

TOWN OF PHILLIPS

Moratorium Ordinance SOLAR ARRAYS

The Town of Phillips adopts a Moratorium Ordinance as follows:

WHEREAS, areas of the Town of Phillips are vulnerable to the threat of increased development pressure from Solar Arrays; and

WHEREAS, this development pressure was not fully anticipated as to the belief there was not an adequate power phase level; and

WHEREAS, the installation of Solar Arrays is not addressed adequately in the Town's current land use ordinance; and

WHEREAS, continued development of Solar Arrays could pose serious threats to the public health, safety and welfare of the residents of Phillips through the over-development of parts of Town with such Arrays without adequate provisions for issues of safety, and land use compatibility, and visual access to view corridors; and

WHEREAS, there is a likelihood of interest in this area as there are currently arrays being installed in the neighboring town; and

WHEREAS, concern is real of the diminishing value of abutting land and the decreased visual esthetic of the Town of Phillips should arrays be unregulated; and

WHEREAS, the Town will need at least 180 days to develop and implement the necessary amendments to zoning and land use ordinances and regulations to accommodate these development pressures; and

WHEREAS, amendments to the Land Use Ordinance require 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 Phillips hereby ordains that a moratorium 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 M.R.S.A. Sec. 302) as of June 21, 2025, and on any new construction or use, requiring approval under the terms of the Town's zoning and land use ordinances and regulations for such Town until the effective date of the necessary amendments to the zoning and land use ordinances and regulations or until December 27, 2025;

BE IT FURTHER ORDAINED, that the Planner, Planning Board, Board of Appeals, the Building Inspector/C.E.O., 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 Ordinance for such Solar Arrays for said period of time; and

BE IT FURTHER ORDAINED, that those provisions of the Town's Land Use Ordinance and regulations which are inconsistent or conflicting with the provisions of this Moratorium Ordinance, including, without limitation, the requirements for site plan review by the Planning Board, subdivision and/or special exception review by the Planning Board, and height variance appeals by the Board of Appeals, are hereby repealed to the extent that they are applicable for the duration of the Moratorium Ordinance hereby ordained, but not otherwise;


BE IT FURTHER ORDAINED, that 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 is valid.

EMERGENCY CLAUSE:

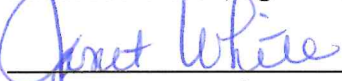
In view of the emergency cited in the preamble, this Moratorium Ordinance shall take effect immediately upon passage by the Town, shall apply, to the maximum extent permitted by the law but subject to the severance clause above, to all proceedings, applications and petitions not pending as of June 21, 2025, and shall stand repealed as of December 27, 2025.

Approved at the June 21, 2025 Annual Town Meeting.


Validation:


Select Board Chair, signature


Eugene R. Caton
print name


Select Board Vice Chair, signature


Janet White
print name


Select Board Member, signature

Kenneth B. Brier
print name


Select Board Member, signature

BARBARA A. BARNES
print name


Select Board Member, signature

Peter Campbell
print name

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Town Clerk Attestation:


Betty Jean Bangs

Date: July 1, 2025