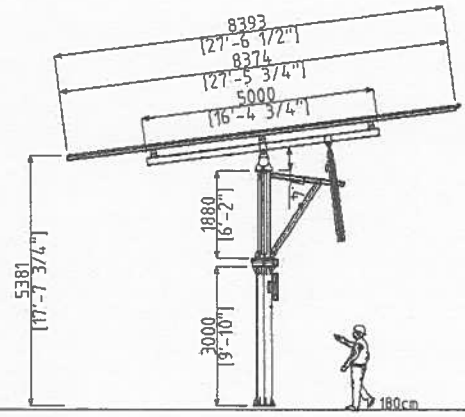
Module Layout

MEMBERS LIST

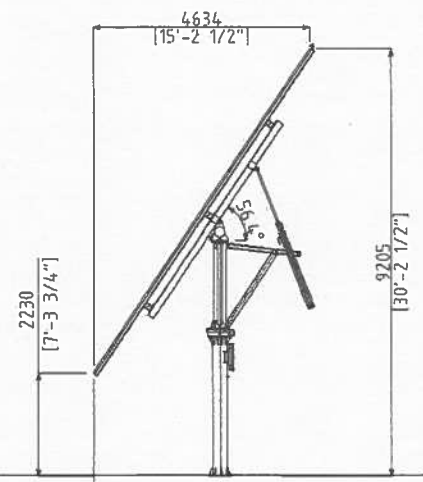
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1	Purlin	12	Posmac-440	C 75x45x15x2T	
2	Main Girder	3	Posmac-440	□ 150x100x3.2T	
3	Stringer-C	1	SS400	□ 150x100x4.5T	Ref D4
4	Stringer-S1	4	SS400	□ 150x100x4.5T	Ref D4
5	Stringer-S2	2	SS400	□ 150x100x5.7T	Ref D4
6	Torque Tube	1	SS400	∅ 216x6T	Ref D4
7	Torque Brace	2	SS400	∅ 114.3x3.2T	Ref D4
8	Down Post A'ssy	1	SS400	∅ 318.5x9T	Ref D4
9	Upper Post A'ssy	1	SS400	∅ 267.4x7T	Ref D4
10	ACT Supporting Angle	2	SS400	C 100x50x5Tx7.5T	Ref D4
11	ACT Supporting Brace	1	SS400	∅ 114.3x3.2T	Ref D4
12	ACT Supporting Angle Bracket	1	SS400	PL 312x90x10T	Ref D4



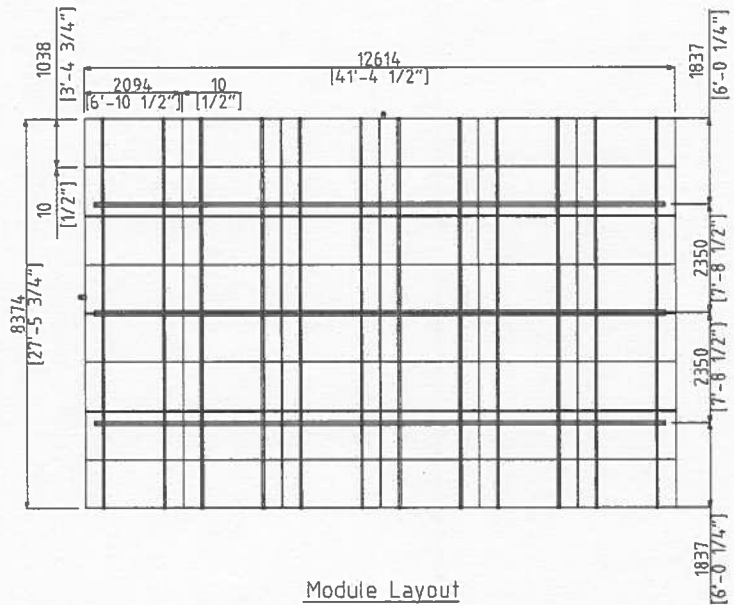
Front VIEW



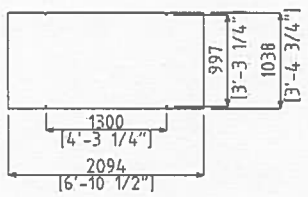
Side VIEW(7.4°)



Side VIEW(56.4°)



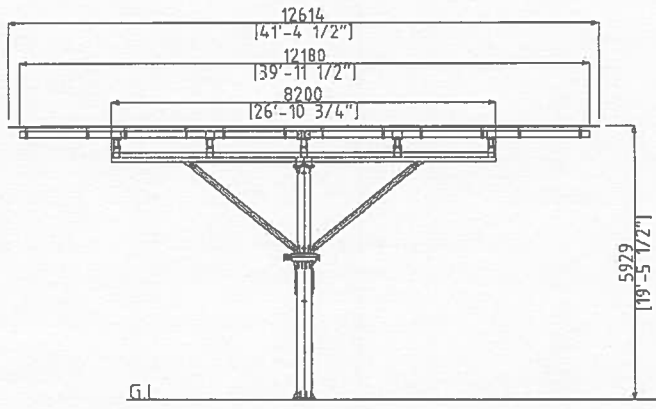
Module Layout



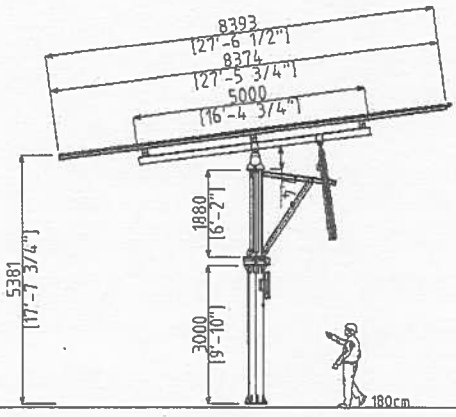
Module Layout

MEMBERS LIST

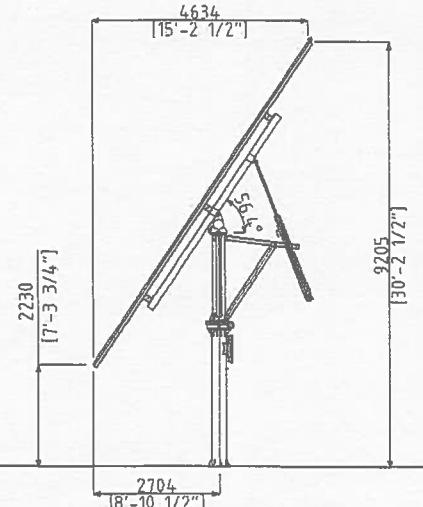
No	PART NAME	Q'TY	MATERIAL	STANDARD	RE
1	Purlin	12	Posmac-440	C 75x45x15x2T	
2	Main Girder	3	Posmac-440	□ 150x100x3.2T	
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4	Stringer-S1	4	SS400	□ 150x100x4.5T	Hot Dip
5	Stringer-S2	2	SS400	□ 150x100x5.7T	Hot Dip
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9	Upper Post A'ssy	1	SS400	∅ 267.4x7T	Hot Dip
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11	ACT Supporting Brace	1	SS400	∅ 114.3x3.2T	Hot Dip
12	ACT Supporting Angle Bracket	1	SS400	PL 312x90x10T	Hot Dip



Front VIEW



Side VIEW(7.4°)



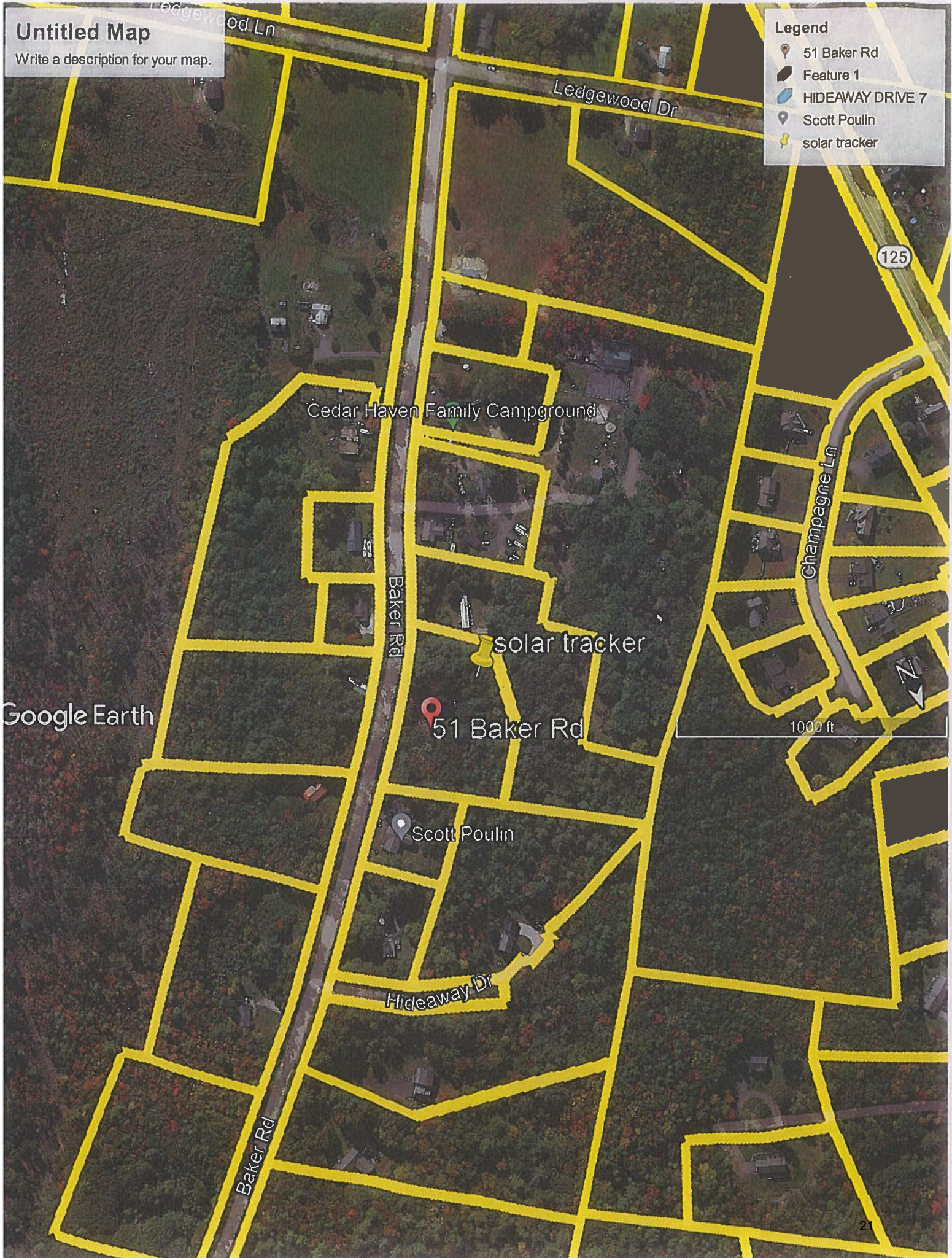
Side VIEW(56.4°)

# Untitled Map

Write a description for your map.

## Legend

- 📍 51 Baker Rd
- 🏠 Feature 1
- 🔵 HIDEAWAY DRIVE 7
- 📍 Scott Poulin
- 📍 solar tracker



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