

ANNOTATED AGENDA
Town of New Gloucester
SPECIAL BOARD OF SELECTMEN'S MEETING
7:00 p.m.
Monday, June 8, 2020
via Zoom

BOARD OF SELECTMEN'S MEETING

I. CALL THE MEETING TO ORDER & ATTENDANCE

II. PLEDGE OF ALLEGIANCE

III. SCHEDULE NEXT MEETING:

- Board of Selectmen's Meeting – 7:00 p.m., Monday, June 15, 2020 via Zoom

A. Adjustments to the Agenda

IV. PUBLIC COMMENTS

V. OLD BUSINESS

A. Prior Meeting Update – Selectmen Chair

B. Prior Meeting Update – Town Manager

VI. NEW BUSINESS

A. Updates

- a. Selectmen**
- b. Town Manager**
- c. Dept. Heads**
- d. Boards & Committees**

B. Action Items

5.70 To See What Action the Board Wishes to take in Regard to the Community Fair

5.71 To See What Action the Board Wishes to take in Regard to Town Hall Hours

5.72 To See What Action the Board Wishes to take in Regard to Budget Changes

Please see attached paperwork.

5.73 To See What Action the Board Wishes to take in Regard to Adding and Regrouping of Warrant Articles

5.74 To See What Action the Board Wishes to take in Regard to Annual Town Meeting Warrant

Please see attached paperwork.

VII. ADJOURN

FY 2021 Budget Worksheet
 Revised Summary
 6/8/2020

Summary

	<i>These numbers are from Town Meeting books</i>					<i>Selectmen</i> FY21	Budget Com FY21	Revised Proposed
	FY16	FY17	FY18	FY19	FY20			
Expenditures:								
Operations	2,847,193	2,933,390	3,065,415	3,197,814	3,731,290	\$3,509,981	\$3,525,545	\$3,616,056
Capital Reserves	104,000	145,625	310,780	225,000	250,000	\$200,000	\$175,000	\$200,000
Capital Projects	469,000	949,000	64,000	395,060	409,450	\$60,000	\$60,000	\$60,000
Paving	165,529	300,000	286,000	336,000	265,000	\$290,750	\$290,750	\$290,750
County	319,750	328,766	342,934	351,187	382,057	\$392,664	\$392,664	\$392,664
SAD #15	5,006,229	4,991,742	5,242,544	5,486,266	5,825,168	\$5,699,032	\$5,699,032	\$5,699,032
TIF & Overlay	230,000	240,000	235,000	235,000	290,000	\$290,000	\$290,000	\$290,000
			59,111	4,773	25,000	\$25,000	\$25,000	\$25,000
	9,141,701	9,888,523	9,605,784	10,231,100	11,177,965	\$10,467,427	\$10,457,991	\$10,573,502 Var +/- -\$106,075
Revenues:								
Non Property Tax - Town	1,149,986	1,233,801	1,279,181	1,406,526	1,496,731	1,172,876	1,378,976.00	1,290,126
State Revenue	288,300	360,700	300,000	299,500	320,500	432,700	332,700.00	452,700
Capital Reserve	320,450	144,000	51,880	308,780	281,616	60,000	60,000	20,000
FEMA								
General Fund (UFB)	100,000	150,000	260,000	275,000	550,000			
Cover FY19				12,500				
Offset Taxes						250,000	250,000	
State Revenue Reserve	100,000	75,000	58,000	80,849	0	0	0	
Maine Pers	41,200	34,200	30,000	30,174	0	0	0	
TIF (from TIF Acc.)	190,000	890,000	140,000	58,750				
For Cap								
PW Facility					72,500	72,500	72,500	
Pineland Admin						10,000	10,000	
PW Building Interest Income						75,000	75,000	Var +/- 106,100
	2,189,936	2,887,701	2,119,061	2,472,079	2,721,347	2,073,076	2,179,176	
BETE Homestead	148,266	195,135	272,793	323,505	225,506	382,000	382,000	
Total Revenues w/BETE & Homestead	2,338,202	3,082,836	2,391,854	2,795,584	2,946,853	2,455,076	2,455,076	
Taxation Real Estate & Personal					8,231,112	\$8,012,351	\$8,002,915	
Town	\$1,477,520	\$1,485,179	\$1,628,452	\$1,598,063	\$2,023,887	\$1,920,655	\$1,911,219	
SAD	\$5,006,229	\$4,991,742	\$5,242,544	\$5,486,266	\$5,825,168	\$5,699,032	\$5,699,032	
CC	\$319,750	\$328,766	\$342,934	\$351,187	\$382,057	\$392,664	\$392,664	
Town Valuation	464,000,000	466,000,000	460,000,000	463,000,000	472,639,354	REVAL YEAR	REVAL YEAR	
Tax Rates								
	FY16	FY17	FY18	FY19	FY20	FY21	FY21	
Town	3.22	3.24	3.51	3.41	3.83	5.4%	4.9%	
SAD #15	10.69	10.75	11.33	11.64	11.99	0.1%	0.1%	
County	0.73	0.71	0.76	0.74	0.78	6.0%	6.0%	
Total	14.65	14.70	15.60	15.80	16.60	2%	1%	
	<i>The above tax rates are from actual tax bills</i>					<i>Projected Rate Changes</i>		

* School number from District Office 5-12-20

5.63

WARRANT FOR ANNUAL TOWN MEETING

**Town of New Gloucester
July 14, 2020**

To: Sharlene Myers, a resident of the Town of New Gloucester, County of Cumberland, State of Maine.

Greetings:

In the name of the State of Maine, you are hereby required to notify and warn the Inhabitants of the Town of New Gloucester, in said county and state, qualified by law to vote in Town affairs, to assemble at New Gloucester Fire Station, 611 Lewiston Road, New Gloucester, Maine on Tuesday, the 14th day of July A.D. 2020 at 5:45 a.m., Daylight Savings Time, then and there to act upon Article 1 and by secret ballot on Articles 2 through 32, as set out below (Polls shall be open from 6:00 a.m. to 8:00 p.m.):

Article 1. To choose a Moderator to preside at said meeting.

OPERATIONS:

Article 2. To see if the Town will vote to raise and appropriate \$470,878 from taxation and other sources for the ensuing year for the following:

Article 2		Selectmen	Budget Committee
101	Selectmen	\$ 17,485	\$ 17,485
102	Administration	\$ 338,968	\$ 353,968
105	Elections	\$ 14,800	\$ 14,800
106	Assessing	\$ 42,150	\$ 42,150
108	Legal	\$ 25,000	\$ 25,000
130	Unbudgeted Expenses	\$ 15,000	\$ 15,000
138	Fuel Overrun Allowance	\$ 2,475	\$ 2,475
		\$ 455,878	\$ 470,878

The Budget Committee & Select Board recommends passage as presented.

Article 3. To see if the Town will vote to raise and appropriate \$46,196 from taxation and other sources for the ensuing year for the following:

Article 3		Selectmen	Budget Committee
103	General Assistance	\$ 8,000	\$ 8,000
131	Health Officer	\$ 500	\$ 500
132	Animal Control	\$ 16,896	\$ 16,896
135	Cemeteries	\$ 20,800	\$ 20,800
		\$ 46,196	\$ 46,196

The Budget Committee & Select Board recommends passage as presented.

Article 4. To see if the Town will vote to raise and appropriate \$696,377 from taxation and other sources for the ensuing year for the following:

Article 4		Selectmen	Budget Committee
112	Emergency Management	\$ 2,275	\$ 2,275
114	Street Lights	\$ 7,000	\$ 7,000
115	Cumberland County Dispatch	\$ 41,953	\$ 41,953
117	Fire and Rescue	\$ 645,149	\$ 645,149
		\$ 696,377	\$ 696,377

The Budget Committee & Select Board recommends passage as presented.

Article 5. To see if the Town will vote to raise and appropriate \$987,981 from taxation and other sources for the ensuing year for the following:

Article 5		Selectmen	Budget Committee
116	Public Works	\$ 739,514	\$ 739,514
120	Solid Waste	\$ 248,467	\$ 248,467
		\$ 987,981	\$ 987,981

The Budget Committee & Select Board recommends passage as presented.

Article 6. To see if the Town will vote to raise and appropriate \$112,538 from taxation and other sources for the ensuing year for the following:

Article 6		Selectmen	Budget Committee
104	Buildings & Grounds	\$ 65,803	\$ 65,803
113	Cable TV	\$ 13,935	\$ 13,935
133	Parks & Recreation	\$ 32,300	\$ 32,800
		\$ 112,038	\$ 112,538

The Budget Committee recommends \$112,538.

The Select Board recommends \$112,038.

Article 7. To see if the Town will vote to raise and appropriate \$91,140 from taxation and other sources for the ensuing year for the following:

Article 7		Selectmen	Budget Committee
123	Library	\$ 76,645	\$ 91,140
		\$ 76,645	\$ 91,140

The Budget Committee recommends \$91,140.

The Select Board recommends \$76,645.

Article 8. To see if the Town will vote to raise and appropriate \$96,899 from taxation and other sources for the ensuing year for the following:

Article 8		Selectmen	Budget Committee
107	Code Enforcement	\$ 61,027	\$ 61,027
122	Planning	\$ 35,872	\$ 35,872
		\$ 96,899	\$ 96,899

The Budget Committee & Select Board recommends passage as presented.

Article 9. To see if the Town will vote to raise and appropriate \$992,536 from taxation and other sources for the ensuing year for the following:

Article 9		Selectmen	Budget Committee
109	Insurance	\$ 430,650	\$ 430,650
125	Social Security/Retirement	\$ 194,835	\$ 195,404
139	Debt Service	\$ 366,482	\$ 366,482
		\$ 991,967	\$ 992,536

The Budget Committee recommends \$992,536.

The Select Board recommends \$991,967.

Article 10. To see if the Town will vote to raise and appropriate \$310,000 from taxation for the ensuing year for the following:

144	TIF District	\$ 290,000 (Estimated; determined when tax rate calculated)
145	Tax Abatements	<u>\$ 20,000</u>
	TOTAL	\$ 310,000

The Select Board recommends passage as presented.

CAPITAL PROJECTS & RESERVES:

Article 11. To see if the Town will vote to increase the level at which capital expenditures shall undergo Capital Improvement Program (CIP) review from \$7,500 to \$15,000.

Article 12. To see if the Town will vote to raise and appropriate \$50,000 from taxation for the Public Works Capital Reserve Account (G1-389-00 – \$175,672) in the ensuing year.

Account 127

Public Works Capital Reserve Account	\$50,000 Tax
TOTAL	\$50,000

The Select Board and Budget Committee recommends passage.

Article 13. To see if the Town will vote to raise and appropriate \$100,000 from taxation for the Fire and Rescue Capital Reserve Account (G1-388-00 – \$492,324) in the ensuing year.

Account 127

Fire and Rescue Capital Reserve Account	\$100,000 Tax
TOTAL	\$100,000

The Select Board and Budget Committee recommends passage.

Article 14. To see if the Town will vote to raise and appropriate \$50,000 from taxation for the Transfer Station Capital Reserve Account (G1-391-00 – \$151,050) in the ensuing year.

Account 127

Transfer Station Capital Reserve Account	\$50,000 Tax
TOTAL	\$50,000

*The Budget Committee recommends \$25,000.
The Select Board recommends \$50,000..*

Article 15. To see if the Town will vote to raise and appropriate \$290,750 from taxation for the ensuing year for Municipal Paving Projects.

Account 149

Paving	\$290,750 Tax
TOTAL	\$290,750

The Select Board and Budget Committee recommends passage.

Article 16. To see if the Town will vote to appropriate \$60,000 from Public Works Capital Reserve Account (G1-389-00 - \$175,672) for the purchase of H-3 One-ton Dump Truck.

Account 128

H-3 Public Works One-ton Dump Truck	\$60,000 CR
TOTAL	\$60,000

The Select Board recommends passage.

Article 20. To see if the Town will vote to apply the following anticipated Revenues to reduce the tax commitment: Revenue amounts shown are estimates.

Revenue	
Building Inspection & Fees	\$ 40,000
Transfer Station Permits	\$ 2,400
Boat Excise Tax	\$ 7,000
Auto Excise Tax	\$ 850,000
Town Fees	\$ 19,000
Recreation Program Fees	\$ 15,600
Fines & Reimbursements	\$ 4,000
Clerk Fees	\$ 5,500
Rent Income	\$ 1
Copy/Fax Fees	\$ 125
Cable Franchise Fees	\$ 28,000
Library Revenue	\$ 1,000
Investment Income	\$ 20,000
Capital Project Accounts Interest	\$ 10,000
Animal Control	\$ 1,750
Transfer Station Recycling	\$ 20,000
Transfer Station Stickers (750 @ 10)	\$ 7,500
Real Estate Tax Interest	\$ 21,000
EMS Transport	\$ 120,000
Capital Res. Funds (Contingent Articles 11-18)	\$ 102,000
Undesignated Fund	\$ 250,000
TIF (Public Works Annual Debt)	\$ 72,500
TIF (Pineland Admin)	\$ 10,000
PW Building Interest Income	\$ 75,000
TOTAL	\$1,682,376

The Select Board recommends passage.

Article 21. DISPOSITION OF FORECLOSED PROPERTY

To see if the Town will vote to authorize the Select Board to dispose of the following foreclosed properties in such manner and on such terms as the Select Board finds to be in the best interests of the Town except that the Municipal Officers shall use the special sale process required by 36 M.R.S. §943-C for qualifying homestead property if they choose to sell it to anyone other than the former owner(s).

MAP	LOT	LOCATION	LAND/BUILDINGS
6	36-D	576 Snow Hill Rd	Land and Building

- Article 22. AUTHORITY TO ACCEPT REVENUE IN EXCESS OF AMOUNT BUDGETED**
 To see if the Town will vote to authorize the Clerk/Treasurer to accept revenue in excess of amounts budgeted on behalf of the town.
- Article 23. AUTHORITY TO ACCEPT GRANTS**
 To see if the Town will vote to authorize the Select Board to apply for and accept, on behalf of the Town, state and federal grants and grants from nonprofit organizations for municipal purposes, including when necessary, the authority to sign the grant contract and accept the conditions that accompany grant funds, and to appropriate and expend grant funds and matching funds required for the authorized purposes.
- Article 24. ACCEPTANCE OF GIFTS OF MONEY OR PERSONAL PROPERTY**
 To see if the Town will vote to authorize the Select Board to accept gifts of money or personal property to the Town and to appropriate and expend such money for such public purposes as the Board deems to be in the interest of the Town.
- Article 25. ACCEPTANCE OF *CONDITIONAL* GIFTS OF MONEY AND PERSONAL PROPERTY**
 To see if the Town will vote to authorize the Select Board to accept conditional gifts of money to the Town and to appropriate and expend the funds for the legal purposes for which the gift was made and in accordance with any conditions imposed by the donor and to accept conditional gifts of personal property to the Town and to use the property in the legal manner specified by the donor.
- Article 26. RETURNING UNEXPENDED CAPITAL IMPROVEMENT FUNDS TO CAPITAL RESERVE ACCOUNTS**
 To see if the Town will vote to authorize the Select Board to return unexpended capital improvement funds to their corresponding capital reserve accounts.
- Article 27. ESTABLISHMENT OF INTEREST RATE FOR LATE TAX PAYMENTS**
 To see if the Town will vote to fix a date and terms when taxes shall become due and payable, and set an interest rate of 9.00 percent per annum. The 9% interest rate is authorized under Title 36 M.R.S.A. Section 505.4.

Recommendation: that the first Friday of October and April, Friday, **October 2, 2020** and Friday, **April 2, 2021** be established as the dates taxes are due and payable, and that interest at the rate of nine percent (9%) per annum will be charged after such dates.

Article 28. ESTABLISHMENT OF INTEREST RATE FOR ABATED TAXES
To see if the town will vote to set the interest rate at four percent (4%) per annum to be paid by the town on abated taxes pursuant to Title 36 M.R.S.A. Section 506-A.

Article 29. ACCEPTANCE OF TAX PREPAYMENTS
To see if the Town will vote to authorize the Tax Collector or Treasurer to accept prepayments of taxes not yet committed, pursuant to Title 36 M.R.S.A. § 506.

Article 30. DISPOSITION OF SURPLUS TOWN PROPERTY AND REAL PROPERTY
To see if the Town will vote to authorize the Select Board to sell and dispose of surplus town-owned personal and real property on such terms and conditions as the Select Board finds to be in the best interests of the Town and to deposit proceeds from such sales in the corresponding capital reserve accounts or Undesignated Fund.

Article 31. USE OF GRANT FUNDS FROM TIME WARNER CABLE PER FRANCHISE AGREEMENT WITH THE TOWN FOR “PEG ACCESS EQUIPMENT AND FACILITIES”
To see if the Town will vote to approve the appropriation of \$11,000 from the Cable Grant Account (G1-203 – \$45,847) for the ensuing year for the following: unanticipated maintenance of cable TV production and broadcast equipment. All unused funds will be returned to Cable Grant Account (G1-203) at the end of the ensuing year.

Article 32. Proposed Zoning Ordinance Changes Concerning Solar Energy Systems.
The following changes are being proposed to expand options in energy sources by providing standards for Solar Energy Systems. The Solar Energy System provisions set forth in this ordinance are intended to protect the public health and safety, promote the general welfare of the community, to conserve the environment, wildlife habitat, fisheries and unique natural areas, and to fit Solar Energy Systems harmoniously into the fabric of the community by assuring the following standards are accomplished with the least possible regulation.

The following revisions are proposed:

Under Article 2 *Definitions*, add the following language:

Solar Energy System – A device or structural design feature principally used to capture solar energy and convert it to electrical or thermal power. A Solar Energy System consists of one or more free-standing ground mounted, or building mounted, solar arrays or modules, or solar related equipment.

- **Solar Energy System, Ground-Mounted** – A Solar Energy System that is structurally mounted to the ground and is not attached to a permitted building.
- **Solar Energy System, Building-Mounted** – A Solar Energy System that is mounted to the roof or sides of a building.

Under Article 4 Zoning Districts:

In the following sections:

- **§4.4.1.B Residential C District Permitted Uses, The following uses are permitted**
- **§4.4.2.B Village District Permitted Uses, The following uses are permitted**
- **§4.4.3.B Rural Residential District Permitted Uses, The following uses are permitted**
- **§4.4.4.B Farm and Forest District Permitted Uses, The following uses are permitted**
- **§4.4.5.C.2 Limited Residential Shoreland Permitted Uses, The following uses are permitted subject to a permit issued by the Code Enforcement Officer**
- **§4.4.7.B Residential B District Permitted Uses, The following uses are permitted**
- **§4.4.11.C The following uses are permitted in PDDA**
- **§4.4.11.C The following uses are permitted in PDDB**
- **§4.4.11.C The following uses are permitted in PDDC**
- **§4.4.14.B Upper Village District Permitted Uses, The following uses are permitted**

Add the following as additional enumerated uses:

Building Mounted Solar Energy Systems

Ground Mounted Solar Energy Systems with a physical size based on projected total airspace over the ground of less than 1,500 square feet, subject to the performance standards herein.

In the following sections:

- **§4.4.1.B Residential C District Permitted Uses, The following uses are permitted subject to site plan review:**
- **§4.4.2.B Village District Permitted Uses, The following uses are permitted subject to site plan review**
- **§4.4.3.B Rural Residential District Permitted Uses, The following uses are permitted subject to site plan review**
- **§4.4.4.B Farm and Forest District Permitted Uses, The following uses are permitted subject to site plan review**
- **§4.4.5.C.3 Limited Residential Shoreland Permitted Uses, The following uses are permitted subject to site plan review**
- **§4.4.7.B Residential B District Permitted Uses, The following uses are permitted subject to site plan review**
- **§4.4.11.C The following uses are permitted subject to site plan review in PDDA**
- **§4.4.11.C The following uses are permitted subject to site plan review in PDDB**
- **§4.4.11.C The following uses are permitted subject to site plan review in PDDC**
- **§4.4.14.B Upper Village District Permitted Uses, The following uses are permitted subject to site plan review:**

Add the following as an additional enumerated use:

Ground Mounted Solar Energy Systems, either as a principle or accessory use, with a physical size based on projected total airspace over the ground of 1,500 square feet or greater, subject to the performance standards herein

In the section §4.4.9 Historic Resource Overlay District, Uses, change language as follows:

Minor additions up to 200 square feet and Building Mounted Solar Energy Systems shall be allowed without site plan approval upon review and approval by the Code Enforcement Officer if the expansion or Building Mounted Solar Energy System is not visible from the road and such expansion or Building Mounted Solar Energy System otherwise meets dimensional and other ordinance requirements. [Amended 5/1/2017 5/X/2020 Town Meeting]

In the section §4.4.6.C.2 Resource Protection District Permitted Uses, The following uses are permitted subject to a permit issued by the Code Enforcement Officer, add the following as an additional enumerated use

Building Mounted Solar Energy Systems on permitted structures subject to the performance standards herein.

In the section §4.4.6.C.3 Resource Protection District Permitted Uses, The following uses are permitted subject to site plan review, add the following an additional enumerated use

Ground Mounted Solar Energy Systems accessory to permitted structures with a physical size based on projected total airspace over the ground of less than 1,500 square feet subject to the performance standards herein

Under Article 5 Performance Standards

In the section §5.1.7.A.2 Open Space Subdivisions, Purposes add the following language

- k. Provision of shared Solar Energy Systems serving the lots in the subdivision in the most suitable locations for use consistent with the other purposes of this performance standard.

In the section §5.1.7.D.1 Open Space Subdivisions, Open Space Requirements, change language as follows

- e. If the open space is to be devoted, at least in part, to a shared Solar Energy System the developer shall submit a plan that shows how it will be implemented. If it is to be built by or on behalf of the developer as part of the development of the subdivision a full site plan application must be submitted to the board for concurrent review.

e- f. The use of any open space may be limited by the Planning Board at the time of final plan approval where the Board deems it necessary to protect adjacent properties or uses, or to protect sensitive natural features or resources. A proposed change in use of open space land, other than that specified at the time of plan approval, shall be reviewed by the Planning Board as an amendment to the approved plan.

f- g. Further subdivision of open space or its use for other than agriculture, forestry, recreation, Solar Energy Systems, or conservation, except for easements for underground utilities, shall be prohibited and shall be so stated by deed restrictions except as provided in subparagraph D.3. below. Structures and buildings accessory to agriculture, recreation, Solar Energy Systems, or conservation uses may be erected on open space, subject to Planning Board approval under the site plan review provisions of Article 7 of this Zoning Ordinance and this performance standard.

Add the following section:

§5.1.37 Solar Energy Systems

A. Submission Requirements

In addition to the submission requirements of §7.3.2.A all Solar Energy Systems subject to site plan review must submit materials as outlined below:

1. Plan and elevation depictions of a typical panel and mounting and any other structures proposed as part of the Solar Energy System.
 2. General specifications of the system including dimensions and number of panels, estimated power generation, description of mountings, and any other information needed to evaluate compliance with this ordinance.
 3. Certification that the Solar Energy System is compliant with the National Electrical Code and State Electrical Code as applicable.
 4. A site plan that meets the requirements of §7.3.2 of the Zoning Ordinance with the added requirement of:
 - a. The location of the proposed Solar Energy System and any, fencing, screening, access roads and turnout locations, substations(s), accessory equipment to the system, and all electrical cabling from the system to other structures, substations, or utility grid connections
 5. The applicant shall provide a copy of the site plan review application to the Fire Chief for review and comment. The Fire Chief shall base any recommendation for approval or denial of the application upon review of the fire safety of the proposed system. Upon request, the owner or operator shall cooperate with the Fire Department in developing an emergency response plan.
 6. Any other approvals from local, regional, State, or Federal agencies that may be required. Letters, permits, or approvals from these agencies shall be included as a part of the application and/or review. The Planning Board may choose to accept copies of applications awaiting approval. In this case any local approval granted by the planning board shall be conditioned such that no permits will be issued until all outstanding approvals have been granted.
 7. Ground Mounted Solar Energy Systems with a physical size based on projected total airspace over the ground that is greater than 10,000 square feet shall also submit a decommissioning plan including an estimated cost and a guarantee suitable to ensure decommissioning consistent with §5.1.37.D of this ordinance. The Planning Board may waive this requirement.
- B. Required Notification**
1. All Solar Energy Systems located within 2 miles of the Auburn Lewiston Municipal Airport must notify the airport via certified mail that an application has been submitted to the town. This notification must include the location and size of the proposed system.

2. All Ground Mounted Solar Energy Systems with a physical size based on projected total airspace over the ground that is greater than 10,000 square feet shall notify abutters in accordance with the requirements of §7.3.4.

C. Visual Impact Assessment

When necessary in light of the size, location, surrounding uses, or other characteristics of the proposed use or site the Planning Board may require submittal of a Visual Impact Assessment. The study shall be prepared by a Maine licensed landscape architect or other professional with experience with visual impact Assessments. The Visual Impact Assessment shall at minimum include the following elements:

1. A visual description of the project covering all physical elements that may be visible from public viewpoints.
2. Identification and characterization of publicly accessible scenic resources near or potentially impacted by the proposed project. This should include any resources of local, state or national significance.
3. Determination of the type and extent of any impact on the identified scenic resources. If a project is deemed to be visible from a scenic resource the Planning Board may require a visualization of the project from a representative point within the resource.
4. Description of any proposed mitigation measures such as berms, landscaping screens and buffers, or low visibility materials that may be used to minimize potential visual impacts from the project.

D. Dimensional Standards

1. Height

- a. Building Mounted Solar Energy Systems shall not be considered as contributing to building height provided that they are erected only to such height as reasonably necessary.
- b. Ground Mounted Solar Energy Systems shall not exceed the maximum building height restrictions for the zone in which they are located.

2. Setbacks

Solar Energy Systems shall meet the structure setbacks of the zone in which they are located except when no other appropriate place on the site exists for the Solar Energy System to operate as determined by the Planning Board. If no other appropriate place on the site for the system exists setbacks shall be:

- a. 5 feet from a side or rear lot line shared with a right of way or utility corridor provided the system will not impact visibility along a travelway or;
- b. Half the required setback in that zone

3. Impervious surface

All structures, roads, and other impervious surfaces associated with a Solar Energy System shall count towards the maximum lot coverage of the zone in which the system is located. Building Mounted Solar Energy panels do not change the impervious surface of the building to which they are attached.

Ground Mounted Solar Panels will not be considered impervious surface provided that they meet the following criteria:

- a. Panels must be positioned to allow water to run off their surfaces.
- b. Soil with adequate vegetative cover must be maintained under and around the panels.
- c. The area around the panels must be adequate to ensure proper vegetative growth under and around the panels.

E. Performance standards

1. A licensed electrician shall connect Solar Energy Systems to transmission lines, electrical equipment, or any residence or other structure to which power is being provided.
2. Solar Energy Systems must meet all applicable Building and Fire Codes.
3. Solar panels are designed to absorb (not reflect) sunlight; and, as such, solar panels are generally less reflective than other varnished or glass exterior housing pieces. However, Solar Energy System design and placement should be prioritized to minimize or negate any solar glare onto nearby properties, roadways, or flightpaths to the extent practical.
4. Exterior lighting shall be shielded so as not to contribute to light pollution.
5. For Ground Mounted Solar Energy Systems, all on-site electrical wires connecting the system to other structures or to utility connections shall be installed underground except for 'tie-ins' to public utility company transmission poles, towers and lines. This standard may be modified by the Planning Board during site plan review if the project terrain is determined to be unsuitable due to reasons of need such as excessive excavation, grading or similar factors.
6. For Ground Mounted Solar Energy Systems all means of shutting down the system shall be clearly marked. The owner or operator shall provide to the Code Enforcement Officer and the Fire Department the name and contact information of a responsible person for public inquiries throughout the life of the installation. The owner or operator shall cooperate with the Fire Department to ensure there is safe emergency access to the site.

F. Decommissioning and Abandonment

1. A Ground Mounted Solar Energy System with a physical size based on projected total airspace over the ground that is greater than 10,000 square feet, that has reached the end of its useful life or has been abandoned consistent with this ordinance shall be removed. The owner or operator shall physically remove the installation no more than 180 days after the date of discontinued operations. The owner or operator shall notify the Code Enforcement Officer by certified mail of the proposed date of discontinued operations and plans for removal. The Code Enforcement Officer may grant a one-time extension of up to an additional 180 days at the request of the owner or operator of the system. Decommissioning shall consist of:
 - a. Physical removal of all Solar Energy Systems, structures, equipment, security barriers, and transmission lines from the site that will not be used by other approved uses on the site.

- b. Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.
 - c. Stabilization and/or re-vegetation of the site as necessary to minimize erosion. The Code Enforcement Officer may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.
- 2. A Ground Mounted Solar Energy System with a physical size based on projected total airspace over the ground that is greater than 10,000 square feet shall be considered abandoned when it fails to operate for more than one year. The Planning Board may extend this initial period for an additional twenty-four (24) months at the request of the owner of the system and with consent of the land owner and/or operator, if different from the system owner.
- 3. Unless waived by the Planning Board as allowed under §5.1.37.A.7, an applicant for Site Plan Review of a Ground Mounted Solar Energy System with a physical size based on projected total airspace over the ground is greater than 10,000 square feet shall submit a method for ensuring the decommissioning of the system. This may take one of the following forms:
 - (1) A performance guarantee in the amount of 125% of the expected decommissioning costs, including inflation over the expected life of the system, in the form of a certified check payable to the Town of New Gloucester, a performance bond running to the Town of New Gloucester, an irrevocable letter of credit in the name of the Town of New Gloucester, or some other form of surety that is acceptable to the Town Manager.
 - (2) A binding, contractual guarantee such as in a lease agreement between a system owner and land owner which requires that the Solar Energy System be decommissioned in accordance with this ordinance and identifies a party responsible for the decommissioning.
 - (3) Other legally enforceable agreement acceptable to the Planning Board.
- 4. If the owner or operator of the Solar Energy System fails to remove the installation in accordance with the requirements of this section within 180 days of abandonment or the proposed date of decommissioning as approved by the Code Enforcement Officer, the Town retains the right to use the performance guarantee or other available means to cause an abandoned, hazardous, or decommissioned Ground Mounted Solar Energy System to be removed.

Under Article 7 Site Plan Review

In section §7.4.1.E.3 Review Procedure, Expedited Review, Eligible Activities add the following language

b. Historic Resource Overlay District

i. Small addition, enclosure or deck (attached to rear of building), or accessory structure, of 200 square feet or less

ii. Accessory Ground Mounted Solar Energy Systems with a physical size based on projected total airspace over the ground of less than 1,500 square feet

iii. Building Mounted Solar Energy Systems that are visible from the road

The Registrar of Voters hereby gives notice that voter registration will be accepted at the Town Office during regular office hours and at the meeting.

Dated in New Gloucester this 8th day of June, 2020, the same being at least ten (10) days before the time appointed for said meeting.

Linda Chase, Chairman

Karen Gilles, Vice Chairman

George Colby, Selectman

Joseph S. Davis, Selectman

Tammy L. Donovan, Selectman

A true copy of the Warrant,

Attested: _____ June 8, 2020
Brenda Fox-Howard, Town Clerk

**TOWN OF NEW GLOUCESTER
BOARD OF SELECTMEN**

Pursuant to the within warrant to me directed, I have notified and warned the inhabitants of the Town of New Gloucester, qualified as herein expressed, to meet at said time and place, and for the purposes therein named, by posting an attested copy of said Warrant at the following places:

New Gloucester Town Hall	New Gloucester Post Office
New Gloucester Public Library	Link's Variety
The Village Store	A Buddy's Store
Pineland Market	

The same being posted in public and conspicuous places within the said Town on the _____ day of _____, 2020, being at least seven (7) days before said meeting.

Dated at New Gloucester this _____ day of _____, Two Thousand and Twenty (2020).

Sharlene F. Myers, Resident