



TOWN OF FREEPORT, MAINE
 Planning Department
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TO: FREEPORT PLANNING BOARD

FROM: CAROLINE PELLETIER, TOWN PLANNER

RE: ZONING ORDINANCE AMENDMENTS FOR SOLAR ENERGY GENERATION SYSTEMS

DATE: WEDNESDAY, MARCH 3, 2021

Background: At the February 3, 2021 Planning Board meeting, the Planning Board held a public hearing to discuss proposed amendments to the Freeport Zoning Ordinance regarding the new uses and standards for Solar Energy Generation Systems. New and amended definitions to Section 104. Definitions are proposed, including adding the new uses of: Solar Energy Generation System, Accessory; Solar Farm, Small; and, Solar Farm, Large.

The use of Solar Farm, Small is proposed to be added as a permitted use, subject to Site Plan Review, to the following zoning district Sections of the Freeport Zoning Ordinance: Section 402. Rural Residential District I and Rural Residential District IA; Section 403. Rural Residential District II; Section 405. Medium Density Residential District II; Section 411. Commercial District III; Section 420. Local Business District; Section 421. Industrial District I; and, Section 425. Resource Protection II. (see attached map)

The uses of both Solar Farm, Small and Solar Farm, Large are proposed to be added as permitted uses, subject to Site Plan Review, to the following zoning district Sections of the Freeport Zoning Ordinance: Section 406. Medium Density Districts; Section 409. Commercial District I; Section 412. Commercial District IV; and, Section 422. Industrial District II. (see attached map)

A new Section 534: Solar Energy Generation Systems will be added. Associated amendments to Section 602: Site Plan Review are also proposed.

PUBLIC HEARING

The Freeport Planning Board will hold a public hearing on Wednesday, February 3, 2021 at 6:00pm to discuss proposed amendments to the Freeport Zoning Ordinance regarding the new uses and standards for Solar Energy Generation Systems. New and amended definitions to Section 104. Definitions are proposed, including adding the new uses of: Solar Energy Generation System, Accessory; Solar Farm, Small; and, Solar Farm, Large.

The use of Solar Farm, Small is proposed to be added as a permitted use, subject to Site Plan Review, to the following zoning district Sections of the Freeport Zoning Ordinance (areas of Freeport shown as dark gray on map below): Section 402. Rural Residential District I and Rural Residential District IA; Section 403. Rural Residential District II; Section 405. Medium Density Residential District II; Section 411. Commercial District III; Section 420. Local Business District; Section 421. Industrial District I; and, Section 425. Resource Protection II.

The uses of both Solar Farm, Small and Solar Farm, Large are proposed to be added as permitted uses, subject to Site Plan Review, to the following zoning district Sections of the Freeport Zoning Ordinance, (areas of Freeport shown as light gray on map below): Section 406. Medium Density Districts; Section 409. Commercial District I; Section 412. Commercial District IV; and, Section 422. Industrial District II.

A new Section 534: Solar Energy Generation Systems will be added. Associated amendments to Section 602: Site Plan Review are also proposed.

The public is welcome to attend. Information on how to participate can be found on the meeting agenda posted on the meeting calendar of the Town's website at www.freeportmaine.com. Submitted materials are available for viewing on the website or by contacting the Planning Office at the Freeport Town Hall at (207)865-4743 option 5.



Process: In June 2019, the Freeport Town Council made the request for the Planning Board to study adding a definition and allowed districts for the use “Community Solar Farm”. The Planning Board retained the services of North Star Planning to assist in this process. The proposed language for consideration also reflects input from Staff and the Town Attorney. The Board discussed the language at multiple meetings (8/7/19, 10/2/19, 11/6/19, 12/4/19, 1/8/20, & 3/4/20) however there was a delay in bringing the language forward to public hearing due to the pandemic and the significant public notification required.

Legal ads for the public hearing were published in the Brunswick Times Record on 1/20/21 and 1/26/21. The Board received five written letters prior to the meeting, and nine members of the public commented at the meeting. Abutter notification was sent in accordance with the notification requirements outlined in the Rules of Order and Procedure of the Freeport Planning Board and State law.

Recommendation from the Planning Board: The Planning Board made the following motion:

MOVED AND SECONDED: Be it ordered that the Freeport Planning Board approve with amendments and recommend that the Freeport Town Council adopt proposed amendments to the Freeport Zoning Ordinance pertaining to Solar Energy Generation Systems, as presented, discussed and amended at the February 3, 2021 Planning Board meeting and the topic was considered by the Planning Board at the request of the Freeport Town Council and the Board finds that the proposal is in harmony with the 2011 Town of Freeport Comprehensive Plan in that it would promote sustainability. (Canaan & Savona)

ROLL CALL VOTE: (5 Ayes) (2 Excused-Burwell and Jortner)

The Planning Board did send the recommendation forward with a few specific items flagged for Council level consideration:

- 1) Is the proposed large solar farm size of 30 acres right for Freeport?
- 2) Does the Town want to strengthen the pesticide/herbicide requirement (also consider the legality)?
- 3) Does the Council want to consider a stronger buffering requirement along the front setbacks?

Dark Gray – Use of Solar Farm, Small is proposed.
Light Gray – Uses of Solar Farm, Small and Solar Farm, Large are proposed.
White – Neither use is proposed.

