



TOWN OF FREEPORT, MAINE

Planning Department

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TO: FREEPORT PLANNING BOARD
FROM: CECILIA SMITH, ASSISTANT TOWN PLANNER
RE: AGENDA ITEM III: PROPOSED TEXT AMENDMENTS TO SECTION 534. SOLAR ENERGY GENERATION SYSTEMS OF CHAPTER 21 FREEPORT ZONING ORDINANCE
DATE: WEDNESDAY, NOVEMBER 1ST, 2023

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).

Background: This is an applicant driven agenda item. The applicant is requesting 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. Please note that the changes requested pertain only to ground-mounted Accessory Solar Energy Generation Systems and do not affect the current standards for Solar Farms.

The Freeport Zoning Ordinance was amended in 2021 to create new standards and uses for Solar Energy Generation Systems. The Town worked with consultants to develop the standards in Section 534, which mainly pertain to solar farms. Prior to the enactment of Section 534 in 2021, ground-mounted solar panels were treated as an accessory structure and had to conform with the space standards of each zoning district. With the adoption of Section 534, the height standard for ground-mounted accessory solar panels changed to “25 feet or the height of the principal structure, whichever is less” (534.B.2).

The applicant is asking that the language be changed to 35 feet to match the existing maximum building height in their underlying zoning district. The applicant is requesting this change because they would like to install a solar panel that uses a solar tracker to maximize the energy captured from the sun, but due to the height restriction being tied to the height of the one-story principal structure, they are not able to proceed as planned. Please see the proposed zoning amendments and the cover letter provided in the attached application.

Process: Since this application is for a Zoning Amendment, a public hearing is required and will be held at this meeting. Notice was circulated to abutters and as required per the Planning Board’s notification policy. Required legal notice was published in the Times Record on 10/20/23 and 10/24/23. If the Board wishes to take action on the application, they may do so at this meeting. It is important to keep in mind that any recommendation that the Planning Board makes to the Town Council for a Zoning Ordinance amendment must be found to be in harmony with the [Freeport Comprehensive Plan](#). Please note that the Comprehensive Plan addresses the Town of Freeport’s Vision for energy needs and provides information about electricity and energy opportunities (see section: 6. Energy and Recycling).