

Town of Warren
Warrant for Special Town Meeting

County of Knox, SS.

State of Maine

To: Douglas Gammon, Jr., Resident of the Town of Warren, in the County of Knox.

Greetings:

In the name of the State of Maine, you are hereby required to notify and warn the voters of the Town of Warren in said county, qualified by law to vote in town affairs, to meet at the Warren Municipal Complex on Western Rd in said town on Wednesday, the EIGHTH (8th) day of MARCH, A.D. 2023 at 6:15 p.m. Then and there to act on articles numbered one (1) through two (2), all of these articles being set forth below to wit:

Article 1: To choose a moderator to preside at said meeting.


Article 2: Shall an ordinance entitled "Solar Facilities Moratorium Ordinance" dated FEBRUARY 8, 2023 be enacted? See Exhibit A for proposed ordinance.


Given under our hands this 22nd day of FEBRUARY, A.D., 2023.


Wayne Luce, Chairman


Roger Peabody, Vice Chair

John Crabtree


Jan Macdonald


Brent Pratt

Selectmen for the Town of Warren

Attest.

Corinne E. R. Michaud, Town Clerk





Town of Warren

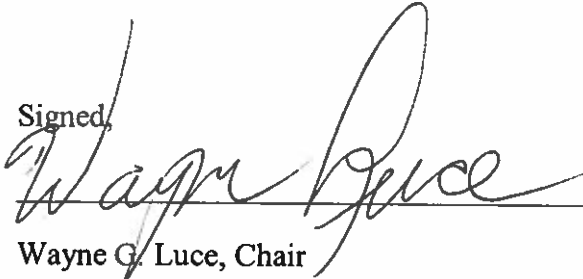
167 Western Rd
Warren ME 04864
Tel. (207) 273-2421
Fax (207) 273-3107

Certification of Proposed Ordinance by Municipal Officers

This certifies to the Municipal Clerk of the Town of Warren that the within ordinance is a true copy of the ordinance entitled "Solar Facilities Moratorium Ordinance" dated FEBRUARY 8, 2023, to be acted upon by the registered voters of the Town of Warren at the March 8, 2023 Special Town Meeting.

Dated: FEBRUARY 22, 2023.

Signed,



Wayne G. Luce, Chair



Roger L. Peabody, Vice Chair

John G. Crabtree



Jan M. Macdonald



Brent A. Pratt

Board of Selectmen

Attest:



Corinne E. R. Michaud, Town Clerk



SOLAR FACILITIES MORATORIUM ORDINANCE

Proposed FEBRUARY 8, 2023

The Town of Warren, Maine hereby adopts a moratorium ordinance entitled “Solar Facilities Moratorium Ordinance” as follows:

WHEREAS areas of the Town of Warren are imminently under threat of increased development pressure from Solar Facilities.

WHEREAS residents of the Town of Warren have expressed concerns about proposals for such developments, including concerns regarding quality of life, adjacent property values, health and safety concerns, decommissioning liabilities and costs, visual impacts, etc.

WHEREAS, the development of such proposals may pose a threat to the quality of life, adjacent property values, and the health and safety of the Town of Warren's residents.

WHEREAS this development pressure was unanticipated and is not provided for in the Town's current ordinances and regulations.

WHEREAS the Town of Warren needs at least 180 days to consider, develop, and implement necessary ordinances and regulations to protect the health, safety, and welfare of the residents of the Town of Warren.

WHEREAS, in the judgment of the Town, the foregoing facts constitute an emergency and demonstrate that a moratorium on development of Solar Facilities is necessary pursuant to 30-A M.R.S.A. § 4356(1).

NOW, THEREFORE, the Town of Warren hereby ordains that the following Moratorium Ordinance be enacted:

- I. **Authority:** This Moratorium Ordinance is enacted pursuant to 30-A M.R.S.A. § 4356 and The Town of Warren's home rule authority pursuant to the Maine Constitution and 30-A M.R.S.A. § 3001.
- II. **Definitions:** The following definition shall be used in the interpretation and construction of this Ordinance:
 - A. **A Solar Facility:** is any solar facility, project, or installation including the associated solar arrays, solar related equipment, energy storage facilities and components for distribution, which is intended to and/or in fact does generate solar power and feeds said power into the electric grid supplying the local utility with power. This shall include, but is not limited to, any ground mounted photovoltaic (PV) project that is larger than .01 MW in capacity.

Residential/commercial solar arrays smaller than .01 MW (ac) are not included in this definition.

- III. **Purpose:** The purpose of this Moratorium Ordinance is to allow municipal officials a reasonable time to evaluate the concerns raised in regard to any potential solar development and determine the adequacy of existing land use ordinances and regulations, and, if necessary, develop additional ordinances and regulations to provide adequate protection for the property, health, welfare, and safety of the Town of Warren's residents.
- IV. **Moratorium on Solar Facilities:** The Town of Warren hereby declares and imposes a moratorium, prohibiting the development of any and all Solar Facilities within the Town of Warren.
- V. **Moratorium on Procession Applications:** No official, officer, board, or body of the Town of Warren, including but not limited to the Code Enforcement Officer, the Planning Board, or the Municipal Officers, shall accept, process, review, deny, approve, authorize, or issue any applications, petitions, plans, permits, licenses, or requests for approval or authorization involving Solar Facilities development, construction, operation, or use located, in whole or in part, within the Town of Warren.
- VI. **Severability:** To the extent any provision of this Moratorium Ordinance is deemed invalid by a court of competent jurisdiction, the balance of the Moratorium Ordinance shall remain valid.
- VII. **Effective Date:** In view of the facts cited in the preamble, this Moratorium Ordinance shall take effect immediately upon passage by the Town of Warren, and shall expire on the 180th day thereafter, unless earlier extended, repealed, or modified by the Warren Board of Selectmen, notwithstanding the provisions of 1 M.R.S.A. § 302, be applicable, excluding projects which the Planning Board has previously conditionally approved, to the maximum extent permitted by law and subject to the severability clause above, to all filed, pending, or future applications and petitions for Solar Facilities which have not received all necessary development permits and licenses from the Town of Warren.
- VIII. **Enforcement:** The Municipal Officers are hereby authorized to institute any and all actions, either legal or equitable, that they deem necessary or appropriate to enforce the provisions of this Moratorium Ordinance.
- IX. **Civil Penalties:** Any violation of this Moratorium Ordinance is subject to an enforcement action under 30-A M.R.S.A. § 4452. Any violation of this Moratorium Ordinance constitutes a nuisance. Each day of violation shall constitute a separate offense. All civil penalties shall inure to the benefit of the Town of Warren.