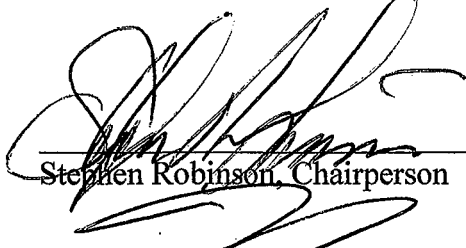


To: Judith A. Akers, Town Clerk

We hereby certify to you that the document to which we have affixed this certificate is a true copy of the official text of proposed changes to the Poland Comprehensive Land Use Code, with regard to Section 303.2 "Applications for Permits", to be voted on at the 2022 Annual Town Meeting scheduled for April 2, 2022, under warrant Article 4.

Given under our hands the 15th day of February 2022.

Board of Selectpersons



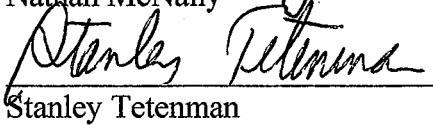
Stephen Robinson, Chairperson

Jane Pentheny, Vice-Chairperson



Mary-Beth Taylor

Nathan McNally

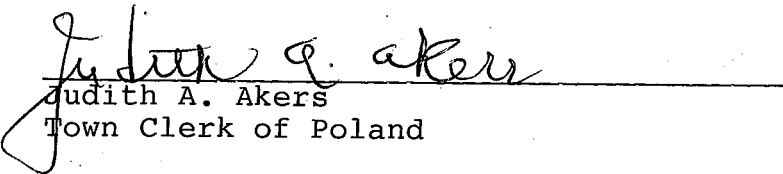


Stanley Tetenman

A majority of the Municipal Officers of Poland, Maine

February 16, 2022

A true copy attest of the official text of the proposed changes to the Poland Comprehensive Land Use Code, with regard to Section 303.2 "Applications for Permits", to be voted on at the 2022 Annual Town Meeting scheduled for April 2, 2022, under warrant Article 4 as certified to me by the Municipal Officers of the Town of Poland.



Judith A. Akers
Town Clerk of Poland

CLUC Changes 2022

Article 4. Shall the Town vote to adopt the 2022 Amendment to the Poland Comprehensive Land Use Code – Section 303.2 “Applications for Permits”? *(A copy of the proposed ordinance amendment is available for inspection in the Clerk’s office, as well as on the Town’s web site at polandtownoffice.org, and will also be available at Town Meeting.)*

303.2 Applications for Permits

B. Within fourteen (14) business days of filing an a complete application for a Building or Use Permit and the payment of the fee, as established in the Town of Poland Fee Schedule, the Code Enforcement Officer shall approve, deny or refer the application to the Planning Board. One copy of the Code Enforcement Officer’s decisions shall be filed in the Municipal Office;


Planning Board recommends approval.

To: Judith A. Akers, Town Clerk

We hereby certify to you that the document to which we have affixed this certificate is a true copy of the official text of proposed changes to the Poland Comprehensive Land Use Code, with regard to Section 504.3 "Nonconforming Structures", to be voted on at the 2022 Annual Town Meeting scheduled for April 2, 2022, under warrant Article 5.

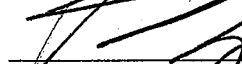
Given under our hands the 15th day of February 2022.

Board of Selectpersons



Stephen Robinson, Chairperson

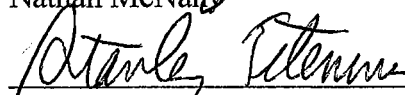
Jane Pentheny, Vice-Chairperson



Nathan McNally



Mary-Beth Taylor



Stanley Tetenman

A majority of the Municipal Officers of Poland, Maine

February 16, 2022

A true copy attest of the official text of proposed changes to the Poland Comprehensive Land Use Code, with regard to Section 504.3 "Nonconforming Structures", to be voted on at the 2022 Annual Town Meeting scheduled for April 2, 2022, under warrant 5 as certified to me by the Municipal Officers of the Town of Poland.



Judith A. Akers
Town Clerk of Poland

CLUC Changes 2022

Article 5. Shall the Town vote to adopt the 2022 Amendment to the **Poland Comprehensive Land Use Code** – Section 504.3 “Nonconforming Structures”? *(A copy of the proposed ordinance amendment is available for inspection in the Clerk’s office, as well as on the Town’s web site at polandtownoffice.org, and will also be available at Town Meeting.)*

504.3 Nonconforming Structures

- A. Expansions - All new principal and accessory structures, excluding functionally water-dependent uses, must meet the water body, tributary stream, or wetland setback requirements contained in Section 508.27.B.1. A legal nonconforming structure may be added to or expanded after obtaining a permit from the same permitting authority as that for a new structure, if such addition or expansion does not increase the nonconformity of the structure. Should the expansion of the nonconforming structure require Site Plan Review, approval shall be obtained prior to any expansion. An applicant for a permit for development within the shoreland zone must provide to the municipal permitting authority preconstruction photographs and, no later than 20 days after completion of the development, postconstruction photographs of the shoreline vegetation and development site. (In compliance with ME State Law Ch. 3 §439-A.10).

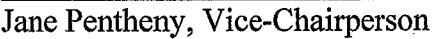
To: Judith A. Akers, Town Clerk

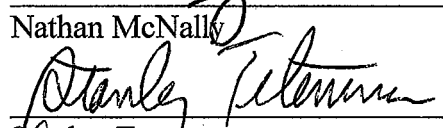
We hereby certify to you that the document to which we have affixed this certificate is a true copy of the official text of proposed changes to the Poland Comprehensive Land Use Code, with regard to Section 1100 "Short Title", to be voted on at the 2022 Annual Town Meeting scheduled for April 2, 2022, under warrant Article 6.

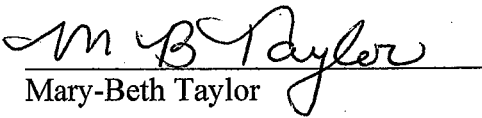
Given under our hands the 15th day of February 2022.

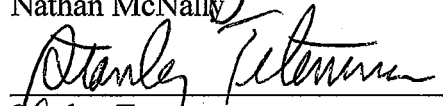
Board of Selectpersons


Stephen Robinson, Chairperson


Jane Pentheny, Vice-Chairperson


Nathan McNally

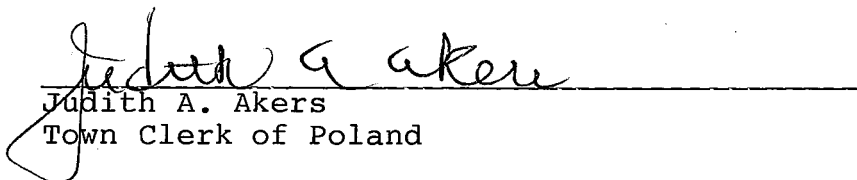

Mary-Beth Taylor


Stanley Tetenman

A majority of the Municipal Officers of Poland, Maine

February 16, 2022

A true copy attest of the official text of proposed changes to the Poland Comprehensive Land Use Code, with regard to Section 1100 "Short Title", to be voted on at the 2022 Annual Town Meeting scheduled for April 2, 2022, under warrant Article 6 as certified to me by the Municipal Officers of the Town of Poland.


Judith A. Akers
Town Clerk of Poland

CLUC Changes 2022

Article 6. Shall the Town vote to adopt the 2022 Amendment to the Poland Comprehensive Land Use Code – Section 1100 “Short Title”? *(A copy of the proposed ordinance amendment is available for inspection in the Clerk’s office, as well as on the Town’s web site at polandtownoffice.org, and will also be available at Town Meeting.)*

1100 SHORT TITLE - This Chapter shall be known and may be cited as the “Building Code Standards for the Town of Poland, Maine” in conjunction with the Building Code Standards and Adoption of the 2015 International Building Code (IBC), 2015 International Residential Code (IRC), 2015 International Existing Building Code (IEBC), ~~2009~~ 2015 International Energy Conservation Code (IECC) and 2009 International Mechanical Code (IMC), all of which are hereby incorporated by Reference. The following standards have also been adopted E-1465-2008, (Standard Practice for Radon Control Options for the Design and Construction of New Low-Rise Residential Buildings), ASHRAE 62.1 - 2013 (Ventilation for Acceptable Indoor Air Quality) ASHRAE 62.2 - 2013 (Ventilation and Acceptable Indoor Air Quality in Low-Rise Residential Buildings) ASHRAE 90.1 - 2013 (Energy Standard for Buildings except Low-Rise Residential Buildings) editions without addenda.


Planning Board recommends approval.

To: Judith A. Akers, Town Clerk


We hereby certify to you that the document to which we have affixed this certificate is a true copy of the official text of proposed changes to the Poland Comprehensive Land Use Code, with regard to Section 1103 "Other Codes Adopted in Conjunction with the Building Code Standards for the Town of Poland", to be voted on at the 2022 Annual Town Meeting scheduled for April 2, 2022, under warrant Article 7.

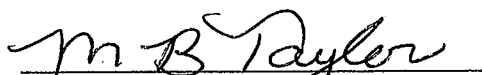
Given under our hands the 15th day of February 2022.

Board of Selectpersons


Stephen Robinson, Chairperson

Jane Pentheny, Vice-Chairperson


Nathan McNally

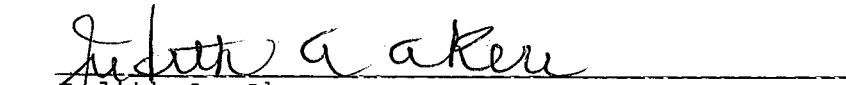

Mary-Beth Taylor


Stanley Tetenman

A majority of the Municipal Officers of Poland, Maine

February 16, 2022

A true copy attest of the official text of proposed changes to the Poland Comprehensive Land Use Code, with regard to Section 1103 "Other Codes Adopted in Conjunction with the Building Code Standards for the Town of Poland", to be voted on at the 2022 Annual Town Meeting scheduled for April 2, 2022, under warrant Article 7 as certified to me by the Municipal Officers of the Town of Poland.


Judith A. Akers
Town Clerk of Poland

CLUC Changes 2022

Article 7. Shall the Town vote to adopt the 2022 Amendment to the **Poland Comprehensive Land Use Code** – Section 1103 “Other Coded Adopted in Conjunction with the Building Code Standards for the Town of Poland”? *(A copy of the proposed ordinance amendment is available for inspection in the Clerk’s office, as well as on the Town’s web site at polandtownoffice.org, and will also be available at Town Meeting.)*

1103 OTHER CODES ADOPTED IN CONJUNCTION WITH THE BUILDING CODE STANDARDS FOR THE TOWN OF POLAND

The following codes, standards, rules and their amendments as adopted and revised by the State of Maine, listed in this section, are hereby incorporated by reference.

- A. State of Maine International Plumbing Rules based on the 2015 Uniform Plumbing Code.
- B. State of Maine Subsurface Waste Water Rules 2015 version dated August 3, 2015.
- C. 2017 2020 NFPA 70 (National Electric Code NEC 2017 2020)

Planning Board recommends approval.

To: Judith A. Akers, Town Clerk

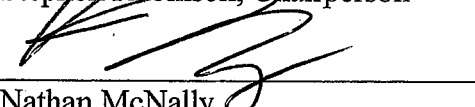
We hereby certify to you that the document to which we have affixed this certificate is a true copy of the official text of proposed changes to the Poland Comprehensive Land Use Code, with regard to Chapter 16 "Solar Energy Systems" and updates to Chapter 14 Definitions, to be voted on at the 2022 Annual Town Meeting scheduled for April 2, 2022, under warrant Article 8.

Given under our hands the 15th day of February 2022.

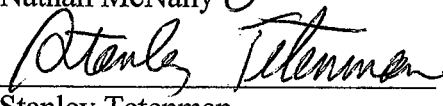
Board of Selectpersons


Stephen Robinson, Chairperson

Jane Pentheny, Vice-Chairperson


Nathan McNally

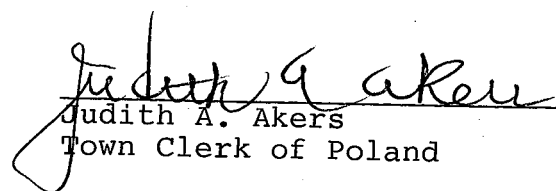

Mary-Beth Taylor


Stanley Tetenman

A majority of the Municipal Officers of Poland, Maine

February 16, 2022

A true copy attest of the official text of proposed changes to the Poland Comprehensive Land Use Code, with regard to Chapter 16 "Solar Energy Systems" and updates to Chapter 14 Definitions, to be voted on at the 2022 Annual Town Meeting scheduled for April 2, 2022, under warrant Article 8 as certified to me by the Municipal Officers of the Town of Poland.


Judith A. Akers
Town Clerk of Poland

CLUC Changes 2022

Article 8. Shall the Town vote to adopt the 2022 Amendment to the Poland Comprehensive Land Use Code – Chapter 16 “Solar Energy Systems” and update Chapter 14 Definitions? *(A copy of the proposed ordinance amendment is available for inspection in the Clerk’s office, as well as on the Town’s web site at polandtownoffice.org, and will also be available at Town Meeting.)*

Chapter 16 Solar Energy Systems

1600 Short Title – This Chapter shall be known as the “Solar Standards for the Town of Poland, Maine”.

1601 Purpose

1601.1 Purposes – The purposes of this chapter are to establish a municipal review procedure and performance standards for Solar Energy Systems (SES), including those typically characterized as “solar farms”.

- A. To provide guidance to anyone wishing to establish a SES.
- B. The standards that follow enable the accommodation of SES, and equipment to be installed in a safe manner with minimal impacts on the environment and to neighbors.

1602 – Administration

- A. SES, by use of roof mounted panel, or ground mounted panel by homeowner(s), or commercial owner(s), for personal use, or individual company/ business consumption of energy shall be exempt from these standards and requirements.
- B. Medium Scale SES and Large Scale SES must submit site or subdivision plans to the Planning Board for approval of the project.
- C. After approval by the Planning Board all necessary permits must be obtained from the Code Enforcement Office before work may commence on the SES.
- D. Commercial entities shall still comply with all applicable land use requirements and guidelines, specific to structural, architectural, and visual impacts that any SES may have on a project under site or subdivision plan review.
- E. For the purposes of application fees, a SES is assessed on three scales of sizing based on the total cumulative area of surface coverage of the solar photovoltaic panels, arrays, modules, or combinations of, providing power generation. Surface coverage area shall be measured by the total surface area of the solar collector at maximum tilt that occupies a given space. Sizes of SES are as follows:
 - 1. Small Scale – SES consisting of less than 20,000 sq.ft. of surface coverage area.
 - 2. Medium Scale – SES consisting of 20,000 sq.ft. to 4 acres of surface coverage area.
 - 3. Large Scale – SES consisting of more than 4 acres of surface coverage area.

CLUC Changes 2022

1603 – Allowed Locations

- A. SES are only allowed in the following zones: Village 1, 2, and 3, Rural Residential 1, 2, and 3, Farm and Forest, and General Purpose 1, 2, and 3.

1604 – Submission Requirements - In addition to the submission requirements of §508.30 all SES subject to requirements meeting §509 Site Plan Review and must submit materials as outlined below:

- A. Plan and elevation depictions of a typical panel and mounting and any other structures proposed as part of the SES.
- B. 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.
- C. Certification that the SES is compliant with the National Electrical Code and State Electrical Code as applicable.
- D. A site plan that meets the requirements of §509 of the Poland Comprehensive Land Use Ordinance with the added requirement of:
 - 1. The location of the proposed SES 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.
- E. 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.
- F. 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 construction or building permits will be issued until all outstanding approvals have been granted.
- G. Ground Mounted SES 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 comparable with the performance guarantee format Section 614 of this ordinance.

CLUC Changes 2022

1605 – Required Notification

- A. All SES 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.
- B. All Ground Mounted SES 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 §509.7 Application Procedure G. Notice to Abutters.

1606 – Visual Impact Assessment - When necessary, based on project’s overall size, location, surrounding uses, or other characteristics of the proposed use or the 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:

- A. A visual description of the project covering all physical elements that may be visible from public viewpoints.
- B. 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.
- C. Determination of the type and extent of any impact on the identified scenic or historic 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.
- D. 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.

1607 – Dimensional Standards

- A. Height
 - 1. Building Mounted SES shall not be considered as contributing to building height provided, they are erected only to such height as necessary.
 - 2. Ground Mounted SES shall not exceed the maximum building height restrictions for the zone in which they are located.
- B. Setbacks –
 - 1. SES that are less than 10,000 square feet of total airspace over the ground, shall meet the structure setbacks of the zone in which they are located.

CLUC Changes 2022

2. SES that are greater than 10,000 square feet of total airspace over the ground, shall meet a minimum structure setback of 75 feet from all property lines. When no other appropriate place on the site exists for the SES to operate as determined by the Planning Board, the location for the system setbacks shall be reduced for:
 - a. Setbacks of meeting the structure setbacks of the zone in which they are located for a side or rear lot line shared with a utility easement or utility corridor provided the system will not impact visibility along a travel-way or;
 - b. Setbacks of 50 feet from any rear or side lot line provided the system will not substantially have a visual impact any adjacent residence or business building occupying abutting properties.

C. Impervious Surface Ratio

1. All structures, roads, and other impervious surfaces associated with a SES shall count towards the maximum Impervious Surface Ratios 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.

1608 – Other Standards

- A. A licensed electrician shall connect SES to transmission lines, electrical equipment, or any residence or other structure to which power is being provided.
- B. SES must meet all applicable Building and Fire Codes.
- C. 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, SES design and placement should be prioritized to minimize or negate any solar glare onto nearby properties, roadways, or flightpaths to the extent practical.

CLUC Changes 2022

- D. Exterior lighting shall be limited to fully shielded or cutoff style fixtures, so as not to contribute to light pollution, sky glow, and glare.
- E. For Ground Mounted SES, 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.
- F. For Ground Mounted SES 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.

1609 – Decommissioning and Abandonment

- A. A Ground Mounted SES 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, using a 2 delivery service 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:
 - 1. Physical removal of all SES, structures, equipment, security barriers, and transmission lines from the site that will not be used by other approved uses on the site.
 - 2. Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.
 - 3. 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-frost level foundations in order to minimize erosion and disruption to vegetation. The Plan shall provide for the restoration of the land upon decommissioning sufficient to support farming, agricultural, or forestry activities.
- B. A Ground Mounted SES 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

CLUC Changes 2022

at the request of the owner of the system and with consent of the landowner and/or operator, if different from the system owner.

- C. Unless waived by the Planning Board as allowed under §509.10, an applicant for Site Plan Review of a Ground Mounted SES 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 Poland, a performance bond running to the Town of Poland, an irrevocable letter of credit in the name of the Town of Poland, or some other form of surety that is acceptable to the Board of Selectpersons.
 2. A binding, contractual guarantee such as in a lease agreement between a system owner and landowner which requires that the SES be decommissioned in accordance with this ordinance and identifies a party responsible for the decommissioning. Such financial obligations for the decommissioning shall be unaffected by the owner's or operator's future financial condition and shall be held specifically to support the decommission plan and resumption of farming, agricultural, or farming activities.
 3. Other legally enforceable agreement acceptable to the Planning Board.
- D. The decommission Plan shall be require that the financial assurances be updated 15 years after the approval of the plan, and no less frequently than 5 years thereafter. Updates to financial assurances required under this subsection must be submitted to the Town of Poland, on or before Dec 31st, of the year in which such updates are required.
- E. If the owner or operator of the SES 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 SES to be removed.

These definitions will be added to Chapter 14 of the CLUC:

- Airspace over the ground – The total surface coverage area of the solar panels in the Solar Energy System.

CLUC Changes 2022

- 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.
 - Small Scale – Solar Energy Systems consisting of less than 20,000 sq.ft. of surface coverage area.
 - Medium Scale – Solar Energy Systems consisting of 20,000 sq.ft. to 4 acres of surface coverage area.
 - Large Scale – Solar Energy Systems consisting of more than 4 acres of surface coverage area.
- 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.

Planning Board recommends approval.