

WARRANT FOR SPECIAL TOWN MEETING

TO: Kenneth Richardson, a resident of the Town of Denmark, County of Oxford, State of Maine.

GREETINGS: In the name of the State of Maine, you are hereby required to notify and warn the voters of the Town of Denmark, Oxford County, Maine, qualified by law to vote in town affairs, to meet at the Municipal Office, Town of Denmark, 62 East Main Street, Denmark, Maine 04022, on October 13, 2020, at 7:00 p.m., then and there to act on Article 1 thru Article 2 as set out below, to wit:

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

Article 2: Shall an ordinance entitled "Solar Energy Moratorium Ordinance" be enacted?

The TOWN OF DENMARK (Maine) adopts a Solar Energy Moratorium Ordinance as follows:

WHEREAS, the Town of Denmark is suddenly under threat of increased development of solar energy project(s); and

WHEREAS, solar energy developments were unanticipated and have not been adequately provided for in the Town's current Zoning Ordinance; and

WHEREAS, there is a strong likelihood that almost all areas of the Town may continue to be subjected to this development pressure due to the amount of undeveloped land, and the nonexistence of any regulations or restriction on location of solar energy projects; and

WHEREAS, continued development of such solar energy projects pursuant to the current Zoning Ordinance could pose serious threats to the public health, safety and welfare of the residents of Denmark through the over development of parts of Town with such projects without adequate provisions for issues such as safety, land use compatibility, and visual access to view corridors; and

WHEREAS, development of multiple solar energy projects would be contrary to the goals and objectives of the Town of Denmark Comprehensive Plan; and

WHEREAS, after public hearing, there is strong support for this Moratorium Ordinance; and

WHEREAS, the Town will need at least 180 days to develop, implement and adopt a Solar Energy Ordinance to accommodate these development pressures; and

WHEREAS, adoption of an ordinance requires a public hearing by the Planning Board and the Board of Selectmen, and then must be voted upon at a Town Meeting; and

WHEREAS, in the Judgment of the Town, these facts create an emergency within the meaning of 30-A M.R.S.A. 4356 (1)(B) and require the following Moratorium Ordinance as immediately necessary for the preservation of the public health, safety and welfare;

*NOW, THEREFORE, the Town of Denmark hereby ordains that a **MORATORIUM ON SOLAR ENERGY DEVELOPMENTS IN WHICH THE SYSTEM PRODUCES MORE THAN 20 KW OF DIRECT CURRENT POWER**, is hereby imposed, effective immediately and applicable to the maximum extent permitted by law and subject to the severability clause below, to all proceedings, applications and petitions not pending (within the meaning of 1 M.R.S.A. Sec. 302) as of the date set forth below, and on any new construction or use requiring approval under the terms of the Town's Zoning Ordinance until the adoption of a Solar Energy Ordinance; BE IT FURTHER ORDAINED, that the Planning Board, Board of Appeals, the Code Enforcement Officer, all Town agencies and all Town employees shall neither accept nor approve applications, plans, permits, licenses, and/or fees for any new construction or uses governed by this Moratorium for such solar energy projects for said period of time; and BE IT FURTHER ORDAINED, that those provisions of the Town's Zoning Ordinance which are inconsistent or conflicting with the provisions of this Moratorium, including, without limitation, the requirements for review by the Planning Board are hereby repealed to the extent that they are applicable for the duration of the Moratorium hereby ordained, but not otherwise; BE IT FURTHER ORDAINED that to the extent any provision of this Moratorium is deemed invalid by a court of competent jurisdiction, the balance of the Moratorium shall remain valid.*

Given under our hands on this 8th day of September 2020:



Betty LeGoff, Chairman, Select Board

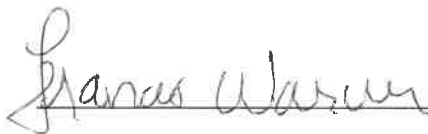


Richard Snow, Select Board Member



Luke Allocco, Select Board Member

Attest:



, Town Clerk