

TOWN GRAY
GRAY TOWN COUNCIL
AGENDA • APRIL 20, 2021

**Gray Town
Council Regular
Meeting**

**Online Via Zoom
Link Posted to graymaine.org Day of Meeting**

7:00 PM

I. OPENING STATEMENT: *Due to the Governor's latest Executive Order, the Town Council meeting will not take place in person. The meeting will be held online with the link provided the day of the meeting. For the Public Hearing, Residents can click in to participate or call in using the provided number during the times detailed below. Public Comments are only allowed during the Public Hearing as detailed in the agenda.*

II. ROLL CALL

III. PLEDGE OF ALLEGIANCE TO THE FLAG

IV. MINUTES FROM PREVIOUS MEETINGS 5 MINS

1. To Review and Approve the Minutes of the Town Council Meeting from April 6, 2021.

V. PUBLIC COMMENTS OF NON-AGENDA ITEMS (LIMIT 3 MINUTES PER PERSON) 10 MINS

Comments are intended for information sharing, not discussion. Comments in excess of 3 minutes are welcome at the end of the agenda prior to adjournment.

VI. PRESENTATION(S)

1. ATV Club Grant - Long Hill Rd/other - Seth Carter 15 MINS + Q&A 10 MINS

2. GCTV Policy 15 MINS + 10 MINS Q&A

VII. PUBLIC HEARING(S)

1. To Review and Act Upon a Second Reading and Adoption of Amendments to Chapter 402 (Zoning Ordinance) and Map by adding one parcel (Tax Map 36, lot 33-1) to the Commercial Solar Energy Systems Overlay District and amendments to Section 402.8.10. 15 MINS

Proposed motion:

Ordered, the Gray Town Council removes from the table the motion relating to the Dynamic Energy Solar Overlay Project mentioned in the April 6 Town Council Meeting.

Ordered, the Gray Town Council approves and adopts amendments to Chapter 402 (Zoning Ordinance) and Map by adding one parcel (Tax Map 36, lot 33-1) to the Commercial Solar Energy Systems Overlay District and amendments to Section 402.8.10.

VIII. REPORT FROM THE COUNCIL CHAIR 5 MINS

IX. REPORT FROM THE TOWN MANAGER 5 MINS

X. COMMITTEE REPORTS 5 MINS

XI. COUNCIL CORRESPONDENCE/ACTIVITIES 5 MINS

XII. ACTION ITEMS

1. Municipal Budget Warrant Articles 10 MINS

2. Shaker Road Easement(s) 5 MINS

Proposed motion:

Ordered, the Gray Town Council approves the easement(s) as presented by the Town Manager pursuant to the Shaker Road Project.

3. Donation of Picnic Tables for Pocket Park 5 MINS

Proposed motion:

Ordered, the Gray Town Council approves the acceptance of David “Deke” Gillies’s donation of two picnic tables to be used at 5 Yarmouth Road Pocket Park. Mr. Gillies is owner of Aroma Joe's in Gray and a resident of Raymond.

4. Revised Position Descriptions 5 MINS

Proposed motion:

Ordered, the Gray Town Council approves changes to the position descriptions of Assistant Fire Chief and Wilkies Beach Attendant.

XIII. COUNCIL BUSINESS

1. Discussion Items:

- Town Manager Goals - Nate
- Budget Flyer - update/timeline - Dan
- GCTV Policy - Anne

XIV. ADJOURNMENT 9:15pm

** The Town of Gray is an equal opportunity employer and complies with all applicable equal access to public accommodations law. If you are planning to attend a Town Council or Town committee or board meeting and need assistance with a physical disability, please contact the Town Manager's office at least 48 hours in advance of the meeting to have the Town assist you. 657-3339. TTY 657-3931.*

TOWN OF GRAY
GRAY TOWN COUNCIL
MINUTES • APRIL 6, 2021

Regular Meeting

Henry Pennell Municipal Complex

7:00PM

24 Main Street, Gray, ME 04039

I. Opening Statement: Due to the Governor's latest Executive Order, the Town Council meeting did not take place in person. The meeting was held online with the link provided the day of the meeting.

II. ROLL CALL

Attendee Name	Title	Status
Sandra Carder	Chair	Present
Bruce Foshay	Councilor	Present
Dan Maguire	Councilor	Present
Sharon Young	Councilor	Present
Anne Gass	Vice Chair	Present
Nate Rudy	Town Manager	Present
Doug Webster	Community Development	Present
Kathy Tombarelli	Town Planner	Present

III. PLEDGE OF ALLEGIANCE TO THE FLAG

IV. MINUTES FROM PREVIOUS MEETINGS

1. To Review and Act Upon Approving the Town Council Minutes of March 16, 2021

Ordered, the Gray Town Council Approves the Town Council Minutes of March 16, 2021.

RESULT:	ADOPTED AS AMENDED [UNANIMOUS]
MOVER:	Bruce Foshay, Councilor
SECONDER:	Anne Gass, Vice Chair
AYES:	Carder, Foshay, Gass, Maguire, Young

Councilor Gass requested (pkt pg 11) share rows be changed to sharrows.
 Councilor Young requested (pkt pg 4) Patricia O be changed to Patricia Oh.

V. PUBLIC COMMENTS OF NON-AGENDA ITEMS (LIMIT 3 MINUTES PER PERSON).

No public comments.

VI. PRESENTATION(S)

1. Eagle Scout Presentation

Seth Carder of Troop 135 explained his Eagle project to the council. He plans to build three flower planter benches. Two will be placed at Wilkie's Beach and the third and largest will be placed near town hall, most likely on the recreational path behind McDonald's.

Seth explained his goal is to use all cedar. If that is not feasible, he will use pressure treated wood for parts that will not be for seating. He plans to begin seeking donations soon and plans to have this project completed in less than a year.

Dean Bennett, Rec. Director, explained that at Wilkie's Beach, one will most likely be in the shady area by the shack and the other will most likely be placed along the proposed wooden guardrail. Doug Webster suggested they be seasonally affixed. Dean Bennett will look into having them attached to the shed and the guardrail.

Councilors were very appreciative of his project. Councilor Carder hopes there will be some type of signage to recognize Seth for his Eagle project, or if not feasible, to at least recognize the troop, volunteers, and donations.

2. Budget presentation

Town Manager Nate Rudy shared a PowerPoint presentation of the FY22 budget. This currently reflects a net reduction of \$73,780.00. It does not include county or school budget information; that is not yet available.

He explained there will be two separate warrants to vote on. One will be for land acquisition (Hamilton field on Main Street); approval of this bond will not affect the mil rate for FY22. The second will be for the Senior Tax Rebate Program which, if approved, will impact the mil rate and will need a LD1 override.

VII. PUBLIC HEARINGS

1. Public Hearing on Proposed Budget

Chair Carder opened the public hearing at 7:38pm. One member of the public asked (via chat) where residents can find out which 14 roads will be resurfaced as part of the CIP. Chair Carder directed the resident to information on packet page 31, along with the budget tab on the town website.

Chair Carder explained the budget timeline. Public hearing at this meeting, budget workshop on Monday, April 14th for feedback and/or changes. On April 20th, the Town Council will vote on the warrant articles/final budget which will go to voters in June. Absentee ballots need to be available 30 days prior to the vote.

There were no additional public comments, and the public hearing was closed at 7:39pm. Chair Carder said residents can reach out to Town Manager Rudy or councilors if they have thoughts/feedback on the budget. She said the mil rate impact cannot be calculated until the town has access to the county and school figures.

2. (Second Reading) to Review and Act Upon the Dynamic Energy Solar Overlay Project

Chair Carder opened the public hearing at 7:42pm. Doug Webster explained due to the fact this has not been to the statutorily required public hearing before the Planning Board, which will happen on April 8th, this second reading before the Town Council is rescheduled to the April 20th meeting.

There were no public comments. Chair Carder closed the public hearing at 7:43pm. The council then tabled this item.

Motion: The Gray Town Council Tables the Second Reading to Review and Act Upon the Dynamic Energy Solar Array Project until April 20th, 2021.

RESULT:	TABLED [UNANIMOUS]
MOVER:	Anne Gass, Vice Chair
SECONDER:	Dan Maguire, Councilor
AYES:	Carder, Foshay, Gass, Maguire, Young

Councilors Gass, Foshay, and Maguire provided their suggested edits to Doug Webster. Councilor Maguire requested they receive the completed documents with edits appearing as strikeouts and underlines.

VIII. REPORT FROM THE COUNCIL CHAIR

Chair Carder discussed these topics:

Covid: Chair Carder stated that Governor Mills extended the State of Emergency through April 15th which allows the town to continue online meetings through May 15th. Pending an extension, she recommended the 2nd meeting in May also be virtual due to the status of the Pennell Complex and vaccination effort. LD 32, which would make this option permanent, was referred to the Judiciary Committee but has not been voted on. She asked if there were any council objections and there were none. Doug Webster also pointed out that the council chambers are not yet repaired.

LD 876 – An Act to Promote Efficiency in County & Municipal Government – Senator Breen submitted this bill on the town's behalf and a public hearing is scheduled for April 7th. This is the bill that will eliminate the mandate requiring notices for public hearings be placed in the local paper of record which, for Gray, is the Lakes Region Weekly. The current requirement has created substantial delays due to the once per week publication schedule, especially when working with ordinance changes. The Town of Gray advertises via the town website, email blasts, social media platforms, and/or with direct mail to impacted residents. Chair Carder will submit testimony in support of the bill at the hearing. She asked councilors if she should speak as an individual or also on behalf of the council. All councilors supported her speaking on behalf of the council. Town Manager Rudy also plans to attend the public hearing.

Dry Mills Schoolhouse License (lease): An issue has arisen with the renewal of the DMS license with the state which involves the relocation of the post office building to that site. The state has a record of the structure as it appears on their maps, including the one submitted for the last license renewal in 2016. However, there is no documentation in their file related to the actual relocation. Chair Carder and Town Manager Rudy are working with the Gray Historical Society and Pam Wilkinson to locate the paperwork. The IF&W may need to obtain approval from the Commissioner's office before they can adjust the language in the license which means it will likely not come before the council until May. The license expires at the end of May.

Planning Board/Council Training: Since Town Manager Rudy recommended participation in the BUILD Maine conference in June, Tony at GPCOG has been asked to look at the seminars being offered this year and to rework the plan for the May training session to coordinate content in order to ensure the best results for both efforts. He will submit an updated proposal.

MDOT letters: Chair Carder received an official MDOT response regarding the removal of the Route 26 designation from Shaker Road in the village and the weight limit issue. As expected, they continue to push back on both, but again reiterated the town can proceed if the town pays for the signs and does proper notifications. MDOT also suggested “truck route” signage be installed. This will be discussed with the Legislative Team and also during planning discussions for the village. The formal contract for the Shaker Road stormwater/sidewalk MPI has been sent to Town Manager Rudy.

IX. REPORT FROM THE TOWN MANAGER

Town Manager Rudy provided information to councilors in the agenda packet for their review prior to the meeting. He asked if councilors found that to be helpful and if so, he will continue to provide the information monthly or possibly for both meetings. Councilors expressed that appreciated the information to review prior to the meeting.

He stated that a childcare on Shaker Road closed suddenly. Nellie Levier from the Rec Dept. is looking into options to provide seats in the town program for some of these children.

He hopes to transition from Microsoft Teams to Zoom by May. He will provide a quick primer for the council and committee chairs on the use of Zoom.

He thanked the Sebago Lakes Chamber of Commerce for their donation to the food pantry.

X. COMMITTEE REPORTS

Councilor Maguire missed the OAC meeting. He said a copy of Doug Webster’s March 25th memo regarding the ordinance process and Comprehensive Plan Committee is in the council packet.

Councilor Maguire said the Planning Board will meet on April 8th.

Councilor Young said the Finance Committee is working on comparing the CIP philosophy and methodology of other communities. They are compiling data from about a dozen towns. They plan to present findings at the May 18th council meeting.

Councilor Young said the Blueberry Festival Committee met on March 23rd. Applications for three new members are on tonight’s agenda. They are planning an August Festival.

Councilor Carder said ZBA will meet on April 28th.

Councilor Gass said the Recreation Committee did not meet. They are in search of a new Director.

Councilor Gass said the Library Trustees met. There was record low usage of the library in January and February but has since picked up. The Trustees approved elimination of the fine structure as it sets up punitive relationships. The amount received has decreased over the years and is a nuisance to manage. They hope to have more events including “Welcome to Gray” events and possibly even packets to distribute to new residents. Fiddleheads just donated \$3,700.00 in materials to the library. Councilor Maguire noted disappointment that the Library Trustees weren’t interested in collecting \$3,000.00 in fines and he asked how they will cover that shortfall. Councilor Gass will look into this concern.

Councilor Gass said the Community Television and Communications Committee met and worked through another draft of the GCTV policy. They are close to bringing this before the council.

Councilor Gass said the Open Space Committee will meet on April 7th.

Councilor Foshay reported that CEDC met on March 17th and birdhouses that are being decorated will be ready for pickup shortly. He mentioned that the CEDC is already working on “Welcome to Gray” packets. Councilor Carder also noted that a “Welcome to Gray” annual event was on the radar of the council but had to wait due to the pandemic.

Councilor Foshay wasn’t able to attend the Finance Committee meeting.

Councilor Carder said the Recycling Committee meeting on March 18th was cancelled due to scheduling issues. The new community bulletin board, a collaboration of the Recycling Committee and the CEDC, will be up at the Transfer Station this week. Next meeting will be on April 15th at 5pm

Councilor Carder provided an update about the Dry Mills Schoolhouse earlier in this meeting. The committee will meet on April 19th at 6:30pm.

Councilor Carder reported on GPCOG and had shared two memos with the Town Manager and the council. The House of Representative is accepting requests for earmarked funds for infrastructure. Rep. Chellie Pingree will be allotted ten projects (which is the same for every Representative). The deadline to submit projects for consideration is Monday, April 19th. Councilor Gass had asked if the Libby Hill/Shaker Rd project, which was sent in as a shovel ready project to GPCOG, could be submitted. If it is approved for one funding over the other, it would simply be removed from the other. The ten slots are for all of District 1 towns, but it is worth submitting. Also, GPCOG is looking for anyone willing to participate in a video they are creating to share “Community Heroes” over the last year which will be shown at their annual event. Tom Bell is handling this effort if anyone has suggestions, they can share the information with interested parties and reach out to Tom.

XI. COUNCIL CORRESPONDENCE/ACTIVITIES

Councilor Maguire was contacted by Dan Larracey of 14 Woodcock and put him in contact with the engineering firm of the developer. Kathy Taylor of “short” Mayall Road reached out and provided her thanks for keeping the ball rolling on the weight limit ordinance. A couple of emails from Jason Wilson were also received.

Councilor Young also received an email from Kathy Taylor and the emails from Jason Wilson.

Councilor Gass had contact via zoom with Don Parent regarding the carbon fee and dividend plan. Mr. Parent is seeking support for the bill and she found his argument convincing. He may come to the council in May to seek the town’s endorsement.

Councilor Gass was contacted by a couple of new residents. One has watched council meetings online, is impressed, and she encouraged him to apply for a town committee. The other new resident is looking for local volunteer options so may fill out an application.

Councilor Gass was contacted regarding a safety issue by Ed Libby and Nate Stone. They are concerned with a junk pile next to Douglas Field, as well as the poor quality of Main Street. Councilor Gass said the owner of the junk has been evicted and the junk will be moved. Doug Webster said the Code Enforcement Officer is aware of the debris.

Councilor Young reminded everyone that the Sheriff’s Office is organizing another senior meal delivery on April 14th. There are a couple of slots still available so the public can reach out to her to inquire.

Councilor Foshay received the same emails as others. He also has seen an increase in emails which seem to have concerns/requests but might not be from residents. Councilor Carder provided a good reminder to not click on something that might not be legitimate.

Councilor Carder received a call from Kathy Taylor and shared the latest update on the status of the weight limit for short Mayall Rd.

Councilor Carder spoke to Nate Stone, President of the Little League, in regard to the upcoming vote on the Hamilton property. He had heard about the possible purchase and called her. He advised that he continues to support this purchase and understands that any fields set up may or may not be long-term depending on what the residents agree to. He also shared the information related to a fundraising effort underway for the Little League to realize the proposed changes to the 231 fields in New Gloucester which is in partnership with the Royal River Conservation Group. She believes there will be a presentation made to the New Gloucester Selectboard at their next meeting.

Councilor Carder received an email from Cheryl Welch, President of the Crystal Lake Association, inquiring about the boat ramp replacement. Mrs. Welch said she was in agreement that the ramp should remain at 10 feet. She was very pleased to hear about the grant/budget inclusion given the tenuous condition of the ramp.

Councilor Carder received a follow up email from Ruth & David Pease, residents of Brown Street, and provided an update on the status of the Yarmouth Rd/Route 115 project which includes a possible reconfiguration of Brown Street. She let them know that future public hearings are planned, and Brown Street residents will receive notifications.

Councilor Carder said all councilors received an email from Jason Wilson with budget questions. Town Manager Rudy has responded.

XII. ACTION ITEMS

1. To Review and Approve entering into an Agreement to Issue a Construction Overlimit Permit to the Contractor for Maine Department of Transportation Project No. 2487700, Cyclical Pavement Resurfacing on Route 115, with said approval subject to the requirement of the posting of a bond by the MDOT contractor in an amount to be determined by the Town Manager in consultation with MDOT, and to authorize the Town Manager to take all necessary actions to issue the Overlimit Permit.

Motion: Ordered, the Gray Town Council approves entering into an Agreement to Issue a Construction Overlimit Permit to the Contractor for Maine Department of Transportation Project No. 2487700, Cyclical Pavement Resurfacing on Route 115, with said approval subject to the requirement of the posting of a bond by the MDOT contractor in an amount to be determined by the Town Manager in consultation with MDOT, and to authorize the Town Manager to take all necessary actions to issue the Overlimit Permit.

RESULT:

ADOPTED [UNANIMOUS]

MOVER:

Dan Maguire, Councilor

SECONDER:

Bruce Foshay, Councilor

AYES:

Carder, Foshay, Gass, Maguire, Young

Town Manager Rudy said he discussed with Alec Dodd that North Yarmouth signed off on a similar permit. Mr. Rudy presumes it will be well maintained by both parties.

2. To Review and Approve the appointment of the following applicants to the Blueberry Festival Committee: Gail Cote and Victoria Lee for terms expiring August 31, 2022; and Mikell Perry for a term expiring August 31, 2023.

Motion: Ordered, the Gray Town Council approves the appointment of the following applicants to the Blueberry Festival Committee: Gail Cote and Victoria Lee for terms expiring August 31, 2022; and Mikell Perry for a term expiring August 31, 2023.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Sharon Young, Councilor
SECONDER:	Anne Gass, Vice Chair
AYES:	Carder, Foshay, Gass, Maguire, Young

The councilors gave a resounding thank you for these applications. Councilor Foshay was also pleased the applications were completed fully. Councilor Carder would like to see applicants attend council meetings in the future, if possible, so the councilors can meet them. Councilor Young said all three of these applicants attended the last Blueberry Festival Committee meeting and met the rest of the committee members.

3. To Review and Approve changes to the position descriptions of Recreation Director and Parks & Facilities Supervisor.

Motion: Ordered, the Gray Town Council approves changes to the position descriptions of Recreation Director and Parks & Facilities Supervisor.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Bruce Foshay, Councilor
SECONDER:	Anne Gass, Vice Chair
AYES:	Carder, Foshay, Gass, Maguire, Young

Councilor Maguire was surprised this isn't a salaried position. Town Manager Rudy clarified it isn't a supervisory position unless Mo Russo is on vacation and said this role will be similar to a foreman who makes sure work assignments get completed. Mr. Rudy thanked Nellie Levier and Jon Hartt for their work on the job description.

4. To Review and Approve the acceptance of Maschino & Sons Lumber's donation of materials for the pavilion at 5 Yarmouth Road Pocket Park.

Ordered, the Gray Town Council approves the acceptance of Maschino & Sons Lumber's donation of materials for the pavilion at 5 Yarmouth Road Pocket Park.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Bruce Foshay, Councilor
SECONDER:	Anne Gass, Vice Chair
AYES:	Carder, Foshay, Gass, Maguire, Young

Councilors were very pleased and said thank you for this donation. Councilor Carder also thanked them for being a local employer and constant participant in committee events.

XIII. COUNCIL BUSINESS

- Route 115 Revised Proposal Budget Numbers

Councilor Carder said revisions were in red text and the updated figure of \$175,910.00 is the updated figure Katy Jewell put in the budget document. Council will have time to discuss with Katy at the budget meeting scheduled for Monday, April 12th.

Councilor Maguire requested that revisions be noted in documents with strikeouts and underlines. Chair Carder read over the revisions in the document and clarified for the record that they are adding two sidewalks which could be backed out depending on funding and other work. She also noted other revisions, a few of which included the additional auger probes which Doug Webster requested, and on page 6 & 7, meeting requested with DOT; page 7, meeting requested with the Gray Water District; page 8, added "proposed curbs and sidewalks".

- Town Manager Goals

Chair Carder had compiled feedback she received from councilors, and Nate Rudy, on the goals for the Town Manager. Councilors reviewed the material she provided and discussed these suggested goals in great detail. Chair Carder will incorporate the feedback from tonight's discussion and share a revised version with the council.

Goal 1: To make the Town of Gray the most desirable community for new real estate and business investment in the State of Maine.

Goal 2: To ensure that Town resources, specifically budget and staff time, are used to advance Town Council goals and the vision conveyed in the Comprehensive Plan.

Goal 3: To foster a supportive, enriching work environment for Town staff that includes respect for the roles we play in the community, a culture of continuous learning, and a healthy work / life balance.

They also discussed two additional goals submitted by Councilor Young:

Senior Property Tax Relief to relieve the burden of tax increase on this population to support the increased cost of new infrastructure and services for the Town as a whole.

Senior Program to support and encourage aging in place so that we do not lose the value our oldest residents bring to the Town.

- Tracking Spreadsheet and Workshop Schedule

Chair Carder discussed April 20th. There will be an executive session at 5:30pm, followed by a workshop, and then the Town Council meeting. Possible topics of the workshop could be the moratorium, a primer on Zoom, or Hamilton properties.

Chair Carder will log the conversion issue as a separate item. She will reach out to Doug Beck about the alleviation of conversion issue which can take 18 to 36 months for approval. She also said the council will need to decide when to set up meetings with DOT and/or the legislative team.

XIV. ADJOURNMENT

Motion to Adjourn at 9:21pm

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Sharon Young, Councilor
SECONDER:	Dan Maguire, Councilor
AYES:	Carder, Foshay, Gass, Maguire, Young

Gray Community Media Policies

1.0 Definitions

1.1 **PEG Access** The terms “Public, Educational, and Government” (PEG) Access. Refers to three distinct groups of content producers within a community. These terms were used to establish both federal, and state, regulations regarding the use of local cable television channels (or other forms of local media distribution, such as web video).

1.2 **Public Access** For use by the general public. The Town of Gray designates a block of programming specifically for use by the residents of the Town of Gray. Residents using this block agree to the policies for Public Access programming.

1.3 **Education Access** Used by local educational institutions. The Town of Gray designates a block of programming specifically for use by the Gray education community. This programming block is only available to local educational institutions who will be solely responsible for the programming.

1.4 **Government Access** Used for programming by the Town of Gray and it's staff. Gray Community Television designates a block of programming specifically for use of the local government. This programming block is designated for public meetings, or programming originating from within the town's official departmental jurisdiction.

1.5 **GCTV** The Town of Gray's PEG Channel set aside on the local cable television system as part of the local cable television franchise agreement. GCTV also programs a companion web site with a live feed of the cable channel.

1.6 **Non-Commercial Content** Content that does not contain advertising to promote the sale of commercial products or services. Any solicitation of funds or advertising of material designed to promote the sale of commercial products or services, or any performance or promotion of a lottery of any kind.

1.7 **FCC Definition of Obscenity** For content to be ruled obscene, it must meet a three-pronged test established by the Supreme Court: It must appeal to an average person's prurient interest; depict or describe sexual conduct in a "patently offensive" way; and, taken as a whole, lack serious literary, artistic, political or scientific value.

1.8 **FCC Definition of Indecent Content** Portrays sexual or excretory organs or activities in a way that is patently offensive but does not meet the three-prong test for obscenity.

Gray Community Media Policies

2.0 COMMUNITY TELEVISION AND COMMUNICATIONS ADVISORY COMMITTEE

2.1 The Community Television and Communication Advisory Committee was created March 24, 2020 by the Gray Town Council.

2.2 Membership

The Committee shall consist of seven (7) members, four (4) of whom shall be residents of the Town of Gray. Other members may include representatives of MSAD15, a private school from either Gray or New Gloucester, the Gray/New Gloucester Development Corporation or a non-profit organization from Gray.

2.3 Duties

1. The Community Television Advisory Committee shall meet no less than once each quarter of the year; and may schedule additional meetings as needed.
2. It shall be responsible for keeping the Gray Town Council informed of Public, Educational and Government related matters as they relate to:
 - a) Recommending improvements in Public, Educations and Government programming to the Town Manager and Station Manager.
 - b) Making recommendations regarding relevant emerging technologies and other broadcast options to the Town Manager and Station Manager.
 - c) Promoting and developing optimal utilization of the PEG system;
 - d) Promoting community outreach and providing a forum for citizen recommendations and concerns regarding the use of equipment, facilities, programming and other related issues.
 - e) Promoting support for quality community television in Gray.
3. Explore and cultivate available programming sources.
4. Examine emerging technologies and other telecast or online streaming options for public, educational and governmental content.

Gray Community Media Policies

3.0 Guidelines for use of Public Access Programming Block

- 3.1 Programs must be sponsored by a Gray Resident, or a representative of a Gray organization, or business. All programs must be submitted with a signed “Public Access Application Form”.
- 3.1 Programs aired on the Gray Public Access Channel Block shall be non-commercial.
- 3.2 Programming shall not contain obscene, seditious, or unlawful materials as defined under municipal, state, or federal law.
- 3.3 Any use of Gray Public Access Programming Block shall be by application to the Gray Community Media Manager, or a designee appointment by the manager. All programming will be scheduled on a first come, first served basis.
- 3.4 All programming must contain an identifying graphic on the screen for at least five seconds before, and after each unique program. The graphic should read as follows: “The following/preceding program is/was sponsored by Gray Resident [Producer’s Name} who accepts full responsibility for the content. Application form on record.”
- 3.5 Programming produced outside of the Gray community must be sponsored by a Gray resident.
- 3.6 Live programming will be given scheduling priority over programs that have already played on the channel.
- 3.7 Series programming can be scheduled once the producer has accumulated at least two episodes (submitted). Series scheduling blocks will be held for a total of ten episodes. Producers may request additional ten episode blocks. Priority will be given to original, or live, content produced locally.

Gray Community Media Policies

4.0 Guidelines for Underwriting

4.1 Gray Community Media encourages local producers to solicit underwriting support in order to help stimulate the highest quality programs possible. Gray Community Television will permit program funding providers, or underwriters, to receive acknowledgment of their support of non-commercial cable programming on local access channel(s).

4.2 An access producer may give credit to an individual, company, or organization that underwrites any of the program's production costs.

The *credit* for any one underwriter may not exceed 15 seconds in an underwriting *credits sequence*. The *credits sequence* for all underwriters of a program may not exceed 60 seconds. An underwriting credits sequence may appear during the opening and closing credits of any program.

The following on-air production elements of underwriting support credit **are acceptable**:

- Name, address, and phone number, web site, and/or e-mail address of company or organization or generic reference to area served
- Name mention of one product, brand name or service (see #1 below)
- One company logo and/or company slogan
- Business exteriors that represent the underwriter's product/services (e.g., bank or hospital).

Gray Community Media Policies

5.0 Political Use of Public Access Block on GCTV

5.1 The following guidelines specifically apply to political campaign messages on the Gray P.E.G. Channel. Political campaign messages for cablecast will be accepted only from bona fide candidates for elected public office or their campaign organizations, where the candidate's name will appear on a ballot in Gray for national, State, County or local office, and from legitimate non-profit entities with a stated opinion regarding an election, an initiative or a referendum which will appear on a ballot within the Town of Gray.

5.2 The sponsor's name and/or organization must appear within the political campaign message. Political campaign messages may not include direct solicitation of funds or contributions to a candidate, a political campaign or a political organization. Political campaign messages must be no more than five (5) minutes in length and must be submitted ready for broadcast. Technical specifications are available from the Cable TV Manager. Taped political campaign messages will be accepted for broadcast only within the same period before an election as the Political Campaign Sign ordinance (Gray Zoning Ordinance §604.8) in the Town of Gray, which is currently 60 days prior to an election. Political campaign messages will not be cablecast outside the time period indicated herewith and will not be accepted for cablecast on the P.E.G. Channel 'Bulletin Board'. In addition to the guidelines in this paragraph, all other guidelines in this document apply to all political campaign messages.

6.0 Dispute Resolution

Any dispute of the application of these policies will first be reviewed by the Town Manager. If the complainant is not satisfied with the decision of the Town Manager, the challenged material will be referred to a "Dispute Resolution Committee" which will review the dispute, consult with the Station Manager, and then come to a decision regarding the challenged material. The committee will notify the complainant of its decision. The committee will be made up of two (2) members from the CTCAC, and one member of the Town Council.

GRAY PUBLIC ACCESS APPLICATION FORM

RESPONSIBILITY FOR PROGRAM CONTENT

Program producers and public access users are solely responsible for the content of their programs. Gray Community Television exercises no control over program content. At the time of submission, an eligible access user must agree to indemnify and hold harmless the Town of Gray, Spectrum, and Gray Community Television, as well as their respective employees from any and all liability, injury, loss or claim, including attorney fees, arising out of or in connection with the cablecast, or other use of, a program on Gray Community Television.

The public access user agrees to make all appropriate arrangements with and to obtain all clearances from broadcast stations, sponsors, music licensing organizations, performers and, without limitations from the foregoing, any and all other persons (natural or otherwise) as may be necessary to transmit its program material over Gray Community Television and the Gray Gray Community Television website.

CONTENT RESTRICTIONS

Presentation of the following material on Gray Community Media is prohibited:

1. Commercial advertising.
2. Any form of lottery or any information concerning a lottery.
3. Material which constitutes libel, slander, sedition, obscenity, an invasion of privacy or publicity rights, infringement of copyright or trademark rights, or a violation of any local, state and/or federal law, rule or regulation.
4. Revenue generating material or content other than underwriting.
5. Political campaign messages may not include direct solicitation of funds or contributions to a candidate, a political campaign or a political organization.

PLEASE CHECK IF APPLICABLE

The content of this production may be considered "Obscene Material" and/or may contain "Indecent Material", as defined by FCC Rules. (See Gray Community Media Policies form Section 1.7 and 1.8).

Date: _____

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Producers Name (Print): _____

Producers Name (Signature): _____

Producers Address (City, State, Zip): _____

Producers Phone # & E-mail: _____

April 7, 2021

TO: Gray Planning Board
FROM: Doug Webster, Community Development
RE: Proposed Zoning Changes for proposed Solar Array
100 +/- acre parcel located at end of Hillcrest Drive

Introduction

In accordance with direction provided by the Town Council at their meetings on 2-2-21, 3-16-21, 4-6-21, and input from OAC, I have prepared this memo detailing the proposed changes to the Town's Zoning Ordinance (Chapter 402).

I have divided the proposed changes into two categories: (1) Changes to Chapter 402 that *are not* in 402.8.10, and, (2) Changes to Section 402.8.10 (Commercial Solar Energy System Overlay District).

Under each category, I have numbered the proposed changes to enable referencing for discussion purposes.

Proposed Changes to Zoning Ordinance (Chapter 402) not in 402.8.10:

1. Changes to definitions (402.2.2) related to Ground-Mounted Solar Energy Systems:
 - a. Add new Def of "**Commercial Solar Energy Production Site**" (CSEPS): A component of a Commercial Solar Energy System that includes the maximum cumulative area of the solar array footprint, typically fenced for security purposes, which commonly includes any of the following: ground-mounted solar arrays, transformers, inverters, and buildings housing equipment functionally necessary for the solar energy system.
 - b. Add new Def of Small CSEPS's: **CSEPS's less than .5 of an Acre**
 - c. Change current Def of Medium from 2,000-16,999 SF to **CSEPS's .5-20 Acres**
 - d. Current Def of Large from 17K SF+ to **CSEPS's 20-40 acres**
2. Additional parcel added to existing Commercial Solar Energy Systems Overlay District:
 - a. Amend the Town's existing Zoning Map (402.3.1) to show the entirety of the 100-acre parcel at end of Hillcrest Drive (Tax Map 36, lot 33-1) in the Commercial Solar Energy System Overlay District (CSESOD).
3. Amend Footnote "D" in Table 402.5.4.A addressing impervious cover measurement:

Add to end of existing language "provided that the maximum size of any individual solar array panel is thirty (30) square feet when measured horizontally".

4. Amend Footnote "F" in Table 402.5.4.B by adding the following language to the end of the existing footnote: "provided that the maximum size of any individual solar array panel is thirty (30) square feet when measured horizontally".
5. Amend both Footnotes "G" in Table 402.5.4.B by adding the following underlined language: Lot coverage in RRA can be increased to 30% for any portion of a parcel lots in the Commercial Solar Energy Overlay District and only for Commercial medium and large-scale ground-mounted solar energy system installations provided that the maximum size of any individual solar array panel is thirty (30) square feet when measured horizontally. Planning Board approval subject to the requirements of Section 402.8.4.L for recharge protection is required.
6. Re-word Footnote "H" in Table 402.5.4.B addressing setbacks in RRA as follows (underlined portions proposed to be added): Setbacks for ground-mounted solar panels and arrays less than 15 feet in height on parcels within five-hundred (500) feet of a publicly owned road shall be a minimum of twenty-five (25) feet from any lot line. Setbacks for Commercial Solar Energy Production Sites on parcels at least five-hundred (500) feet from a publicly owned road shall be a minimum of fifty (50) feet or one-hundred (100) feet from any property line as established is Section 402.8.10 of this Ordinance.

Proposed Changes to standards to existing Section of CSESOD (402.8.10):

1. New "B": **Required Information & Submittals:** In addition to submittals required in Articles 9 and 10 of this Ordinance, the applicant shall submit the following information to the Planning Board as part of the application. The Planning Board shall have the authority to determine if one (1) or more of the following are not applicable.
 - a. A description of the owner of the system, the operator if different, and detail of qualifications and technical ability of the owner or operator to construct, maintain, and operate the facility.
 - b. If the operator is leasing the site, a copy of the lease agreement (minus financial compensation) and any and all related easements clearly outlining the relationship of the respective parties, inclusive of the rights and responsibilities of the operator, landowner, and any other responsible party with regard to the large-scale solar energy system and the term or duration of the agreement. Further, the operator shall identify any and all agreements or obligations of the landowner to the operator regarding any premises that are not specifically subject to the lease agreement, but which the operator has certain rights to use as part of the operation of the solar energy system.
 - c. A description of the anticipated quantity of energy to be produced and to whom it will be sold.

- d. A copy of the agreement and schematic details of the connection arrangement with the transmission system that clearly indicates who is responsible for various requirements and how such will be operated and maintained.
- e. A basic description of the number, size, and configuration of panels to be installed, including make, model, and associated major system components.
- f. A construction plan and timeline that identifies all known contractors, site control, when the project construction will commence and the anticipated date that the system will be on-line.
- g. An operations and maintenance plan for the projected operating life of the system.
- h. An emergency management plan that identifies all potential hazards and the response to such hazards. The applicant shall submit a copy of the emergency management plan to Gray Public Safety Department and include any of their comments.
- i. Evidence of financial capacity to construct, operate, and decommission the proposed facility including the abandonment guarantee as required in this Ordinance.
- j. Identification of methods that the operator shall use to manage on-site vegetation.
- k. Identification of how the applicant shall address required buffering as required in this Ordinance.
- l. Submission of a decommissioning plan that addresses applicable standards.
- m. Evidence that the owner or operator has applied for any and all non-municipal permits that may be required for the installation of the proposed system; for example, a stormwater management permit from the Maine Department of Environmental Protection (MeDEP).

NOTE: Re-lettering of current Ordinance standards is necessary from current 402.8.10.B to end of Section 402.8.10.

2. Existing 402.8.10.C.1, after "height", insert the following: "for parcels located adjacent to or entirely within five-hundred (500) feet of a publicly owned road(s)".

3. New 402.8.10.C.2: Minimum setbacks for any large scale Commercial Solar Energy Production Site with ground-mounted solar panels and arrays less than fifteen (15) feet in height on parcels located in an RRA District that are at least five-hundred (500) feet from a publicly owned road shall be determined by the following standards:

- a. The minimum setback for any Commercial Solar Energy Production Site shall be one-hundred (100) feet from any and all of the following based upon conditions existing when the application is filed and deemed sufficiently complete by Town Staff to be placed on a Planning Board agenda for review:
 - 1. Any parcel in a Village Center (VC) or Village Center Proper (VCP) Zoning District
 - 2. Any abutting parcel utilized primarily for residential purposes that is less than double the minimum lot area required for the respective Zoning District

3. Any abutting parcel that contains a structure utilized primarily for residential purposes located less than fifty (50) feet from the property line of the parcel proposed for the ground-mounted solar panels and/or arrays.
- b. Provided that none of the conditions specified in 402.8.10.C.2.a exist, the Planning Board shall have the authority to require the setback for the ground-mounted solar energy system project site to a minimum of fifty (50) feet after reviewing the following elements:
1. Any input received from abutting property owners after being duly-notified as part of the Town's review
 2. Location of any structure(s) on abutting parcels in relationship the project site
 3. Ability to meet and maintain Visual Impact standards specified in (new) Section 402.8.10.H (currently 402.8.10.F.7).
4. Add to the beginning of current 402.8.10.D.1: "Provided that the maximum size of any individual solar array panel is thirty (30) square feet when measured horizontally".
 5. Add to end of current 402.8.10.E.1: "provided that the maximum size of any individual solar array panel is thirty (30) square feet when measured horizontally".
 6. Retitle current 402.8.10.F: to "General Standards for Medium & Large-scale...."
 7. Add to 402.8.10.F new "General Standards for Medium & Large Scale Ground-Mounted Solar Energy Systems" an additional standard as follows: **Energy Storage:** Battery storage of electricity generated from the Commercial Solar Energy Production Site of any type is specifically prohibited including but not limited to lead-acid and lithium ion.
 8. Add to 402.8.10.F new "General Standards for Medium & Large Scale Ground-Mounted Solar Energy Systems" an additional standard as follows: **Copies of Permits Required:** If the owner, operator, or applicant has approvals from non-municipal entities such as MeDEP upon applying to the Planning Board (PB), these shall be submitted as part of the PB application. If such permit(s) are not approved upon PB submittal, the owner or operator shall provide full copies of all permits to the Code Enforcement Officer prior to the issuance of permits to construct any portion of the Solar Energy System.
 9. Create new 402.8.10.G: "Utility Connection Standards". Utilize existing language as G.1.
 10. New Section/language 402.8.10.G.2: **Utility Connections for Existing Residential Areas:** Any Commercial Solar Energy Production Site and/or connection to the main utility grid that is located adjacent to, or in the immediate proximity to, an existing residentially utilized area as determined by the Planning Board, shall be required to place all utility lines underground unless the utility company owning/operating the

main transmission lines requires the lines to be above ground on utility poles. The Planning Board shall have the authority to require the applicant to provide documentation from duly qualified parties regarding the utility companies requirements.

11. New Section/language 402.8.10.3: Utility Connections for areas not residentially utilized: The Planning Board shall have the authority to determine if the Commercial Solar Energy Production Site and connection to the main power grid is in, or in the immediate proximity of, an existing residentially utilized area. If the Planning Board makes the determination that it is not, the determination of underground or above ground utility lines shall be as established in this Section.

The Planning Board is encouraged to make a distinction between the necessary switching required by the utility company owning/operating the transmission lines and the utility lines originating from the Commercial Solar Energy Production Site to point of connection to the main power "grid". The Planning Board (or designee) shall notify neighboring property owners and request their input.

The applicant shall be responsible for providing information relevant to the criteria listed below. The Planning Board shall review and consider the following elements in making the determination of underground or above ground utilities:

- a. Any input from neighboring property owners after being duly notified as part of the Town's review
- b. Estimated visual implications to neighboring property owners based on renderings provided by the applicant and/or field conditions observed as part of a sitewalk by the Planning Board (if one is held)
- c. Location and number of existing utility poles (if any)
- d. Overall purpose, intent, and use of the Zoning District in which the utility connection is located i.e. is the District predominantly residential
- e. Number of residences that the utility lines will need to be adjacent to
- f. Number and location of any new and/or upgraded utility poles that are necessary
- g. Input from the utility company owning/operating the main transmission lines
- h. Documented existing physical site conditions that substantially complicate placing utilities underground such as bedrock

12. Re-number current 402.8.10.F.6 to (new) 402.8.10.F.5

13. Add new Section 402.8.10.H Visual Impact: Current language (402.8.10.F.7) is new 402.8.10.H.1.

14. New 402.8.10.H.2: For any Medium or Large Scale Commercial Solar Energy Production Site (CSEPS) in a Rural Residential & Agricultural Zoning District, the Planning Board shall have the authority to require sufficient vegetative buffering and/or screening, as determined by the Board, to minimize the adverse visual impacts of solar array from any existing residential property. The objective is to provide

adequate year-round buffering of the CSEPS, for the lifetime of the CSEPS on the property where the CSEPS is proposed, for any abutting parcel utilized primarily for residential purposes when the application is submitted to the Town and deemed complete.

15. New 402.8.10.H.3: The Applicant and Planning Board shall follow the steps below to minimize the adverse impacts of the project site from all abutting properties utilized primary for residential purposes:

- a. In addition to all required Planning Board submittals, the applicant shall submit a scaled legible plan, with supporting documentation as appropriate, showing the following:
 - i. The entire parcel proposed for the Commercial Solar Energy Production Site (CSEPS), property boundaries, and parcels within two-hundred and fifty (250) feet
 - ii. The proposed location of the CSEPS, proposed buildings, vehicular access(es), and any structure fifteen (15) feet or more in height including utility poles
 - iii. All parcels shown on the submitted plan shall be identified with the Tax Map/lot, owners last name, and lot size in acres.
 - iv. All existing structures located on the parcel proposed for the CSEPS and within one hundred (100) feet of the parcel proposed accurate to ten (10) feet
 - v. For all portions of the perimeter of the CSEPS proposed property that abut a residentially utilized property, the approximate location of existing trees at least fifteen (15) feet high and other significant woody vegetation on the CSEPS parcel that is proposed to remain when the project is completed to provide a vegetative buffer
 - vi. Locations and associated details (size, type, spacing, etc.) of native evergreen trees proposed to be planted on the CSEPS parcel to provide reasonable year-round vegetative buffering for residentially utilized properties within five (5) years of completing the construction of the CSEPS and continuing to adequately screen the facility for the lifetime of the CSEPS.
 - vii. Any replanting plan shall be completed by a duly qualified professional, such as registered Landscape Architect, and shall include descriptions and/or renderings of anticipated buffering at appropriate time intervals to enable the Planning Board and abutting property owners to understand the anticipated timeframe for the growth to be an effective buffer
- b. The Planning Board shall review the plan submitted by the applicant and any input from neighboring property owners to determine if the proposed vegetative screening is, or will be in five (5) years, sufficient for residential properties abutting the CSEPS parcel. The Planning Board may wish to consider a site walk to view field conditions.
- c. The Planning Board shall have the authority to require the applicant to provide photographs of existing conditions, renderings of vegetative screening, or

documentation from similar completed projects. If the Planning Board determines that the existing vegetative screening, together with any proposed replanting, is not sufficient, it shall have the authority to require the applicant to revise the plan as deemed appropriate by the Planning Board.

- d. The Planning Board shall have the ability to hire a qualified consultant, at applicants' expense, per 402.10.9 (Technical Review Fees). The Planning Board shall consider and have the authority to require a performance bond for any necessary replanting per 402.10.17 in accordance with professionally accepted practices such as 80% survival rate for a 5-year period.

16. Re-number current 402.8.10.F.8 to (new) 402.8.10.F.6 and continue this re-numbering to end of current "F" and/or adjust numbering/lettering as necessary.

17. Adjust current Section 402.8.10.F.2 (mis-labeled) addressing performance guarantee for abandonment as follows: F.2: Performance Guarantee for Abandonment Requirements:

- a. The owner and/or operator of the Commercial Solar Energy System shall be responsible for establishing and maintaining the performance guarantee for abandonment in accordance with standards established in this Ordinance throughout the lifetime of the system until all components of the Commercial Solar Energy System have been properly removed. Any proposed replacements, changes, or adjustments to the performance guarantee must be approved by the Code Enforcement Officer with input from the Town Planner as necessary. Owners/operators are reminded of Section 402.8.10.XX.XX (currently 402.8.10.F.15) above that requires Staff Review Committee approval for a change of ownership and/or operator(s).
- b. As an integral part of the submittal to the Planning Board, the owner/operator of the proposed Commercial Solar Energy System shall provide an estimate of all costs that the Town would incur to employ the services of duly qualified contractor(s) to remove all components of Commercial Solar Energy System and all associated abandoned structures from the respective parcel(s). The cost estimate must include sufficient detail for the Planning Board to ensure the accuracy of the submitted figures and address all necessary aspects of the abandonment. The Planning Board may request input from the Town Engineer and other duly qualified professionals at the applicant's expense for making this determination.
- c. The amount of the performance guarantee shall be at least one hundred and fifty (150) percent, as determined by the Planning Board, of the estimated cost for demolition and complete removal of the system. The form of the performance guarantee shall be approved by the Planning Board, with input from the Town's legal counsel as necessary at the applicant's expense, and duly established with

the Town prior to the Code Enforcement Officer issuing any permits for the Commercial Solar Energy System.

- d. If the Commercial Solar Energy System is required to establish and maintain a financial surety for abandonment by another governmental entity, such as the Maine Department of Environmental Protection, the applicant is encouraged to ensure that the posting of the financial performance guarantee for abandonment complies with Town standards to streamline the administrative process. The applicant shall submit information about any such performance guarantee as part of the Planning Board's review and the Planning Board shall determine if Town standards are met with input from duly qualified professionals as necessary at applicant's expense.
- e. If the Planning Board determines that the financial surety for abandonment required by another governmental entity meets Town standards, the performance guarantee for abandonment requirement shall be deemed acceptable provided that the Planning Board also determines that sufficient written documentation is submitted ensuring that the Town will be kept apprised of any changes to the surety for the lifetime of the Commercial Solar Energy System.
- f. If the Planning Board determines that the financial surety for abandonment required by another governmental entity does not meet Town standards, the applicant shall have two options. The first is to make the necessary adjustments to the financial surety for the Planning Board to determine that Town standards are met. The second option for the applicant is to request to be on the agenda for the next available meeting of the Gray Town Council.
- g. The Gray Town Council shall have the authority to determine if the financial surety is sufficient in the event that the applicant for the Commercial Solar Energy System chooses to approach the Council per above. Prior to being placed on a Council agenda, the applicant shall provide written documentation, with attachments as necessary, that specifically lists all deviations from Town requirements for the performance guarantee for abandonment. The applicant shall also provide information regarding the reasoning for not meeting Town requirements.
- h. In the event that the applicant decides to approach the Gray Town Council, and Planning Board has deemed the application complete and that all applicable standards are met except the Town Council resolution of the performance guarantee for the abandonment, the Planning Board shall have the authority to consider a conditional approval of the application. Any such approval shall include a specific condition that the Code Enforcement Officer shall not issue permits for the Commercial Solar Energy System until the Town Council has determined that the performance guarantee for abandonment is acceptable.

- i. Once the owner and/or operator has properly removed all components of Commercial Solar Energy System and associated abandoned structures, the owner and/or operator shall notify the Town Planner in writing and request an inspection by the Code Enforcement Officer (CEO). The CEO shall have the authority to employ the services of the Town's Engineer or other qualified professionals, at the owner/operators expense, to verify that the abandonment complies with all applicable standards. If the CEO, in consultation with the Town Planner, determines that such removal is satisfactory, the CEO shall notify the Town Planner or designee in writing to release the abandonment performance guarantee.

**AMENDMENTS TO TOWN OF GRAY CODE, CHAPTER 402, ZONING,
REGARDING COMMERCIAL SOLAR ENERGY SYSTEMS
(Additions are underlined, changes are strikethrough)**

**CHAPTER 402 – ZONING
ORDINANCE**

Add to Index:

402.8.10 Commercial Solar Energy Systems Overlay District

**ARTICLE II
Definitions**

Add to 402.2.2 Definitions:

Commercial Solar Energy Production Site: (CSEPS): A component of a Commercial Solar Energy System that includes the maximum cumulative area of the solar array footprint, typically fenced for security purposes, which commonly includes any of the following: ground-mounted solar arrays, transformers, inverters, and buildings housing equipment functionally necessary for the solar energy system.

Commercial Solar Energy System: A solar energy system whose primary purpose is to harvest energy by transforming solar energy into another form of energy or transferring heat from a collector to another medium using mechanical or electrical means to be primarily distributed off-site.

Solar Array: A group of solar panels.

Solar Energy System, Ground-Mounted: A solar energy system that is structurally mounted to the ground and is not roof-mounted and is not attached to a building.

Commercial Solar Energy System Production Site, Medium-Scale: A solar energy system that occupies between ~~2,000 and 16,999 square feet~~ .5 of an acre and twenty (20) acres of surface area; surface area shall be measured by the total ~~surface~~ area of the Commercial Solar Energy Production Site solar collector at maximum tilt that occupies a given space.

Commercial Solar Energy System Production Site, Large-Scale: A solar energy system that occupies ~~17,000~~ between twenty (20) and forty (40) acres square feet or more of surface area; surface area shall be measured by the total ~~surface~~ area of the Commercial Solar Energy Production Site solar collector at maximum tilt that occupies a given space.

Commercial Solar Energy Production Site, Small scale: A solar energy system that occupies less than .5 of an acre of surface area; surface area shall be measured by the total area of the Commercial Solar Energy Production Site.

Solar Panel: A contiguous group of photovoltaic cells that convert sunlight to electricity arranged in a plane and linked in such a way to operate as a single unit measuring less

than ~~twenty-fivethirty~~ (3025) square feet in area. Reflecting mirrors used for directing and focusing sunlight are specifically excluded from this definition.

Tilt: The angle of the solar panels and/or solar collector relative to horizontal of a solar energy system.

ARTICLE 3 Official Zoning Map

Add the parcel designated as Tax Map 36, lot 33-1 to 402.3.1 Commercial Solar Energy Overlay District to Town Zoning Map (NOTE: This is the 100 +/- acre parcel located at the end of Hillcrest Drive)

ARTICLE 4 Zoning Districts

Add to 402.4.1 Zoning Districts Established Districts & Overlay Districts created by the Zoning Ordinance:

15. Commercial Solar Energy Systems Overlay District (CSESOD)

Add to 402.4.2 Zoning District Purposes

K. The purpose of the Commercial Solar Energy System Overlay District is to ensure that the Town of Gray provides the opportunity for businesses to generate electricity from solar energy. The objective is to encourage harnessing solar energy as a renewable, non-polluting, and sustainable resource to minimize fossil fuel emissions. The performance standards associated with this use are designed to balance the practical requirements of solar powered energy and minimize the adverse impacts on the quiet enjoyment of property.

Current K becomes new L

~~K~~.L. Purposes of the Resource Protection, Limited Residential and Stream Protection Districts. See the Shoreland Ordinance

ARTICLE 5 Zoning District Regulations

Add to 402.5.3 District Regulations -Table 402.5.3 Table of Permitted Uses and Conditional Permitted Uses:

1. Add Commercial Solar Energy Systems Overlay District Uses to Table (alphabetically #36)

2. Add CSESOD column to Use Table and Conditionally Allow (C) use in the new overlay district

TABLE 402.5.3 TABLE OF PERMITTED USES AND CONDITIONAL PERMITTED USES															
		RRA	LD *	MD	BD-1	BD-2	C	VC *	VCP *	BT-1 *	BT-2 *	WH-1 *	WH-2 *	LMOD	CSESOD
36.	Medium-Scale and Large-Scale Solar Energy Systems														C

Add to Table 402.5.4.A Districts Dimensional Requirements

Footnote “D” to WH-2 Maximum Impervious Surface

TABLE 402.5.4 A - LOT DIMENSION & DENSITY STANDARDS

ZONING DISTRICT	Minimum Lot Area	Minimum Street Frontage ^C	Minimum Area Per Dwelling Unit (Town Water)	Minimum Area Per Dwelling Unit (Private Well)	Maximum Impervious Surface
RRA	80,000 sq. ft.	200 ft.	40,000 sq. ft.	40,000 sq. ft.	N/A
LD	80,000 sq. ft.	200 ft.	N/A	80,000 sq. ft.	N/A
MD	40,000 sq. ft. ^A (80,000)	150 ft.	20,000 sq. ft.	40,000 sq. ft.	N/A
BD-1	80,000 sq. ft.	200 ft.	40,000 sq. ft.	40,000 sq. ft.	50 %
BD-2	80,000 sq. ft.	200 ft.	40,000 sq. ft.	40,000 sq. ft.	85 %
C	40,000 sq. ft.	200 ft.	20,000 sq. ft.	40,000 sq. ft.	65 %
VC	20,000 sq. ft.	40 ft.	10,000 sq. ft.	10,000 sq. ft.	75 %
VCP	20,000 sq. ft.	40 ft.	10,000 sq. ft.	10,000 sq. ft.	75 %
BT-1	40,000 sq. ft.	150 ft.	20,000 sq. ft.	40,000 sq. ft.	50 %
BT-2	40,000 sq. ft.	150 ft.	20,000 sq. ft.	40,000 sq. ft.	^B 10 (30) %
WH-1	4 Acres	200 ft.	4 Acres	4 Acres	^B 10 (30) %
WH-2	4 Acres	200 ft.	4 Acres	4 Acres	^{B, D} 10 (30) %

^A Lots in MD District not served by public water require 80,000 square feet of lot area.

^B Impervious surface and lot coverage in BT-2, WH-1, & WH-2 Districts can be increased to 30% of lot with Planning Board approval subject to the requirements of Section 402.8.4 L for recharge protection.

^C In accordance with Tables 402.5.4.A & B of the Zoning Ordinance, the Planning Board shall have the authority to reduce the minimum street frontage to fifty (50) percent of the required frontage but in no case less than sixty (60) feet of street frontage, whichever is greater, for lots in a Planning Board approved residential subdivision for one or more lots having street frontage only on a cul-de-sac. In such instances, street frontage shall be measured along the outside radius of the cul-de-sac. Lots which have any street frontage not on a cul-de-sac radius as well as lots in a commercial subdivision shall not be eligible for reduced street frontage.

^D For the purposes of issuing a permit for a project to install a commercial medium or large-scale ground-mounted solar energy installation, calculations relating to the impervious surface shall include only the foundation or base supporting the solar panel arrays provided that the maximum size of any individual solar panel is thirty (30) square feet when measured horizontally.

Add to Table 402.5.4.B Building Construction Spatial Standards

Footnote “F” in RRA and WH-2 for calculation of lot coverage

Footnote “G” in RRA for maximum Lot Coverage (WH-2 see footnote B in previous table)

TABLE 402.5.4 B - BUILDING CONSTRUCTION SPATIAL STANDARDS

ZONING DISTRICT	Maximum Lot Coverage	Minimum Lot Line Setback Front	Minimum Lot Line Setback Side	Minimum Lot Line Setback Rear	^A Maximum Building Height
RRA	^{F, G, H} 10 (30) %	50 ft.	^B 25 (15) ft.	50 ft.	35 ft.
LD	20 %	50 ft.	^B 25 (15) ft.	50 ft.	35 ft.
MD	15 %	50 ft.	^B 20 (15) ft.	20 ft.	35 ft.
BD-1	50 %	50 ft.	^B 25 (15) ft.	50 ft.	^C 35 (53) ft.
BD-2	85 %	^E 25 ft.	^E 0 ft.	^E 15 ft.	^C 35 (53) ft.
C	50 %	10 ft.	15 ft.	20 ft.	^C 35 (53) ft.
VC	75 %	10 ft.	0 ft.	10 ft.	35 ft.
VCP	75 %	0 ft.	0 ft.	0 ft.	35 ft.
BT-1	50 %	25 ft.	^D 15 (10) ft.	20 ft.	35 ft.
BT-2	10 (30) %	25 ft.	^D 15 (10) ft.	20 ft.	35 ft.
WH-1	10 (30) %	50 ft.	^B 25 (15) ft.	50 ft.	35 ft.
WH-2	^{F, H} 10 (30) %	50 ft.	^B 25 (15) ft.	50 ft.	35 ft.

^A Height requirements do not apply to flagpoles, chimneys, transmission towers, steeples, windmills or similar structures usually erected at a greater height than the principal building; however, such accessory structures or appurtenances require a lot line setback distance of no less than its height.

^B Side setback for non-conforming lots of record in RRA, LD, MD, BD-1, WH-1, & WH-2 Districts is 15 feet.

^C Maximum building height in BD-1, BD-2, and C is 53 feet if public water is available and at least two sides of the building are accessible by fire apparatus.

^D Side setback in BT Districts is 10 feet if not abutting a residential property.

^E For any lot in a BD-2 District, the setback for any property line(s) that abuts another district, including BD-1, shall meet the minimum setback(s) for either the abutting district or BD-1, whichever is less restrictive.

^F For commercial medium and large-scale ground-mounted solar energy system installations, lot coverage shall be measured by the total surface area of the solar panel/array at maximum tilt provided that the maximum size of any individual solar panel is thirty (30) square feet when measured horizontally (see figure 402.8.10.D.1)

^G Lot coverage in RRA can be increased to 30% for any portion of a parcel ~~only for lots~~ in the Commercial Solar Energy Overlay District and only for commercial medium and large-scale ground mounted solar energy system installations provided that the maximum size of any individual solar panel is thirty (30) square feet when measured horizontally. Planning Board approval subject to the requirements of Section 402.8.4 L for recharge protection is required.

^H Setbacks for ground-mounted solar panels and arrays less than 15 feet in height on parcels within five-hundred (500) feet of a publicly owned road shall be a minimum of twenty-five (25) feet from any lot line. Setbacks for Commercial Solar Energy Production Sites on parcels at least five-hundred (500) feet from a publicly owned road shall be a minimum of fifty (50) feet or one-hundred (100) feet from any property line as established in Section 402.8.10 of this Ordinance.

ARTICLE 8
Standards Only Applicable in Specific Districts

Add the following section:

402.8.10 Commercial Solar Energy Systems Overlay District (CSESOD)

A. Applicability

1. Notwithstanding the provisions of 1 M.R.S. § 302 or any other law to the contrary, the requirements of this Article shall apply to all solar energy systems modified or installed after February 21, 2020.
2. Medium & large-scale ground-mounted solar energy systems are permitted in the Commercial Solar Energy Systems Overlay District per Article 4-Zoning Districts, Article 5-Zoning District Regulations and Article 8-Standards Only Applicable in Specific Districts. Such solar energy systems shall obtain a building permit through the Code Enforcement Department following Planning Board Conditional Use and Site Plan approval in accordance with applicable standards.
3. All solar energy systems shall be designed, erected, and installed in accordance with all applicable federal, state and local codes, regulations and standards.
4. Any modification, upgrade, or structural change that materially alters the size placement or output of an existing solar energy system shall comply with this section, Section 402.9.3 and 402.10.17.F

B. Required Information & Submittals: In addition to submittals required in Articles 9 and 10 of this Ordinance, the applicant shall submit the following information to the Planning Board as part of the application. The Planning Board shall have the authority to determine if one (1) or more of the following are not applicable.

1. A description of the owner of the system, the operator if different, and detail of qualifications and technical ability of the owner or operator to construct, maintain, and operate the facility.
2. If the operator is leasing the site, a copy of the lease agreement (minus financial compensation) and any and all related easements clearly outlining the relationship of the respective parties, inclusive of the rights and responsibilities of the operator, landowner, and any other responsible party with regard to the large-scale solar energy system and the term or duration of the agreement. Further, the operator shall identify any and all agreements or obligations of the landowner to the operator regarding any premises that are not specifically subject to the lease agreement, but which the operator has certain rights to use as part of the operation of the solar energy system.
3. A description of the anticipated quantity of energy to be produced and to whom it will be sold.
4. A copy of the agreement and schematic details of the connection arrangement with the transmission system that clearly indicates who is responsible for various requirements and how such will be operated and maintained.

5. A basic description of the number, size, and configuration of panels to be installed, including make, model, and associated major system components.
6. A construction plan and timeline that identifies all known contractors, site control, when the project construction will commence and the anticipated date that the system will be on-line.
7. An operations and maintenance plan for the projected operating life of the system.
8. An emergency management plan that identifies all potential hazards and the response to such hazards. The applicant shall submit a copy of the emergency management plan to Gray Public Safety Department and include any of their comments.
9. Evidence of financial capacity to construct, operate, and decommission the proposed facility including the abandonment guarantee as required in this Ordinance.
10. Identification of methods that the operator shall use to manage on-site vegetation.
11. Identification of how the applicant shall address required buffering as required in this Ordinance and this Section 402.8.10.
12. Submission of a decommissioning plan that addresses applicable standards.
13. Evidence that the owner or operator has applied for any and all non-municipal permits that may be required for the installation of the proposed system; for example, a stormwater management permit from the Maine Department of Environmental Protection (MeDEP).

B.C. Dimensional Requirements

1. Height

All components of ground-mounted solar energy system installations shall not exceed fifteen (15) feet in height when oriented at maximum tilt.

C. D. Setback Requirements for Ground- Mounted Solar Energy Systems

1. Notwithstanding any contrary provisions of Table 402.5.4.B, setbacks for ground-mounted solar panels and arrays less than 15 feet in height for parcels located adjacent to or entirely within five-hundred (500) feet of a publicly owned road shall be a minimum of: twenty-five (25) feet from any lot line. Setbacks for all other structures associated with the use shall be those established by Table 402.5.4.B for the underlying zoning district.
2. Minimum setbacks for any large scale Commercial Solar Energy Production Site with ground-mounted solar panels and arrays less than fifteen (15) feet in height on parcels located in an RRA District that are at least five-hundred (500) feet from a publicly owned road shall be determined by the following standards:
 - a. The minimum setback for any Commercial Solar Energy Production Site shall be one-hundred (100) feet from any and all of the following based upon conditions existing when the application is filed and deemed sufficiently complete by Town Staff to be placed on a Planning Board agenda for review:
 1. Any parcel in a Village Center (VC) or Village Center Proper (VCP) Zoning District

2. Any abutting parcel utilized primarily for residential purposes that is less than double the minimum lot area required for the respective Zoning District
3. Any abutting parcel that contains a structure utilized primarily for residential purposes located less than fifty (50) feet from the property line of the parcel proposed for the ground-mounted solar panels and/or arrays.

b. Provided that none of the conditions specified in 402.8.10.D.2.a above exist, the Planning Board shall have the authority to require the setback for the ground-mounted solar energy system project site to a minimum of fifty (50) feet after reviewing the following elements:

1. Any input received from abutting property owners after being duly notified as part of the Town's review
2. Location of any structure(s) on abutting parcels in relationship the project site
3. Ability to meet and maintain Visual Impact standards specified in Section 402.8.10.I below.

D. E. Lot Coverage-Calculating Medium or Large-Scale Solar Energy System Installation Surface Area and Maximum Disturbed Area

1. Provided that the maximum size of any individual solar array panel is thirty (30) square feet when measured horizontally, Lot coverage and surface area square footage for medium or large-scale ground-mounted solar energy systems shall be calculated by measuring the total area of the solar array/collector at maximum tilt to the vertical that occupies a given space or mounting surface as depicted in Figure 402.8.10.~~D~~E.1 below:

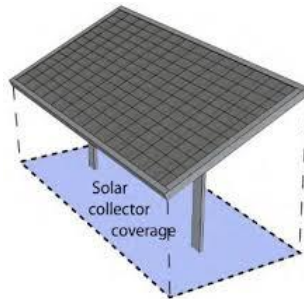


Figure 402.8.10.~~D~~E.1

2. The developed area for medium and large-scale ground-mounted solar energy system installations shall be at least ten (10) acres and shall not exceed twenty-five (~~2025~~) acres.

E.B. F. Impervious Surface – Calculating Impervious Surfaces for Medium or Large-Scale Solar Energy System Installations.

1. Calculations relating to the impervious surface shall include only the foundation or base supporting the solar panel arrays of the solar energy installation as established in footnote D in Table 402.5.4.A in this ordinance provided that the maximum size of any individual solar array panel is thirty (30) square feet when measured horizontally.

F.G. General Standards for Medium and Large-Scale Ground-Mounted Solar Energy Systems.

1. All solar energy system installations shall be installed in compliance with the photovoltaic standards of the latest edition of the National Fire Protection Association Fire Prevention Code (NFPA) and National Electric Code (NEC), and International Building Code (IBC).
2. Prior to operation, electrical connections must be inspected and approved by the Code Enforcement Officer or his/her designee, or the State electrical inspector as applicable. The applicant shall be responsible for Town-incurred costs to hire qualified professionals for a third-party inspection for any and all components deemed necessary by the Town

CEO.

3. Any connection to the public utility grid must be inspected and approved by the appropriate public utility unless waived by the public utility and sufficient documentation of such submitted to the Planning Board and/or CEO.

4. A solar energy system shall be maintained as necessary to ensure that it is operating safely and as designed and approved until decommissioned.

~~5. Utility Connections – Reasonable efforts, as determined by the Planning Board with input from qualified professionals at the applicant's expense, shall be made to place all utility lines from the solar energy system underground. Electrical transformers for utility interconnections may be above ground if required by the utility provider. MOVED to new H.1~~

6.5. Safety -The applicant for Site Plan Review of the solar energy system shall provide a copy of the site plan review application to the Fire Chief or his/her designee, and the Fire Chief shall provide written comment on the fire safety of the proposed system to the Planning Board.

~~7.6. Visual Impact – Reasonable efforts, as determined by the Planning Board, shall be made to minimize visual impacts by preserving natural vegetation, screening of abutting properties, and protecting scenic resources. MOVED to new I.1~~

8.7. Glare - Solar panel placement shall be prioritized to minimize or negate any solar glare onto nearby properties, public gathering places or roadways, without unduly impacting the functionality or efficiency of the solar energy system.

9.8. Natural Resources – Reasonable efforts, as determined by the Planning Board, shall be made to protect wetlands, watersheds, working agricultural lands, surface waters, slopes greater than twenty percent (20%) as well as High Value Undeveloped Habitat Blocks, High Value Plant and Animal Habitats and Focus Areas of Ecological Significance as mapped by the Maine Department of Inland Fisheries and Wildlife's Beginning with Habitat Program.

10.9. Operations and Maintenance Plan - The Site Plan applicant shall provide (and maintain upon Site Plan approval) an operations and maintenance plan, which shall include measures for maintaining safe access to the installation as well as other general procedures for operational maintenance of the installation.

11.10. Signage- Signs in the Commercial Solar Energy Systems Overlay District shall comply with all applicable standards in this section and Chapter 406 Sign Ordinance except that the Planning Board shall have the authority to allow one freestanding sign per frontage up to 60 square feet per sign identifying the nature of the project. A minimum of one sign shall be required to identify the owner and provide a 24-hour emergency contact phone number in a location approved by the Planning Board with input

from Public Safety.

12.11. Emergency Services- The owner or operator of a solar energy system shall provide a copy of the project summary, electrical schematic, and Site Plan to the Fire Chief. Upon request, the owner or operator shall cooperate with the Fire Department in developing an emergency response plan. All means of shutting down the system shall be clearly marked on the plan. The owner or operator shall identify a responsible person to the Code Enforcement Officer and the Fire Chief for public inquiries throughout the life of the installation and shall promptly notify the Town when such contact information changes.

12. Installation Conditions - The owner or operator of a solar energy system shall maintain the facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, vegetation control, and the integrity of security measures including Knox box and keys. Site access shall be maintained to a level acceptable to the Fire Chief. The owner or operator shall be responsible for the cost of maintaining any private access road or driveway to the site and to the system.

13. Performance Guarantee: The applicant for a solar energy system shall demonstrate compliance with and duly establish the performance guarantee requirements in accordance with this Section 402.8.10 and 402.10.17 prior to the final approval by the Planning Board.

~~14. Performance Guarantee – The solar energy system Site Plan applicant shall demonstrate compliance with the performance guarantee requirements of 402.8.10 and 402.10.17.~~

14. In the event of a change of ownership and/or operator of the Commercial Solar Energy System, the new owner/operator is required to obtain approval of the Staff Review Committee or appropriate entity before commencing operations to ensure they are apprised of the applicable standards under which the use is permitted. The Planning Board approval of the application as well as any subsequent Staff Review Committee approval shall ensure that this requirement is a specific condition of approval.

15. Energy Storage: Battery storage of electricity generated from the Commercial Solar Energy Production Site of any type is specifically prohibited including but not limited to lead-acid and lithium ion.

16. Copies of Permits Required: If the owner, operator, or applicant has approvals from non-municipal entities such as MeDEP upon applying to the Planning Board (PB), these shall be submitted as part of the PB application. If such permit(s) are not approved upon PB submittal, the owner or operator shall provide full copies of all permits to the Code Enforcement Officer prior to the issuance of permits to construct any portion of the Solar Energy System or Commercial Solar Energy Production Site.

H. Utility Connections Standards:

1. Reasonable efforts, as determined by the Planning Board with input from qualified professionals at the applicant's expense, shall be made to place all utility lines from the solar energy system underground. Electrical transformers for utility interconnections may be above ground if required by the utility provider.

2. Utility Connections for Existing Residential Areas: Any Commercial Solar Energy Production Site and/or connection to the main utility grid that is located adjacent to, or in the immediate proximity to, an existing residentially utilized area as determined by the Planning Board, shall be required to place all utility lines underground unless the utility company owning/operating the main transmission lines requires the lines to be above ground on utility poles. The Planning Board shall have the authority to require the applicant to provide documentation from duly qualified parties regarding the utility companies requirements.

3. Utility Connections for areas not residentially utilized: The Planning Board shall have the authority to determine if the Commercial Solar Energy Production Site and connection to the main power grid is in, or in the immediate proximity of, an existing residentially utilized area. If the Planning Board makes the determination that it is not, the determination of underground or above ground utility lines shall be as established in this Section.

The Planning Board is encouraged to make a distinction between the necessary switching required by the utility company owning/operating the transmission lines and the utility lines originating from the Commercial Solar Energy Production Site to point of connection to the main power "grid". The Planning Board (or designee) shall notify neighboring property owners and request their input.

The applicant shall be responsible for providing information relevant to the criteria listed below. The Planning Board shall review and consider the following elements in making the determination of underground or above ground utilities:

- a. Any input from neighboring property owners after being duly notified as part of the Town's review
- b. Estimated visual implications to neighboring property owners based on renderings provided by the applicant and/or field conditions observed as part of a sitewalk by the Planning Board (if held)
- c. Location and number of existing utility poles (if any)
- d. Overall purpose, intent, and use of the Zoning District in which the utility connection is located i.e. is the District predominantly residential
- e. Number of residences that the utility lines will need to be adjacent to
- f. Number and location of any new and/or upgraded utility poles that are necessary
- g. Input from the utility company owning/operating the main transmission lines
- h. Documented existing physical site conditions that substantially complicate placing utilities underground such as bedrock

I. Visual Impact:

1. Visual Impact - Reasonable efforts, as determined by the Planning Board, shall be made to minimize visual impacts by preserving natural vegetation, screening of abutting properties, and protecting scenic resources.
2. For any Medium or Large Scale Commercial Solar Energy Production Site (CSEPS) in a Rural Residential & Agricultural Zoning District, the Planning Board shall have the authority to require sufficient vegetative buffering and/or screening, as determined by the Board, to minimize the adverse visual impacts of solar array from any existing residential property. The objective is to provide adequate year-round buffering of the CSEPS, for the lifetime of the CSEPS on the property where the CSEPS is proposed, for any abutting parcel utilized primarily for residential purposes when the application is submitted to the Town and deemed complete.
3. The Applicant and Planning Board shall follow the steps below to minimize the adverse impacts of the project site from all abutting properties utilized primary for residential purposes:
 - a. In addition to all required Planning Board submittals, the applicant shall submit a scaled legible plan, with supporting documentation as appropriate, showing the following:
 - i. The entire parcel proposed for the Commercial Solar Energy Production Site (CSEPS), property boundaries, and parcels within two-hundred and fifty (250) feet
 - ii. The proposed location of the CSEPS, proposed buildings, vehicular access(es), and any structure fifteen (15) feet or more in height including utility poles
 - iii. All parcels shown on the submitted plan shall be identified with the Tax Map/lot, owners last name, and lot size in acres.
 - iv. All existing structures located on the parcel proposed for the CSEPS and within one hundred (100) feet of the parcel proposed accurate to ten (10) feet
 - v. For all portions of the perimeter of the CSEPS proposed property that abut a residentially utilized property, the approximate location of existing trees at least fifteen (15) feet high and other significant woody vegetation on the CSEPS parcel that is proposed to remain when the project is completed to provide a vegetative buffer
 - vi. Locations and associated details (size, type, spacing, etc.) of native evergreen trees proposed to be planted on the CSEPS parcel to provide reasonable year-round vegetative buffering for residentially utilized properties within five (5) years of completing the construction of the CSEPS and continuing to adequately screen the facility for the lifetime of the CSEPS.
 - vii. Any replanting plan shall be completed by a duly qualified professional, such as registered Landscape Architect, and shall include descriptions and/or renderings of anticipated buffering at appropriate time intervals to enable the Planning Board and abutting property owners to understand the anticipated timeframe for the growth to be an effective buffer
 - b. The Planning Board shall review the plan submitted by the applicant and any input from neighboring property owners to determine if the proposed vegetative screening is, or will be in five (5) years, sufficient for residential properties abutting the CSEPS parcel. The Planning Board may wish to consider a site walk to view field conditions.
 - c. The Planning Board shall have the authority to require the applicant to provide photographs of existing conditions, renderings of vegetative screening, or documentation from similar completed projects. If the Planning Board determines that the existing vegetative screening,

together with any proposed replanting, is not sufficient, it shall have the authority to require the applicant to revise the plan as deemed appropriate by the Planning Board.

d. The Planning Board shall have the ability to hire a qualified consultant, at applicants' expense, per 402.10.9 (Technical Review Fees). The Planning Board shall consider and have the authority to require a performance bond for any necessary replanting per 402.10.17 in accordance with professionally accepted practices such as 80% survival rate for a 5-year period.

G-J. Removal and Abandonment of Medium and Large-Scale Solar Energy Systems.

1, Any medium or large-scale solar energy system that has reached the end of its useful life or has been abandoned shall be removed. The owner or operator shall physically remove the installation no more than one hundred and eighty (180) days after the date of the discontinued operations. The owner or operator shall notify the Code Enforcement Officer by certified mail, return receipt requested, of the proposed date of the discontinued operations and plans for removal.

2. Decommissioning shall consist of:

a. Physical removal of all solar energy systems, structures, equipment, security barriers and transmission lines from the site.

b. Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations; and

c. Stabilization or re-vegetation of the site as necessary to minimize erosion. The Code Enforcement Officer shall have the authority to allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation provided compliance to all applicable codes and ordinances.

3. Once the owner and/or operator has properly removed all components of Commercial Solar Energy System and associated abandoned structures, the owner and/or operator shall notify the Town Planner in writing and request an inspection by the Code Enforcement Officer (CEO). The CEO shall have the authority to employ the services of the Town's Engineer or other qualified professionals, at the owner/operators expense, to verify that the abandonment complies with all applicable standards. If the CEO, in consultation with the Town Planner, determines that such removal is satisfactory, the CEO shall notify the Town Planner or designee in writing to release the abandonment performance guarantee.

4. Absent notice of a proposed date of decommissioning or written notice of extenuating circumstances, a medium or large-scale solar energy system shall be considered abandoned if it fails to generate electricity for more than one (1) year without first obtaining the written consent of the Code Enforcement Officer. Determination of abandonment shall be made by the Code Enforcement Officer.

5. If the owner or operator of the medium or large-scale solar energy system fails to remove the installation in accordance with the requirements of this section within one hundred and eighty (180) days of the abandonment of the proposed date of decommissioning, the Town shall use reasonable effort to notify the party that the Town intends to use the performance guarantee and any and all legal or available means necessary to cause an abandoned, hazardous, or decommissioned solar energy system to be removed.

K. Performance Guarantee for Removal and Abandonment:

1. The owner and/or operator of the Commercial Solar Energy System shall be responsible for establishing and maintaining the performance guarantee for abandonment in accordance with standards established in this Ordinance throughout the lifetime of the system until all components of the Commercial Solar Energy System have been properly removed. Any proposed replacements, changes, or adjustments to the performance guarantee must be approved by the Code Enforcement Officer with input from the Town Planner as necessary. Owners/operators are reminded of Section 402.8.10.G above that requires Staff Review Committee approval for a change of ownership and/or operator(s).
2. As an integral part of the submittal to the Planning Board, the owner/operator of the proposed Commercial Solar Energy System shall provide an estimate of all costs that the Town would incur to employ the services of duly qualified contractor(s) to remove all components of Commercial Solar Energy System and all associated abandoned structures from the respective parcel(s). The cost estimate must include sufficient detail for the Planning Board to ensure the accuracy of the submitted figures and address all necessary aspects of the abandonment. The Planning Board may request input from the Town Engineer and other duly qualified professionals at the applicant's expense for making this determination.
3. The amount of the performance guarantee shall be at least one hundred and fifty (150) percent, as determined by the Planning Board, of the estimated cost for demolition and complete removal of the system. The form of the performance guarantee shall be approved by the Planning Board, with input from the Town's legal counsel as necessary at the applicant's expense, and duly established with the Town prior to the Code Enforcement Officer issuing any permits for the Commercial Solar Energy System.
4. If the Commercial Solar Energy System is required to establish and maintain a financial surety for abandonment by another governmental entity, such as the Maine Department of Environmental Protection, the applicant is encouraged to ensure that the posting of the financial performance guarantee for abandonment complies with Town standards to streamline the administrative process. The applicant shall submit information about any such performance guarantee as part of the Planning Board's review and the Planning Board shall determine if Town standards are met with input from duly qualified professionals as necessary at applicant's expense.
5. If the Planning Board determines that the financial surety for abandonment required by another governmental entity meets Town standards, the performance guarantee for abandonment requirement shall be deemed acceptable provided that the Planning Board also

determines that sufficient written documentation is submitted ensuring that the Town will be kept apprised of any changes to the surety for the lifetime of the Commercial Solar Energy System.

6. If the Planning Board determines that the financial surety for abandonment required by another governmental entity does not meet Town standards, the applicant shall have two options. The first is to make the necessary adjustments to the financial surety for the Planning Board to determine that Town standards are met. The second option for the applicant is to request to be on the agenda for the next available meeting of the Gray Town Council.
7. The Gray Town Council shall have the authority to determine if the financial surety is sufficient in the event that the applicant for the Commercial Solar Energy System chooses to approach the Council per above. Prior to being placed on a Council agenda, the applicant shall provide written documentation, with attachments as necessary, that specifically lists all deviations from Town requirements for the performance guarantee for abandonment. The applicant shall also provide information regarding the reasoning for not meeting Town requirements.
8. In the event that the applicant decides to approach the Gray Town Council, and Planning Board has deemed the application complete and that all applicable standards are met except the Town Council resolution of the performance guarantee for the abandonment, the Planning Board shall have the authority to consider a conditional approval of the application. Any such approval shall include a specific condition that the Code Enforcement Officer shall not issue permits for the Commercial Solar Energy System until the Town Council has determined that the performance guarantee for abandonment is acceptable.

F. ~~Abandonment Guarantee of Medium and Large-Scale Solar Energy Systems.~~

- ~~0. Absent notice of a proposed date of decommissioning or written notice of extenuating circumstances, a medium or large-scale solar energy system shall be considered abandoned if it fails to generate electricity for more than one (1) year without first obtaining the written consent of the Code Enforcement Officer. Determination of abandonment shall be made by the Code Enforcement Officer. _~~
MOVED to new J.3
- ~~0. At the time of approval, the applicant for a medium or large-scale ground-mounted solar energy system shall submit to the Town a performance guarantee to be approved by the Town, in the amount of 150% of the estimated demolition cost of the system, such cost to be determined by the Town Planner or duly designated person with input as needed from the Town Engineer, at the applicant's expense. The performance guarantee must be kept in effect throughout the lifetime of the system; any proposed replacements must be reviewed and approved by the Town. The owner may apply to the Town Planner for the release of the guarantee at such time that it or its assigns remove the system and associated abandoned structures, and such completed removal is found to be satisfactory by the Code Enforcement~~

~~Officer, in consultation with the Town Planner. Addressed in new Section K~~

~~—If the owner or operator of the medium or large-scale solar energy system fails to remove the installation in accordance with the requirements of this section within one hundred and eighty (180) days of the abandonment of the proposed date of decommissioning, the Town shall use reasonable effort to notify the party that the Town intends to use the performance guarantee and any and all legal or available means necessary to cause an abandoned, hazardous, or decommissioned solar energy system to be removed. MOVED to new J.4~~

GL. Site Plan Review Authority

1. Any application to install a medium or large-scale ground-mounted solar energy systems shall be subject to review by the Planning Board under the Conditional Use, Site Plan, and Subdivision regulations as applicable.

**AMENDMENTS TO TOWN OF GRAY CODE, CHAPTER 402, ZONING,
REGARDING COMMERCIAL SOLAR ENERGY SYSTEMS
(Additions are underlined, changes are ~~strikethrough~~)**

**CHAPTER 402 – ZONING
ORDINANCE**

Add to Index:

402.8.10 Commercial Solar Energy Systems Overlay District

**ARTICLE II
Definitions**

Add to 402.2.2 Definitions:

Commercial Solar Energy Production Site: (CSEPS): A component of a Commercial Solar Energy System that includes the maximum cumulative area of the solar array footprint, typically fenced for security purposes, which commonly includes any of the following: ground-mounted solar arrays, transformers, inverters, and buildings housing equipment functionally necessary for the solar energy system.

Commercial Solar Energy System: A solar energy system whose primary purpose is to harvest energy by transforming solar energy into another form of energy or transferring heat from a collector to another medium using mechanical or electrical means to be primarily distributed off-site.

Solar Array: A group of solar panels.

Solar Energy System, Ground-Mounted: A solar energy system that is structurally mounted to the ground and is not roof-mounted and is not attached to a building.

Commercial Solar Energy Production Site, Medium-Scale: A solar energy system that occupies between .5 of an acre and twenty (20) acres of surface area; surface area shall be measured by the total area of the Commercial Solar Energy Production Site

Commercial Solar Energy Production Site, Large-Scale: A solar energy system that occupies between twenty (20) and forty (40) acres of surface area; surface area shall be measured by the total area of the Commercial Solar Energy Production Site.

Commercial Solar Energy Production Site, Small scale: A solar energy system that occupies less than .5 of an acre of surface area; surface area shall be measured by the total area of the Commercial Solar Energy Production Site.

Solar Panel: A contiguous group of photovoltaic cells that convert sunlight to electricity arranged in a plane and linked in such a way to operate as a single unit measuring less than thirty (30) square feet in area. Reflecting mirrors used for directing and focusing sunlight are specifically excluded from this definition.

Tilt: The angle of the solar panels and/or solar collector relative to horizontal of a

solar energy system.

ARTICLE 3
Official Zoning Map

Add the parcel designated as Tax Map 36, lot 33-1 to 402.3.1 Commercial Solar Energy Overlay District to Town Zoning Map (NOTE: This is the 100 +/- acre parcel located at the end of Hillcrest Drive)

ARTICLE 4
Zoning Districts

Add to 402.4.1 Zoning Districts Established Districts & Overlay Districts created by the Zoning Ordinance:

15. Commercial Solar Energy Systems Overlay District (CSESOD)

Add to 402.4.2 Zoning District Purposes

K. The purpose of the Commercial Solar Energy System Overlay District is to ensure that the Town of Gray provides the opportunity for businesses to generate electricity from solar energy. The objective is to encourage harnessing solar energy as a renewable, non-polluting, and sustainable resource to minimize fossil fuel emissions. The performance standards associated with this use are designed to balance the practical requirements of solar powered energy and minimize the adverse impacts on the quiet enjoyment of property.

Current K becomes new L

~~K~~.L. Purposes of the Resource Protection, Limited Residential and Stream Protection Districts. See the Shoreland Ordinance

ARTICLE 5
Zoning District Regulations

Add to 402.5.3 District Regulations -Table 402.5.3 Table of Permitted Uses and Conditional Permitted Uses:

1. Add Commercial Solar Energy Systems Overlay District Uses to Table (alphabetically #36)

2. Add CSESOD column to Use Table and Conditionally Allow (C) use in the new overlay district

TABLE 402.5.3 TABLE OF PERMITTED USES AND CONDITIONAL PERMITTED USES															
		RRA	LD *	MD	BD-1	BD-2	C	VC *	VCP *	BT-1 *	BT-2 *	WH-1 *	WH-2 *	LMOD	CSESOD
36.	Medium-Scale and Large-Scale Solar Energy Systems														C

Add to Table 402.5.4.A Districts Dimensional Requirements

Footnote “D” to WH-2 Maximum Impervious Surface

TABLE 402.5.4 A - LOT DIMENSION & DENSITY STANDARDS

ZONING DISTRICT	Minimum Lot Area	Minimum Street Frontage^C	Minimum Area Per Dwelling Unit (Town Water)	Minimum Area Per Dwelling Unit (Private Well)	Maximum Impervious Surface
RRA	80,000 sq. ft.	200 ft.	40,000 sq. ft.	40,000 sq. ft.	N/A
LD	80,000 sq. ft.	200 ft.	N/A	80,000 sq. ft.	N/A
MD	40,000 sq. ft. ^A (80,000)	150 ft.	20,000 sq. ft.	40,000 sq. ft.	N/A
BD-1	80,000 sq. ft.	200 ft.	40,000 sq. ft.	40,000 sq. ft.	50 %
BD-2	80,000 sq. ft.	200 ft.	40,000 sq. ft.	40,000 sq. ft.	85 %
C	40,000 sq. ft.	200 ft.	20,000 sq. ft.	40,000 sq. ft.	65 %
VC	20,000 sq. ft.	40 ft.	10,000 sq. ft.	10,000 sq. ft.	75 %
VCP	20,000 sq. ft.	40 ft.	10,000 sq. ft.	10,000 sq. ft.	75 %
BT-1	40,000 sq. ft.	150 ft.	20,000 sq. ft.	40,000 sq. ft.	50 %
BT-2	40,000 sq. ft.	150 ft.	20,000 sq. ft.	40,000 sq. ft.	^B 10 (30) %
WH-1	4 Acres	200 ft.	4 Acres	4 Acres	^B 10 (30) %
WH-2	4 Acres	200 ft.	4 Acres	4 Acres	^{B, D} 10 (30) %

^A Lots in MD District not served by public water require 80,000 square feet of lot area.

^B Impervious surface and lot coverage in BT-2, WH-1, & WH-2 Districts can be increased to 30% of lot with Planning Board approval subject to the requirements of Section 402.8.4 L for recharge protection.

^C In accordance with Tables 402.5.4.A & B of the Zoning Ordinance, the Planning Board shall have the authority to reduce the minimum street frontage to fifty (50) percent of the required frontage but in no case less than sixty (60) feet of street frontage, whichever is greater, for lots in a Planning Board approved residential subdivision for one or more lots having street frontage only on a cul-de-sac. In such instances, street frontage shall be measured along the outside radius of the cul-de-sac. Lots which have any street frontage not on a cul-de-sac radius as well as lots in a commercial subdivision shall not be eligible for reduced street frontage.

^D For the purposes of issuing a permit for a project to install a commercial medium or large-scale ground-mounted solar energy installation, calculations relating to the impervious surface shall include only the foundation or base supporting the solar panel arrays provided that the maximum size of any individual solar panel is thirty (30) square feet when measured horizontally.

Add to Table 402.5.4.B Building Construction Spatial Standards

Footnote “F” in RRA and WH-2 for calculation of lot coverage

Footnote “G” in RRA for maximum Lot Coverage (WH-2 see footnote B in previous table)

TABLE 402.5.4 B - BUILDING CONSTRUCTION SPATIAL STANDARDS

ZONING DISTRICT	Maximum Lot Coverage	Minimum Lot Line Setback Front	Minimum Lot Line Setback Side	Minimum Lot Line Setback Rear	^A Maximum Building Height
RRA	^{F, G, H} 10 (30) %	50 ft.	^B 25 (15) ft.	50 ft.	35 ft.
LD	20 %	50 ft.	^B 25 (15) ft.	50 ft.	35 ft.
MD	15 %	50 ft.	^B 20 (15) ft.	20 ft.	35 ft.
BD-1	50 %	50 ft.	^B 25 (15) ft.	50 ft.	^C 35 (53) ft.
BD-2	85 %	^E 25 ft.	^E 0 ft.	^E 15 ft.	^C 35 (53) ft.
C	50 %	10 ft.	15 ft.	20 ft.	^C 35 (53) ft.
VC	75 %	10 ft.	0 ft.	10 ft.	35 ft.
VCP	75 %	0 ft.	0 ft.	0 ft.	35 ft.
BT-1	50 %	25 ft.	^D 15 (10) ft.	20 ft.	35 ft.
BT-2	10 (30) %	25 ft.	^D 15 (10) ft.	20 ft.	35 ft.
WH-1	10 (30) %	50 ft.	^B 25 (15) ft.	50 ft.	35 ft.
WH-2	^{F, H} 10 (30) %	50 ft.	^B 25 (15) ft.	50 ft.	35 ft.

^A Height requirements do not apply to flagpoles, chimneys, transmission towers, steeples, windmills or similar structures usually erected at a greater height than the principal building; however, such accessory structures or appurtenances require a lot line setback distance of no less than its height.

^B Side setback for non-conforming lots of record in RRA, LD, MD, BD-1, WH-1, & WH-2 Districts is 15 feet.

^C Maximum building height in BD-1, BD-2, and C is 53 feet if public water is available and at least two sides of the building are accessible by fire apparatus.

^D Side setback in BT Districts is 10 feet if not abutting a residential property.

^E For any lot in a BD-2 District, the setback for any property line(s) that abuts another district, including BD-1, shall meet the minimum setback(s) for either the abutting district or BD-1, whichever is less restrictive.

^F For commercial medium and large-scale ground-mounted solar energy system installations, lot coverage shall be measured by the total surface area of the solar panel/array at maximum tilt provided that the maximum size of any individual solar panel is thirty (30) square feet when measured horizontally (see figure 402.8.10.D.1)

^G Lot coverage in RRA can be increased to 30% for any portion of a parcel in the Commercial Solar Energy Overlay District and only for commercial medium and large-scale ground mounted solar energy system installations provided that the maximum size of any individual solar panel is thirty (30) square feet when measured horizontally. Planning Board approval subject to the requirements of Section 402.8.4 L for recharge protection is required.

^H Setbacks for ground-mounted solar panels and arrays less than 15 feet in height on parcels within five-hundred (500) feet of a publicly owned road shall be a minimum of twenty-five (25) feet from any lot line. Setbacks for Commercial Solar Energy Production Sites on parcels at least five-hundred (500) feet from a publicly owned road shall be a minimum of fifty (50) feet or one-hundred (100) feet from any property line as established in Section 402.8.10 of this Ordinance.

ARTICLE 8
Standards Only Applicable in Specific Districts

Add the following section:

402.8.10 Commercial Solar Energy Systems Overlay District (CSESOD)

A. Applicability

1. Notwithstanding the provisions of 1 M.R.S. § 302 or any other law to the contrary, the requirements of this Article shall apply to all solar energy systems modified or installed after February 21, 2020.
2. Medium & large-scale ground-mounted solar energy systems are permitted in the Commercial Solar Energy Systems Overlay District per Article 4-Zoning Districts, Article 5-Zoning District Regulations and Article 8-Standards Only Applicable in Specific Districts. Such solar energy systems shall obtain a building permit through the Code Enforcement Department following Planning Board Conditional Use and Site Plan approval in accordance with applicable standards
3. All solar energy systems shall be designed, erected, and installed in accordance with all applicable federal, state and local codes, regulations and standards.
4. Any modification, upgrade, or structural change that materially alters the size placement or output of an existing solar energy system shall comply with this section, Section 402.9.3 and 402.10.

B. Required Information & Submittals: In addition to submittals required in Articles 9 and 10 of this Ordinance, the applicant shall submit the following information to the Planning Board as part of the application. The Planning Board shall have the authority to determine if one (1) or more of the following are not applicable.

1. A description of the owner of the system, the operator if different, and detail of qualifications and technical ability of the owner or operator to construct, maintain, and operate the facility.
2. If the operator is leasing the site, a copy of the lease agreement (minus financial compensation) and any and all related easements clearly outlining the relationship of the respective parties, inclusive of the rights and responsibilities of the operator, landowner, and any other responsible party with regard to the large-scale solar energy system and the term or duration of the agreement. Further, the operator shall identify any and all agreements or obligations of the landowner to the operator regarding any premises that are not specifically subject to the lease agreement, but which the operator has certain rights to use as part of the operation of the solar energy system.
3. A description of the anticipated quantity of energy to be produced and to whom it will be sold.
4. A copy of the agreement and schematic details of the connection arrangement with the transmission system that clearly indicates who is responsible for various requirements and how such will be operated and maintained.

5. A basic description of the number, size, and configuration of panels to be installed, including make, model, and associated major system components.
6. A construction plan and timeline that identifies all known contractors, site control, when the project construction will commence and the anticipated date that the system will be on-line.
7. An operations and maintenance plan for the projected operating life of the system.
8. An emergency management plan that identifies all potential hazards and the response to such hazards. The applicant shall submit a copy of the emergency management plan to Gray Public Safety Department and include any of their comments.
9. Evidence of financial capacity to construct, operate, and decommission the proposed facility including the abandonment guarantee as required in this Ordinance.
10. Identification of methods that the operator shall use to manage on-site vegetation.
11. Identification of how the applicant shall address required buffering as required in this Ordinance and this Section 402.8.10.
12. Submission of a decommissioning plan that addresses applicable standards.
13. Evidence that the owner or operator has applied for any and all non-municipal permits that may be required for the installation of the proposed system; for example, a stormwater management permit from the Maine Department of Environmental Protection (MeDEP).

C. Dimensional Requirements

1. Height

All components of ground-mounted solar energy system installations shall not exceed fifteen (15) feet in height when oriented at maximum tilt.

D. Setback Requirements for Ground- Mounted Solar Energy Systems

1. Notwithstanding any contrary provisions of Table 402.5.4.B, setbacks for ground-mounted solar panels and arrays less than 15 feet in height for parcels located adjacent to or entirely within five-hundred (500) feet of a publicly owned road shall be a minimum of twenty-five (25) feet from any lot line. Setbacks for all other structures associated with the use shall be those established by Table 402.5.4.B for the underlying zoning district.
2. Minimum setbacks for any large scale Commercial Solar Energy Production Site with ground-mounted solar panels and arrays less than fifteen (15) feet in height on parcels located in an RRA District that are at least five-hundred (500) feet from a publicly owned road shall be determined by the following standards:
 - a. The minimum setback for any Commercial Solar Energy Production Site shall be one-hundred (100) feet from any and all of the following based upon conditions existing when the application is filed and deemed sufficiently complete by Town Staff to be placed on a Planning Board agenda for review:
 1. Any parcel in a Village Center (VC) or Village Center Proper (VCP) Zoning District

2. Any abutting parcel utilized primarily for residential purposes that is less than double the minimum lot area required for the respective Zoning District
 3. Any abutting parcel that contains a structure utilized primarily for residential purposes located less than fifty (50) feet from the property line of the parcel proposed for the ground-mounted solar panels and/or arrays.
- b. Provided that none of the conditions specified in 402.8.10.D.2.a above exist, the Planning Board shall have the authority to require the setback for the ground-mounted solar energy system project site to a minimum of fifty (50) feet after reviewing the following elements:
1. Any input received from abutting property owners after being duly notified as part of the Town's review
 2. Location of any structure(s) on abutting parcels in relationship the project site
 3. Ability to meet and maintain Visual Impact standards specified in Section 402.8.10.I below.

E. Lot Coverage-Calculating Medium or Large-Scale Solar Energy System Installation Surface Area and Maximum Disturbed Area

1. Provided that the maximum size of any individual solar array panel is thirty (30) square feet when measured horizontally, lot coverage and surface area square footage for medium or large-scale ground-mounted solar energy systems shall be calculated by measuring the total area of the solar array/collector at maximum tilt to the vertical that occupies a given space or mounting surface as depicted in Figure 402.8.10.E.1 below:

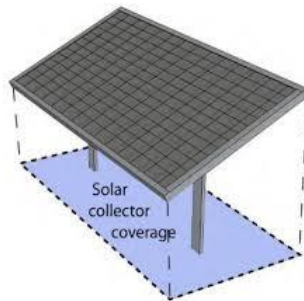


Figure 402.8.10.E.1

2. The developed area for medium and large-scale ground-mounted solar energy system installations shall be at least ten (10) acres and shall not exceed twenty-five (25) acres.

B. F. Impervious Surface – Calculating Impervious Surfaces for Medium or Large-Scale Solar Energy System Installations.

1. Calculations relating to the impervious surface shall include only the foundation or base supporting the solar panel arrays of the solar energy installation as established in footnote D in Table 402.5.4.A in this ordinance provided that the maximum size of any individual solar array panel is thirty (30) square feet when measured horizontally.

G. General Standards for Medium and Large-Scale Ground-Mounted Solar Energy Systems.

1. All solar energy system installations shall be installed in compliance with the photovoltaic standards of the latest edition of the National Fire Protection Association Fire Prevention Code (NFPA) and National Electric Code (NEC), and International Building Code (IBC).
2. Prior to operation, electrical connections must be inspected and approved by the Code Enforcement Officer or his/her designee, or the State electrical inspector as applicable. The applicant shall be responsible for Town-incurred costs to hire qualified professionals for a third-party inspection for any and all components deemed necessary by the Town CEO.

3. Any connection to the public utility grid must be inspected and approved by the appropriate public utility unless waived by the public utility and sufficient documentation of such submitted to the Planning Board and/or CEO.
4. A solar energy system shall be maintained as necessary to ensure that it is operating safely and as designed and approved until decommissioned.
5. MOVED to new H.1 Safety -The applicant for Site Plan Review of the solar energy system shall provide a copy of the site plan review application to the Fire Chief or his/her designee, and the Fire Chief shall provide written comment on the fire safety of the proposed system to the Planning Board.
6. MOVED to new I.1
7. Glare - Solar panel placement shall be prioritized to minimize or negate any solar glare onto nearby properties, public gathering places or roadways, without unduly impacting the functionality or efficiency of the solar energy system.
8. Natural Resources – Reasonable efforts, as determined by the Planning Board, shall be made to protect wetlands, watersheds, working agricultural lands, surface waters, slopes greater than twenty percent (20%) as well as High Value Undeveloped Habitat Blocks, High Value Plant and Animal Habitats and Focus Areas of Ecological Significance as mapped by the Maine Department of Inland Fisheries and Wildlife’s Beginning with Habitat Program.
9. Operations and Maintenance Plan - The Site Plan applicant shall provide (and maintain upon Site Plan approval) an operations and maintenance plan, which shall include measures for maintaining safe access to the installation as well as other general procedures for operational maintenance of the installation.
10. Signage- Signs in the Commercial Solar Energy Systems Overlay District shall comply with all applicable standards in this section and Chapter 406 Sign Ordinance except that the Planning Board shall have the authority to allow one freestanding sign per frontage up to 60 square feet per sign identifying the nature of the project. A minimum of one sign shall be required to identify the owner and provide a 24-hour emergency contact phone number in a location approved by the Planning Board with input from Public Safety.

11. **Emergency Services-** The owner or operator of a solar energy system shall provide a copy of the project summary, electrical schematic, and Site Plan to the Fire Chief. Upon request, the owner or operator shall cooperate with the Fire Department in developing an emergency response plan. All means of shutting down the system shall be clearly marked on the plan. The owner or operator shall identify a responsible person to the Code Enforcement Officer and the Fire Chief for public inquiries throughout the life of the installation and shall promptly notify the Town when such contact information changes.
12. **Installation Conditions -** The owner or operator of a solar energy system shall maintain the facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, vegetation control, and the integrity of security measures including Knox box and keys. Site access shall be maintained to a level acceptable to the Fire Chief. The owner or operator shall be responsible for the cost of maintaining any private access road or driveway to the site and to the system.
13. **Performance Guarantee:** The applicant for a solar energy system shall demonstrate compliance with and duly establish the performance guarantee requirements in accordance with this Section 402.8.10 and 402.10.17 prior to the final approval by the Planning Board.
14. In the event of a change of ownership and/or operator of the Commercial Solar Energy System, the new owner/operator is required to obtain approval of the Staff Review Committee or appropriate entity before commencing operations to ensure they are apprised of the applicable standards under which the use is permitted. The Planning Board approval of the application as well as any subsequent Staff Review Committee approval shall ensure that this requirement is a specific condition of approval.
15. **Energy Storage:** Battery storage of electricity generated from the Commercial Solar Energy Production Site of any type is specifically prohibited including but not limited to lead-acid and lithium ion.
16. **Copies of Permits Required:** If the owner, operator, or applicant has approvals from non-municipal entities such as MeDEP upon applying to the Planning Board (PB), these shall be submitted as part of the PB application. If such permit(s) are not approved upon PB submittal, the owner or operator shall provide full copies of all permits to the Code Enforcement Officer prior to the issuance of permits to construct any portion of the Solar Energy System or Commercial Solar Energy Production Site.

H. Utility Connections Standards:

1. Reasonable efforts, as determined by the Planning Board with input from qualified professionals at the applicant's expense, shall be made to place all utility lines from the solar energy system underground. Electrical transformers for utility interconnections may be above ground if required

by the utility provider.

2. **Utility Connections for Existing Residential Areas:** Any Commercial Solar Energy Production Site and/or connection to the main utility grid that is located adjacent to, or in the immediate proximity to, an existing residentially utilized area as determined by the Planning Board, shall be required to place all utility lines underground unless the utility company owning/operating the main transmission lines requires the lines to be above ground on utility poles. The Planning Board shall have the authority to require the applicant to provide documentation from duly qualified parties regarding the utility companies requirements.
3. **Utility Connections for areas not residentially utilized:** The Planning Board shall have the authority to determine if the Commercial Solar Energy Production Site and connection to the main power grid is in, or in the immediate proximity of, an existing residentially utilized area. If the Planning Board makes the determination that it is not, the determination of underground or above ground utility lines shall be as established in this Section.

The Planning Board is encouraged to make a distinction between the necessary switching required by the utility company owning/operating the transmission lines and the utility lines originating from the Commercial Solar Energy Production Site to point of connection to the main power "grid". The Planning Board (or designee) shall notify neighboring property owners and request their input.

The applicant shall be responsible for providing information relevant to the criteria listed below. The Planning Board shall review and consider the following elements in making the determination of underground or above ground utilities:

- a. Any input from neighboring property owners after being duly notified as part of the Town's review
- b. Estimated visual implications to neighboring property owners based on renderings provided by the applicant and/or field conditions observed as part of a sitewalk by the Planning Board (if held)
- c. Location and number of existing utility poles (if any)
- d. Overall purpose, intent, and use of the Zoning District in which the utility connection is located i.e. is the District predominantly residential
- e. Number of residences that the utility lines will need to be adjacent to
- f. Number and location of any new and/or upgraded utility poles that are necessary
- g. Input from the utility company owning/operating the main transmission lines
- h. Documented existing physical site conditions that substantially complicate placing utilities underground such as bedrock

I. Visual Impact:

1. Visual Impact - Reasonable efforts, as determined by the Planning Board, shall be made to minimize visual impacts by preserving natural vegetation, screening of abutting properties, and protecting scenic resources.
2. For any Medium or Large Scale Commercial Solar Energy Production Site (CSEPS) in a Rural Residential & Agricultural Zoning District, the Planning Board shall have the authority to require

sufficient vegetative buffering and/or screening, as determined by the Board, to minimize the adverse visual impacts of solar array from any existing residential property. The objective is to provide adequate year-round buffering of the CSEPS, for the lifetime of the CSEPS on the property where the CSEPS is proposed, for any abutting parcel utilized primarily for residential purposes when the application is submitted to the Town and deemed complete.

3. The Applicant and Planning Board shall follow the steps below to minimize the adverse impacts of the project site from all abutting properties utilized primary for residential purposes:

- a. In addition to all required Planning Board submittals, the applicant shall submit a scaled legible plan, with supporting documentation as appropriate, showing the following:
 - i. The entire parcel proposed for the Commercial Solar Energy Production Site (CSEPS), property boundaries, and parcels within two-hundred and fifty (250) feet
 - ii. The proposed location of the CSEPS, proposed buildings, vehicular access(es), and any structure fifteen (15) feet or more in height including utility poles
 - iii. All parcels shown on the submitted plan shall be identified with the Tax Map/lot, owners last name, and lot size in acres.
 - iv. All existing structures located on the parcel proposed for the CSEPS and within one hundred (100) feet of the parcel proposed accurate to ten (10) feet
 - v. For all portions of the perimeter of the CSEPS proposed property that abut a residentially utilized property, the approximate location of existing trees at least fifteen (15) feet high and other significant woody vegetation on the CSEPS parcel that is proposed to remain when the project is completed to provide a vegetative buffer
 - vi. Locations and associated details (size, type, spacing, etc.) of native evergreen trees proposed to be planted on the CSEPS parcel to provide reasonable year-round vegetative buffering for residentially utilized properties within five (5) years of completing the construction of the CSEPS and continuing to adequately screen the facility for the lifetime of the CSEPS.
 - vii. Any replanting plan shall be completed by a duly qualified professional, such as registered Landscape Architect, and shall include descriptions and/or renderings of anticipated buffering at appropriate time intervals to enable the Planning Board and abutting property owners to understand the anticipated timeframe for the growth to be an effective buffer
- b. The Planning Board shall review the plan submitted by the applicant and any input from neighboring property owners to determine if the proposed vegetative screening is, or will be in five (5) years, sufficient for residential properties abutting the CSEPS parcel. The Planning Board may wish to consider a site walk to view field conditions.
- c. The Planning Board shall have the authority to require the applicant to provide photographs of existing conditions, renderings of vegetative screening, or documentation from similar completed projects. If the Planning Board determines that the existing vegetative screening, together with any proposed replanting, is not sufficient, it shall have the authority to require the applicant to revise the plan as deemed appropriate by the Planning Board.
- d. The Planning Board shall have the ability to hire a qualified consultant, at applicants' expense, per 402.10.9 (Technical Review Fees). The Planning Board shall consider and have the

authority to require a performance bond for any necessary replanting per 402.10.17 in accordance with professionally accepted practices such as 80% survival rate for a 5-year period.

J. Removal and Abandonment of Medium and Large-Scale Solar Energy Systems.

- 1, Any medium or large-scale solar energy system that has reached the end of its useful life or has been abandoned shall be removed. The owner or operator shall physically remove the installation no more than one hundred and eighty (180) days after the date of the discontinued operations. The owner or operator shall notify the Code Enforcement Officer by certified mail, return receipt requested, of the proposed date of the discontinued operations and plans for removal.

2. Decommissioning shall consist of:
 - a. Physical removal of all solar energy systems, structures, equipment, security barriers and transmission lines from the site.

 - b. Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations; and

 - c. Stabilization or re-vegetation of the site as necessary to minimize erosion. The Code Enforcement Officer shall have the authority to allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation provided compliance to all applicable codes and ordinances.

3. Once the owner and/or operator has properly removed all components of Commercial Solar Energy System and associated abandoned structures, the owner and/or operator shall notify the Town Planner in writing and request an inspection by the Code Enforcement Officer (CEO). The CEO shall have the authority to employ the services of the Town's Engineer or other qualified professionals, at the owner/operators expense, to verify that the abandonment complies with all applicable standards. If the CEO, in consultation with the Town Planner, determines that such removal is satisfactory, the CEO shall notify the Town Planner or designee in writing to release the abandonment performance guarantee.

4. Absent notice of a proposed date of decommissioning or written notice of extenuating circumstances, a medium or large-scale solar energy system shall be considered abandoned if it fails to generate electricity for more than one (1) year without first obtaining the written consent of the Code Enforcement Officer. Determination of abandonment shall be made by the Code Enforcement Officer.

5. If the owner or operator of the medium or large-scale solar energy system fails to remove the installation in accordance with the requirements of this section within one hundred and eighty (180) days of the abandonment of the proposed date of decommissioning, the Town shall use reasonable effort to notify the party that the Town intends to use the performance guarantee and any and all legal or available

means necessary to cause an abandoned, hazardous, or decommissioned solar energy system to be removed.

K. Performance Guarantee for Removal and Abandonment:

1. The owner and/or operator of the Commercial Solar Energy System shall be responsible for establishing and maintaining the performance guarantee for abandonment in accordance with standards established in this Ordinance throughout the lifetime of the system until all components of the Commercial Solar Energy System have been properly removed. Any proposed replacements, changes, or adjustments to the performance guarantee must be approved by the Code Enforcement Officer with input from the Town Planner as necessary. Owners/operators are reminded of Section 402.8.10.G above that requires Staff Review Committee approval for a change of ownership and/or operator(s).
2. As an integral part of the submittal to the Planning Board, the owner/operator of the proposed Commercial Solar Energy System shall provide an estimate of all costs that the Town would incur to employ the services of duly qualified contractor(s) to remove all components of Commercial Solar Energy System and all associated abandoned structures from the respective parcel(s). The cost estimate must include sufficient detail for the Planning Board to ensure the accuracy of the submitted figures and address all necessary aspects of the abandonment. The Planning Board may request input from the Town Engineer and other duly qualified professionals at the applicant's expense for making this determination.
3. The amount of the performance guarantee shall be at least one hundred and fifty (150) percent, as determined by the Planning Board, of the estimated cost for demolition and complete removal of the system. The form of the performance guarantee shall be approved by the Planning Board, with input from the Town's legal counsel as necessary at the applicant's expense, and duly established with the Town prior to the Code Enforcement Officer issuing any permits for the Commercial Solar Energy System.
4. If the Commercial Solar Energy System is required to establish and maintain a financial surety for abandonment by another governmental entity, such as the Maine Department of Environmental Protection, the applicant is encouraged to ensure that the posting of the financial performance guarantee for abandonment complies with Town standards to streamline the administrative process. The applicant shall submit information about any such performance guarantee as part of the Planning Board's review and the Planning Board shall determine if Town standards are met with input from duly qualified professionals as necessary at applicant's expense.
5. If the Planning Board determines that the financial surety for abandonment required by another governmental entity meets Town standards, the performance guarantee for abandonment requirement shall be deemed acceptable provided that the Planning Board also determines that sufficient written documentation is submitted ensuring that the Town will be kept apprised of any changes to the surety for the lifetime of the Commercial Solar Energy System.

6. If the Planning Board determines that the financial surety for abandonment required by another governmental entity does not meet Town standards, the applicant shall have two options. The first is to make the necessary adjustments to the financial surety for the Planning Board to determine that Town standards are met. The second option for the applicant is to request to be on the agenda for the next available meeting of the Gray Town Council.
7. The Gray Town Council shall have the authority to determine if the financial surety is sufficient in the event that the applicant for the Commercial Solar Energy System chooses to approach the Council per above. Prior to being placed on a Council agenda, the applicant shall provide written documentation, with attachments as necessary, that specifically lists all deviations from Town requirements for the performance guarantee for abandonment. The applicant shall also provide information regarding the reasoning for not meeting Town requirements.
8. In the event that the applicant decides to approach the Gray Town Council, and Planning Board has deemed the application complete and that all applicable standards are met except the Town Council resolution of the performance guarantee for the abandonment, the Planning Board shall have the authority to consider a conditional approval of the application. Any such approval shall include a specific condition that the Code Enforcement Officer shall not issue permits for the Commercial Solar Energy System until the Town Council has determined that the performance guarantee for abandonment is acceptable.

MOVED to new J.3 Addressed in new Section K MOVED to new J.4L. **Site Plan Review Authority**

1. Any application to install a medium or large-scale ground-mounted solar energy systems shall be subject to review by the Planning Board under the Conditional Use, Site Plan, and Subdivision regulations as applicable.

	GRAY WATER DISTRICT	15-Apr-21				
	PROJECT COST ESTIMATES AND CONSTRUCTION TIMING					
			F/YEAR IMPACTS			
PROJECT:	DESCRIPTION OF COSTS	WORK TIME FRAMES	7/1/21-6/30/22	7/1/22-6/30/23	7/1/23-6/30/24	TTL PROJ. COSTS
Rt. 115- WATER LINE IN TIF	REPLACE WATER LINES UP HILL TOTAL COST EST. \$600,000	START IN SPRING-2022 Design/Engineering Purchase of materials Construction work	\$39,868 \$200,000	\$360,000		\$600,000
SHAKER ROAD WORK	CONNECTIONS, LINES REPLACE AS NEEDED FOR TOWN PROJ.	START IN SPRING OF 2021 COMPLETE- FALL 2021	\$165,000			\$165,000
LEWISTON ROAD	5 CORNERS TO CUMBY FARMS VALVE REPLCMNTS AS NEEDED	START IN SPRING OF '22		\$20,000+/-		
	CUMBY FARM TO LEGION	DESIGN/ENGINEERING ACQUIRE MATERIALS CONSTRUCTION		\$5-\$10,000		
	LEGION TO END OF EXISTING LINE	DESIGN/ENGINEERING ACQUIRE MATERIALS &CONSTRUCTION		\$83,505	\$5,000	
					\$985,801	\$1,104,306
TURNPIKE (n) LINE REPLACEMENT	REPLACE ASBESTOS LINED PIPE UNDER I-95	DESIGN/ENGINEERING ACQUIRE MATERIALS CONSTRUCTION and DIRECT DRILL	\$36,470 \$195,000			
				\$126,133		\$357,603

Gray Water District

Project Narrative- Line Replacement

April 15, 2021

The Gray Water District has reviewed several projects that are part and parcel of a long term capital improvement program that will require appropriate Public Utility Commission approvals for rate increases in the near future. One of the projects that has been given a priority is that of a section of supply line on route 26 in Gray, Maine. The following is a narrative of the current situation.

The Gray Water District Turnpike Supply Connection

The Gray Water District's turnpike crossing on route 26 North was installed in the mid 1950's. The age of this line alone makes this a vulnerability to our primary mission, " to provide a clean and reliable water supply to the Gray community". The problem is further magnified due to the material used to manufacture this line which is made up of Transite (asbestos cement) pipe. This means it is both a health concern as well as structural weakness in the delivery system.

Our history indicates that we've had problems with this type of main in our system. Almost every one of our main breaks over the past few years have been in mains made of Transite. The issue is further complicated by the fact that it is under the turnpike road. As such if it were to break it has the potential to wash out that portion of the turnpike and shut down both north and southbound lanes to traffic. Also, it would cut off water supply and eliminate fire protection to one side of town until it could be repaired. This would be devastating as 365 customers including Gray Fire Department, Gray Public Works, Gray New Gloucester High and Middle Schools, Maine Wildlife Park and Maine State Police Troop B would be affected as they are located on that side of town.

Our solution is to drill a new 12" main consisting of HDPE which is a much stronger material. This in turn would be sleeved through a larger jacketed Poly material for added protection and would alleviate the danger of a break under the Turnpike. This process called a "direct underground bore" is included in our probable cost estimates which are attached.

We encourage your support for this grant request and are available to answer any questions regarding this project.

Mr. Bruce Sawyer, President

Gray Water District

Article 2. Shall the Town vote to accept \$4,265,664 of revenue and any Federal, State and other sources of revenue and to appropriate the same to help fund the total Municipal Budget for FYE 2022 (detailed below) as recommended by the Town Council?

Article 3. Shall the Town vote to raise and appropriate \$9,161,533 to fund the FYE 2022 Municipal Budget, as recommended by the Town Council?

(Admin, Codes, GA, Com. Dev., Com. & Info, Elections)	\$1,444,543	
Municipal Finances (Bonds/CIP)	\$2,952,679	
Library and Parks & Recreation	\$366,653	
Public Safety/Street Lights	\$1,350,386	
Public Works	\$2,680,276	
Council (legal), Boards and Committees	\$46,840	
Law Enforcement	\$288,081	
Community Service Agencies	\$32,075	
Total Budget FYE 2022		\$9,161,533

Article 4. Shall the Town vote to raise and appropriate \$10,000 for Town Council compensation for the FYE 2022, as recommended by the Town Council?

(Note: This appropriation must be voted on as a separate article, pursuant to, Art. II, Sec. 6 of the Town Charter.)

Article 5. Shall the Town vote to appropriate \$2,147,935 from the Capital Reserve Fund for FYE 2022, for the following Capital Projects, as recommended by the Town Council?

Road Resurfacing	\$467,625	
Parks and Recreation	\$7,500	
Public Works, Town Vehicles & Equipment	\$5,000	
Sidewalks	\$175,910	
Public Buildings	\$15,000	
Technology	\$34,500	
Debt Service	\$1,230,900	
Land Acquisition	\$50,000	
Miscellaneous	\$161,500	
Total Capital Projects FYE 2022		\$2,147,935

Article 6. Shall the Town vote to accept and appropriate for their designated purposes all of the various Town “enterprise account” funds (e.g., nonmajor special revenue funds, recreation enterprise funds) for FYE 2022, as recommended by the Town Council?

Article 7. Shall the Town vote to place funds received from the disposition of Town-owned personal property with a value of \$100,000 or less in the Capital Reserve Fund, and to appropriate the same for capital projects, as recommended by the Town Council?

Article 8. Shall the Town vote to accept all funds generated by donations and fund-raising activities on behalf of the Town’s Recreation Department, the Dry Mills Schoolhouse, the Gray Public Library Association, the Gray Fire Rescue Association, and various Town Committees, and to appropriate the same for their intended purposes, as recommended by the Town Council?

Article 9. Shall the Town vote to authorize the payment of tax abatements, including any interest due thereon, from the property tax overlay or, if necessary, from the unassigned fund balance, as recommended by the Town Council?

Article 10. Shall the Town vote to authorize the purchase of three parcels of land, identified as map and lot numbers 035-403-027, 035-403-028, and 035-403-029 on the Town of Gray tax maps, located on Main Street and the Lewiston Road, opposite Colley Hill Road, to enable the Town to implement short-term and long-term uses and improvements consistent with the Comprehensive Plan and other needs the Town Council deems to be in the Town's best interest?

(The purchase of these parcels will be funded by the proceeds of general obligation bonds to be issued by the Town upon approval of Article 11).

Article 11. Shall the Town vote to authorize the issuance of up to \$500,000 in general obligation bonds or notes of the Town to pay and/or reimburse the cost of acquiring the three parcels of land detailed in Article 10 above, said bonds and notes hereby authorized and the proceeds thereof hereby appropriated for said purpose, with the details of such bonding (including provisions that the bonds may be prepaid or subject to call for redemption with or without premium) to be determined by the Town Council?

(Fiscal Note: Total estimated debt service of this bond issue is approximately \$531,183, of which principal is \$500,000 and estimated interest at 2.05% over five years is \$31,183. The bonds authorized by this Article shall only be issued upon the passage of Article 10.)

FINANCIAL STATEMENT—TOWN OF GRAY: The issuance of bonds by the Town of Gray (the "Town") is one of the ways in which the Town borrows money for certain purposes. The following summary of the bonded indebtedness of the Town of Gray is as of the date of this Special Town Meeting:

• Bonds Now Outstanding and Unpaid	\$7,220,000
• Interest to be Repaid on Outstanding Bonds	\$1,395,287
• Total to be Repaid on Bonds Issued	\$8,615,287
• Additional Bonds Authorized But Not Yet Issued	\$0
• Total Additional Bonds (now proposed) to be Issued if Approved by Voters	\$500,000
• Estimated of Potential New Interest	\$31,183
• Total Additional Bonds to Be Issued And Estimated Interest if Approved by Voters	\$531,183

When money is borrowed by issuing bonds, the Town must repay not only the principal amount of the bonds but also interest on the bonds. The amount of interest to be paid will vary depending upon the rate of interest and the years to maturity at the time of issue. The validity of the bonds and of the voters' ratification of the bonds may not be affected by any errors in the estimates made of the costs involved, including varying interest rates, the estimated cost of interest on the bond amount to be issued, and the total cost of principal and interest to be paid at maturity.

Nathaniel Rudy
Town Treasurer

Article 12. Shall the Town vote to raise and appropriate \$25,000 to fund Senior Property Tax Assistance program as described in Town of Gray Ordinance Section 305, which provides property tax refund payments to those individuals seventy (70) years of age and over who maintain a homestead in the Town of Gray and meet the income and eligibility criteria established by the ordinance?

(Fiscal Note: If passed, this article shall only be effective if the voters also pass Article 13 below to increase the so-called LD 1 property tax levy limit for this purpose.)

Article 13. Shall the Town vote to increase the Town of Gray's property tax levy limit, otherwise imposed by Maine law for fiscal year ending 2022, by \$25,000 for a property tax levy limit totaling \$4,028, for the purpose of funding the Senior Property Tax Assistance program as detailed in Article 12 above, which will result in a tax commitment that is greater than the property tax levy limit otherwise imposed by Maine Law?

(Explanatory Note: If passed, this Article Shall only be effective upon passage of Article 12 to fund the Senior Property Tax Assistance program.)

DRAINAGE EASEMENT

SUNSET VIEW ASSOCIATION, a Maine nonprofit corporation, acting on behalf of the Unit Owners of the Sunset View Condominium, with a mailing address of _____, Gray, Maine 04039 (“Grantor”), its successors and assigns, hereby GRANTS for CONSIDERATION PAID, to the **TOWN OF GRAY**, a municipality organized and existing under the laws of the State of Maine, with a mailing address of 24 Main Street, Gray, Maine 04039 (the “Grantee”), its successors and assigns, in perpetuity, a DRAINAGE EASEMENT located on the westerly side of Route 26/Shaker Road in the Town of Gray, County of Cumberland, State of Maine, which is more particularly described in **Exhibit A** and depicted on **Exhibit B**, attached hereto and made a part hereof by reference (the “Easement Area”).

This easement shall allow Grantee, its successors and assigns, the perpetual right to enter the Easement Area to construct, reconstruct, install, operate, modify, alter, use, maintain, repair, replace, inspect, and monitor storm water management facilities, including, without limitation, pipes, mains, fixtures and appurtenances for conveying storm water over, under, and across the Easement Area.

This easement shall be subject to all existing easements, covenants, restrictions, and encumbrances of record. Reserving to Grantor, its successors and assigns, the use and enjoyment of the Easement Area for such purposes only as will in no way interfere with the perpetual use of the easement rights set forth herein, provided that no building or any kind of permanent structure shall be erected in the Easement Area by Grantor, its successors and assigns, and that Grantor, its successors and assigns, shall not remove earth from the Easement Area or place fill thereon without the written permission of Grantee.

Meaning and intending to convey a permanent easement over a portion of the land of Grantor, described in a deed from Harold Floyd Ames and Florence Richards Ames, to J. Philburn Roberts and Byrle E. Roberts, dated June 28, 1967, and recorded in the Cumberland County Registry of Deeds in Book 3001, Page 772, which easement shall burden and run with Grantor’s said property.

[Signature Page to Follow]

IN WITNESS WHEREOF, the Sunset View Association has caused this instrument to be executed by _____, its President, on behalf of the Unit Owners of the Sunset View Condominium, thereunto duly authorized, this _____ day of _____, 2021.

Signed Sealed and Delivered
In the Presence of

Witness

By: _____
[Insert Name], its President

STATE OF MAINE
CUMBERLAND, SS.

Date: _____, 2021

Personally appeared before me the above-named _____, President of the Sunset View Association, and acknowledged the foregoing instrument to be their free act and deed in said capacity as well as the free act and deed of said Sunset View Association.

Before me,

Notary Public/Attorney at Law
Print: _____
My commission expires: _____

EXHIBIT A

**Drainage Easement
Sunset View Association
To
Town of Gray**

An easement for drainage purposes located on, over, and through certain land located on Shaker Road, Gray, Maine, being more particularly shown on Map 35 of the Tax Maps of the Town of Gray as Lot 402-024, and being more particularly bounded and described as follows:

Beginning at a ¾" iron pipe along the Shaker Road right-of-way (a/k/a Route 26), as more particularly depicted on **Exhibit B**;

THENCE South 28°30'50" West, along the land of Grantor, a distance of 21.14 feet to a point;

THENCE South 53°24'03" West, along the land of Grantor, a distance of 66.86 feet to a point;

THENCE North 82°25'14" West, along the land of Grantor, a distance of 28.70 feet to a point;

THENCE South 53°24'03" West, along the westerly sideline of Grantor, a distance of 106.60 feet to a point on the Shaker Road right-of-way;

THENCE South 36°39'51" East, along said Shaker Road right-of-way, a distance of 11.10 feet back to the point of beginning.

DRAINAGE EASEMENT

CHRISTOPHER C. BRANCH and LAURA G. BRANCH, having a mailing address of 37 Shaker Road, Gray, Maine 04039 (collectively “Grantor”), their successors and assigns, hereby GRANT for CONSIDERATION PAID, to the **TOWN OF GRAY**, a municipality organized and existing under the laws of the State of Maine, with a mailing address of 24 Main Street, Gray, Maine 04039 (the “Grantee”), its successors and assigns, in perpetuity, a DRAINAGE EASEMENT located on the westerly side of Route 26/Shaker Road in the Town of Gray, County of Cumberland, State of Maine, which is more particularly described in **Exhibit A** and depicted on **Exhibit B**, attached hereto and made a part hereof by reference (the “Easement Area”).

This easement shall allow Grantee, its successors and assigns, the perpetual right to enter the Easement Area to construct, reconstruct, install, operate, modify, alter, use, maintain, repair, replace, inspect, and monitor storm water management facilities, including, without limitation, pipes, mains, fixtures and appurtenances for conveying storm water over, under, and across the Easement Area.

This easement shall be subject to all existing easements, covenants, restrictions, and encumbrances of record. Reserving to Grantor, its successors and assigns, the use and enjoyment of the Easement Area for such purposes only as will in no way interfere with the perpetual use of the easement rights set forth herein, provided that no building or any kind of permanent structure shall be erected in the Easement Area by Grantor, its successors and assigns, and that Grantor, its successors and assigns, shall not remove earth from the Easement Area or place fill thereon without the written permission of Grantee.

Meaning and intending to convey a permanent drainage easement over a portion of the land of Grantor described in a deed from Paul R. Lavallee to Grantor, dated June 27, 2005 and recorded in the Cumberland County Registry of Deeds in Book 22810, Page 43, which easement shall burden and run with Grantor’s said property.

IN WITNESS WHEREOF, Christopher C. Branch and Laura G. Branch have caused this instrument to be executed this _____ day of _____, 2021.

Signed Sealed and Delivered
In the Presence of

Witness

Christopher C. Branch

Witness

Laura G. Branch

STATE OF MAINE
CUMBERLAND, SS.

Date: _____, 2021

Personally appeared before me the above-named Christopher C. Branch and Laura G. Branch, and acknowledged the foregoing instrument to be their free act and deed.

Before me,

Notary Public/Attorney at Law
Print: _____
My commission expires: _____

EXHIBIT A
Drainage Easement
Christopher C. Branch and Laura G. Branch
To
Town of Gray

An easement for drainage purposes located on, over, and through certain land located at 37 Shaker Road, Gray, Maine, being more particularly shown on Map 35 of the Tax Maps of the Town of Gray as Lot 402-027, and being more particularly bounded and described as follows:

Area #1

Beginning at a $\frac{3}{4}$ " iron pipe along the Shaker Road right-of-way (a/k/a Route 26), as more particularly depicted on **Exhibit B**;

THENCE North 53°24'03" East, a distance of 23.58 feet to a point on the easterly lot line of Grantor;

THENCE North 28°30'50" East, a distance of 25.97 feet, along the land of Grantor, to a point on the Shaker Road right-of-way;

THENCE South 36°39'51" East, a distance of 10.93 feet, along said Shaker Road right-of-way back to the point of beginning.

The total area of Area #1 containing approximately 130 square feet.

Area #2

Beginning at a point along the easterly lot line of Grantor approximately 77.91 feet from the Shaker Road right-of-way, as more particularly depicted on **Exhibit B**;

THENCE North 53°24'03" East, along said easterly sideline of land of Grantor, a distance of 28.70 feet to a point;

THENCE North 82°25'14" West, along the land of Grantor, a distance of fourteen and 14.37 feet to a point;

THENCE North 07°34'46" East, along land of grantor, a distance of 20.00 feet to a point;

THENCE South 82°25'14" East, along land of grantor, a distance of 34.96 feet back to the point of beginning.

The total area of Area #2 being approximately 493 square feet.

DRAINAGE EASEMENT

ROXANNE S. MARTIN, having a mailing address of 45 Shaker Road, Gray, Maine 04039 (the “Grantor”), her successors and assigns, hereby GRANTS for CONSIDERATION PAID, to the **TOWN OF GRAY**, a municipality organized and existing under the laws of the State of Maine, with a mailing address of 24 Main Street, Gray, Maine 04039 (the “Grantee”), its successors and assigns, in perpetuity, a DRAINAGE EASEMENT located on the westerly side of Route 26/Shaker Road in the Town of Gray, County of Cumberland, State of Maine, which is more particularly described in **Exhibit A** and depicted on **Exhibit B**, attached hereto and made a part hereof by reference (the “Easement Area”).

This easement shall allow Grantee, its successors and assigns, the perpetual right to enter the Easement Area to construct, reconstruct, install, operate, modify, alter, use, maintain, repair, replace, inspect, and monitor storm water management facilities, including, without limitation, pipes, mains, fixtures and appurtenances for conveying storm water over, under, and across the Easement Area.

This easement shall be subject to all existing easements, covenants, restrictions, and encumbrances of record. Reserving to Grantor, their successors and assigns, the use and enjoyment of the Easement Area for such purposes only as will in no way interfere with the perpetual use of the easement rights set forth herein, provided that no building or any kind of permanent structure shall be erected in the Easement Area by Grantor, its successors and assigns, and that Grantor, its successors and assigns, shall not remove earth from the Easement Area or place fill thereon without the written permission of Grantee.

Meaning and intending to convey a permanent easement over a portion of the land of Grantor, described in a deed from Winona Dolloff to Grantor, dated November 4, 2011, and recorded in the Cumberland County Registry of Deeds in Book 29100, Page 218, which easement shall burden and run with Grantor’s said property.

[Signature Page to Follow]

IN WITNESS WHEREOF, Roxanne S. Martin has caused this instrument to be executed this _____ day of _____, 2021.

Signed Sealed and Delivered
In the Presence of

Witness

Roxanne S. Martin

STATE OF MAINE
CUMBERLAND, SS.

Date: _____, 2021

Personally appeared before me the above-named Roxanne S. Martin, and acknowledged the foregoing instrument to be her free act and deed.

Before me,

Notary Public/Attorney at Law

Print: _____

My commission expires: _____

EXHIBIT A

**Drainage Easement
Roxanne S. Martin
To
Town of Gray**

An easement for drainage purposes located on, over, and through certain land located at 45 Shaker Road, Gray, Maine, being more particularly shown on Map 35 of the Tax Maps of the Town of Gray as Lot 402-030, and being more particularly bounded and described as follows:

Beginning at a point along the Shaker Road right-of-way (aka Route 26), as more particularly depicted on **Exhibit B**;

THENCE South 53°20'30" West, along land of Grantor, a distance of 53.51 feet to a point;

THENCE South 08°17'05" West, along land of Grantor, a distance of 23.10 feet to a point;

THENCE South 53°25'31" West, along land of Grantor, a distance of 113.29 feet to a point;

THENCE South 81°27'27" East, along land of Grantor, a distance of 23.27 feet to a point;

THENCE South 53°26'08" West, along land of Grantor, a distance of 51.87 feet to a point;

THENCE North 36°33'52" West, along land of Grantor, a distance of 20.00 feet to a point;

THENCE North 53°26'08" East, along land of Grantor, a distance of 60.18 feet to a point;

THENCE North 81°27'27" East, along land of Grantor, a distance of 23.27 feet to a point;

THENCE North 53°25'31" East, along land of Grantor, a distance of 96.67 feet to a point;

THENCE N 08°17'05" West, along land of Grantor, a distance of 23.08 feet to a point;

THENCE North 53°20'30" East, along land of Grantor, a distance of 61.81 feet to a point on the Shaker Road right-of-way;

THENCE South 36°39'30" East, along the Shaker Road right-of-way, a distance of 20.00 feet back to the point of beginning.

POSITION DESCRIPTION TOWN OF GRAY MAINE

POSITION TITLE: ASSISTANT FIRE CHIEF CREATED/REVISED: 9/11/2020;02/04/2021

Narrative: This is a full time, salary exempt position, under the direction of the Fire Chief, is responsible for the administration and supervision of the firefighting, EMS, Rescue and fire prevention activities for the Town. The Assistant Fire Chief, working as a team member, performs firefighting, EMS, leadership and other operational functions, as described. This position involves supervisory work in the delivery of fire/rescue services, leadership and management of departmental personnel engaged in fire suppression, emergency medical services, and other assigned fire rescue duties.

Level of Supervision: This position is supervised by the Fire Chief and provides supervision to all Public Safety Department employees.

Essential Tasks, Skills and Requirements:

- Supervision and management, in conjunction with the Fire Chief, of all Public Safety Department employees, activities and equipment
- Holds Maine or National Paramedic certification
- Holds Firefighter I/II National Pro-Board certification
- Incident Command System and Mutual Aid procedures training completed
- Hazardous Materials First Responder Operation Level training completed
- Shall complete and obtain Pro-Board certification in the following within one year (these requirements may be extended if necessary, as determined by the Fire Chief)
 - National Incident Management System (NIMS) 100, 200,300,400 and 700
 - Fire Instructor I and II
 - Fire Inspector I and II
 - Fire Investigator I
- Shall complete and obtain Pro-Board certification in the following within three years (these requirements may be extended if necessary, as determined by the Fire Chief)
 - Fire Officer I and II
- Ability to exercise sound judgment, discretion, and confidentiality
- Will reside within a 20-minute response time to Public Safety Central Station (or must be certified in writing by the Town Manager to have done so within 6 months from the date of hire)
- Must be willing and able to devote time necessary for training, response to emergency incidents, special projects and professional development.
- Must be approved to drive and operate all department apparatus.

Examples of Position Tasks: (Illustrative only and not all inclusive):

- Respond to and assume command of all fire scenes and emergencies to which the Public Safety Department responds, if Chief is not present;
- Supervise the administrative details of the Public Safety Department;
- Maintains a level of knowledge and skill by attendance at, and participation in, training and education activities, incident response, special projects, and professional development. Meets or exceeds minimum standards for training and incident participation as determined by department procedure;
- When working normally scheduled shift, participates in and/or oversees the completion of maintenance activities, reports, projects, and other tasks, as assigned. Ensures that tasks, projects, and other assignments are correct and completed in a timely manner as determined by the Fire Chief;

- Ensure that fire prevention functions, including participation and coordinating pre-fire planning, in service inspections and smoke detector inspections on new construction, CO Detectors, Oil Burning Equipment and LP Gas are performed by properly trained technicians or department personnel.
- Responds to inquiries, complaints, and related requests from members of the department and the general public appropriate to his/her areas of responsibility. Advises the Fire Chief of any matters which cannot be resolved or any inquiries or complaints not appropriate to the position of Assistant Fire Chief.
- Applies fair and reasonable judgment when supervising and counseling coworkers. Exhibits good conduct and a neat, clean appearance as a representative of the Fire Rescue Department.
- Performs all fire suppression activities as required, including, but not limited to, assuming incident command, accountability, safety, suppression, ventilation, forcible entry, search & rescue, overhaul and rehab;
- Maintaining the data base for Aladtec, our scheduling software;
- Determining the best solutions for medical equipment and supplies;
- Ensuring Maine State EMS protocols are being followed;
- Fills the position of the Infection Control Officer as required by the State of Maine;
- Prepares reports and submits them to Maine EMS;
- Maintains the Roster of our EMS providers for Maine EMS;
- Prepares Incident Action Plans for events GFR are asked to provide coverage for such as the Patriot 5k, Blueberry festival, football games and other events;
- Gathers EMS data for FEMA grants and annual reports;
- Provides input on SOP's and SOG's;
- Develops and presents EMS trainings on a regular basis for all levels of providers at GFR;
- Maintains a solid relationship with all the hospitals we transport to;
- Maintains a solid relationship with Maine EMS leadership and attends meetings on a regular basis;
- Makes recommendations for the purchase of the proper PPE (Personal Protective Equipment) based on current Maine EMS guidelines.
- Follows the policies and procedures of the Fire Rescue Department and requires subordinate members to comply with those policies and procedures related to safety, equipment and apparatus use, and procedures related to maintenance, housekeeping, equipment, apparatus, and documentation. Shall follow the department's disciplinary procedure when action is required to correct improper or inappropriate behavior;
- Maintains an awareness of conditions relative to the department's ability to provide service and shall maintain an open line of communications with all officers of the department;
- Perform other duties as assigned by the Fire Chief and/or Town Manager.

Position Eligibility Standards:

Minimum Education

High School Diploma G.E.D. Associate Degree*
 Bachelor's Degree Advanced Degree

*Associate Degree in Fire Science, Paramedicine or Public Administration preferred, but not required.

Prior Experience

-Demonstrated employment history of progressively responsible firefighting experience, including supervisory and administrative responsibilities

Physical Requirements/Other:

Title/Department:		Director of Public Safety/Fire Chief			
Shift Length	<input type="checkbox"/> <8 hrs	<input checked="" type="checkbox"/> 8-12 hrs	<input type="checkbox"/> >12 hrs	<input type="checkbox"/> 24/7 operation	<input checked="" type="checkbox"/> On call
<input checked="" type="checkbox"/> Days:	<input checked="" type="checkbox"/> Nights	<input checked="" type="checkbox"/> Evening		<input type="checkbox"/> Rotating	
DEFINITION KEY	Never: 0 hours	Rarely: <10 minutes/shift or up to 1 hour per week	Occasionally: up to 1/3 shift	Frequently: 1/3-2/3 shift	Constantly: >2/3 of shift
Lifting/Carrying (pounds)	Never	Rarely	Occasionally	Frequently	Constantly
0-10	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10-25	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
25-50	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
50-100	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
>100	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Typical distance carried: <input type="checkbox"/> within area <input type="checkbox"/> between areas <input type="checkbox"/> throughout facility					
Postures/Tasks	Never	Rarely	Occasionally	Frequently	Constantly
Sitting	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Walking	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stairs	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ladders	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reach/lift above shoulders	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reach/lift below knees	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kneel/Crawl	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DEFINITION KEY	Never: 0 hours	Rarely: <10 minutes/shift or up to 1 hour per week	Occasionally: up to 1/3 shift	Frequently: 1/3-2/3 shift	Constantly: >2/3 of shift
Postures/Tasks	Never	Rarely	Occasionally	Frequently	Constantly
Work overhead	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Grasp with hands	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Keying	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mousing	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Writing	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Cognitive Demands/Sensory Requirements – For specific job demands, employee must be able to:

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> see | <input checked="" type="checkbox"/> hear | <input type="checkbox"/> distinguish color |
| <input checked="" type="checkbox"/> work in diminished lighting | <input checked="" type="checkbox"/> make critical decisions | <input checked="" type="checkbox"/> perform in fast-paced environment |
| <input checked="" type="checkbox"/> speak | <input type="checkbox"/> work at a set pace/rate | <input type="checkbox"/> remember accurately |
| <input checked="" type="checkbox"/> work under deadlines | <input checked="" type="checkbox"/> perform multiple tasks | <input checked="" type="checkbox"/> work independently |
| <input checked="" type="checkbox"/> understand verbal instructions | <input checked="" type="checkbox"/> understand written instructions | |
| <input type="checkbox"/> other: | | |

ORIGINAL

Acknowledgement

I have received a copy of this position description and having reviewed it, agree with its description and requirements and understand that it is the basis for my performance and evaluations.

Name of Employee: _____ Date: _____

Name of Supervisor: _____ Date: _____

POSITION DESCRIPTION TOWN OF GRAY MAINE

POSITION TITLE: ASSISTANT FIRE CHIEF -PUBLIC SAFETY CREATED/REVISED: 04/09/2021

Classification: Full-Time, Salary Exempt

Narrative: This position, under the direction of the Fire Chief/Public Safety Director, is responsible for the administration and supervision of all Public Safety Department employees in the Town of Gray. The Assistant Fire Chief, working as a team member, performs firefighting, EMS, leadership, and other operational functions. This position involves supervisory work in the delivery of fire/rescue services, leadership and management of departmental personnel engaged in fire suppression, emergency medical services, and other assigned fire rescue duties.

Supervision: Supervision is provided to this position by the Fire Chief/Public Safety Director.

POSITION RESPONSIBILITIES/TASKS

Illustrative Only, not all-inclusive:

- Supervises and manages, under the direction of the Fire Chief/Public Safety Director, all Public Safety Department employees, activities, and equipment.
- Responds to and assumes command of fire scenes and emergencies to which the Public Safety Department responds, if the Chief is not present.
- Performs all fire suppression activities as required, including, but not limited to, assuming incident command, accountability, safety, suppression, ventilation, forcible entry, search & rescue, overhaul, and rehab.
- Ensures Maine State emergency medical services (EMS) protocols are being followed.
- Maintains an awareness of conditions relative to the department's ability to provide service and shall maintain an open line of communications with all officers of the department.
- Develops and presents EMS trainings on a regular basis for all levels of providers in the department.
- When working a normally scheduled shift, participates in and/or oversees the completion of maintenance activities, reports, projects, and other tasks, as assigned. Ensures that tasks, projects, and other assignments are correct and completed in a timely manner as determined by the Chief.
- Responds to inquiries, complaints, and related requests from members of the department and the general public appropriate to his/her areas of responsibility.
- Advises the Fire Chief/Public Safety Director of any matters which cannot be resolved or any inquiries or complaints not appropriate to the position of Assistant Fire Chief.
- Ensures that fire prevention functions, including participation and coordinating pre-fire planning, in service inspections and smoke detector inspections on new construction, carbon monoxide detectors, oil burning equipment, and liquid propane gas are performed by properly trained technicians or department personnel.
- Complete administrative tasks such as maintaining the data base for Aladtec, our scheduling software.
- Maintains a constructive working relationship with all area hospitals.
- Maintains a constructive working relationship with Maine EMS leadership, and attends meetings on a regular basis.
- Makes recommendations for the purchase of the proper Personal Protective Equipment (PPE) based on current Maine EMS guidelines.
- Determines the best solutions for medical equipment and supplies.
- Fills the position of the Infection Control Officer as required by the State of Maine.
- Maintains the Roster of our EMS providers for Maine EMS.
- Prepares reports and submits them to Maine EMS.

- Prepares Incident Action Plans for events that Public Safety Department personnel are asked to provide coverage for such as the Patriot 5k, Blueberry festival, football games and other events.
- Gathers EMS data for FEMA grants and annual reports.
- Provides input on fire department standard operating procedures (SOPs) and standard operating guidelines (SOGs) to ensure compliance with municipal ordinances, state law, and federal laws and regulations.
- Follows the policies and procedures of the Public Safety Department and requires subordinate members to comply with those policies and procedures related to safety, equipment and apparatus use, and procedures related to maintenance, housekeeping, equipment, apparatus, and documentation.
- Applies fair and reasonable judgment when supervising and counseling coworkers. Exhibits good conduct and a neat, clean appearance as a representative of the Public Safety Department.
- Follows the department's disciplinary procedure when disciplinary action is required.
- Maintains a level of knowledge and skill by attendance at, and participation in, training and education activities, incident response, special projects, and professional development. Meets or exceeds minimum standards for training and incident participation as determined by department procedure.
- Perform other duties as assigned by the Fire Chief/Public Safety Director and/or Town Manager.

POSITION REQUIREMENTS/QUALIFICATIONS

Education & Experience

Minimum Education Required:

- High School Diploma
 G.E.D/High School Equivalent
 Associate Degree
 Bachelor's Degree
 Advanced Degree

* Associate Degree in Fire Science, Paramedicine or Public Administration preferred, but not required.

Prior Experience Required:

Demonstrated employment history of progressively responsible firefighting experience, including supervisory and administrative responsibilities. Must be a licensed Firefighter/Paramedic in the State of Maine and have two years of experience for the same prior to application.

Prior Experience Preferred:

3 years of direct experience in this position, including supervisory experience, and/or a satisfactory equivalent in the estimation of the Town.

Knowledge, Ability, Skills

- Holds Maine or National Paramedic certification
- Holds Firefighter I/II National Pro-Board certification
- Incident Command System and Mutual Aid procedures training completed
- Hazardous Materials First Responder Operation Level training completed
- Shall complete and obtain Pro-Board certification in the following within one year (these requirements may be extended if necessary, as determined by the Fire Chief/Public Safety Director):
 - National Incident Management System (NIMS) 100, 200,300,400 and 700
 - Fire Instructor I and II
 - Fire Inspector I and II

- Fire Investigator I
- Shall complete and obtain Pro-Board certification in the following within three years (these requirements may be extended if necessary, as determined by the Fire Chief)
 - Fire Officer I and II
- Ability to exercise sound judgment, discretion, and confidentiality.
- Will reside within a 20-minute response time to Public Safety Central Station (or must be certified in writing by the Town Manager to have done so within 6 months from the date of hire)
- Must be willing and able to devote time necessary for training, response to emergency incidents, special projects and professional development.
- Must possess a valid State of Maine motor vehicle operator license at the levels for all duties required by the Public Safety Department.
- Must be approved to drive and operate all department apparatus.

Probationary Period:

Employees in this position will be required to serve a probationary period of six (6) months, during which time performance will be carefully evaluated and frequent feedback will be provided. Continuation in the position of Assistant Fire Chief will be contingent upon successful completion of the probationary period.

Physical Requirements/Other:

Title/Department:		Assistant Fire Chief			
Shift Length	<input type="checkbox"/> <8 hrs	<input checked="" type="checkbox"/> 8-12 hrs	<input type="checkbox"/> >12 hrs	<input type="checkbox"/> 24/7 operation	<input checked="" type="checkbox"/> On call
<input checked="" type="checkbox"/> Days:	<input checked="" type="checkbox"/> Nights		<input checked="" type="checkbox"/> Evening		<input type="checkbox"/> Rotating
DEFINITION KEY	Never: 0 hours	Rarely: <10 minutes/shift or up to 1 hour per week	Occasionally: up to 1/3 shift	Frequently: 1/3-2/3 shift	Constantly: >2/3 of shift
Lifting/Carrying (pounds)	Never	Rarely	Occasionally	Frequently	Constantly
0-10	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10-25	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
25-50	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
50-100	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
>100	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Typical distance carried: <input type="checkbox"/> within area <input type="checkbox"/> between areas <input type="checkbox"/> throughout facility					
Postures/Tasks	Never	Rarely	Occasionally	Frequently	Constantly
Sitting	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Walking	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stairs	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ladders	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Reach/lift above shoulders	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reach/lift below knees	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kneel/Crawl	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DEFINITION KEY	Never: 0 hours	Rarely: <10 minutes/shift or up to 1 hour per week	Occasionally: up to 1/3 shift	Frequently: 1/3-2/3 shift	Constantly: >2/3 of shift
Postures/Tasks	Never	Rarely	Occasionally	Frequently	Constantly
Work overhead	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Grasp with hands	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Keying	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mousing	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Writing	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cognitive Demands/Sensory Requirements – For specific job demands, employee must be able to:					
<input checked="" type="checkbox"/> see		<input checked="" type="checkbox"/> hear		<input type="checkbox"/> distinguish color	
<input checked="" type="checkbox"/> work in diminished lighting		<input checked="" type="checkbox"/> make critical decisions		<input checked="" type="checkbox"/> perform in fast-paced environment	
<input checked="" type="checkbox"/> speak		<input type="checkbox"/> work at a set pace/rate		<input type="checkbox"/> remember accurately	
<input checked="" type="checkbox"/> work under deadlines		<input checked="" type="checkbox"/> perform multiple tasks		<input checked="" type="checkbox"/> work independently	
<input checked="" type="checkbox"/> understand verbal instructions		<input checked="" type="checkbox"/> understand written instructions			
<input type="checkbox"/> other:					

Acknowledgement

I have received a copy of this position description and having reviewed it, agree with its description and requirements and understand that it is the basis for my performance and evaluations.

Name of Employee: _____ Date: _____

Name of Supervisor: _____ Date: _____

POSITION DESCRIPTION TOWN OF GRAY MAINE

POSITION TITLE: WILKIES BEACH ATTENDANT **DATE CREATED/ REVISED: 03/10/2020**

Narrative: The Wilkies Beach Staff is responsible for maintaining a clean and safe beach area, checking identification for Gray residents, monitoring the general public for appropriate behavior and making sure all are following the guidelines of the beach, parking and water areas. Courtesy Boat Inspections will be conducted while attending to beach needs. This is not a lifeguard role.

Supervision: Under the direction of the Parks and Facilities Director

POSITION RESPONSIBILITIES/TASKS

Illustrative only and not all inclusive:

- Monitor and ensure a safe and fun area for the community.
- Check identifications when necessary to ensure all guidelines are being adhered to.
- Picking up trash
- Raking beach
- Minor landscape projects
- Monitoring swim float
- Monitoring geese population
- Monitoring parking lot
- Responsible for keeping self on task and following rules.

ADDITIONAL JOB FUNCTIONS

- Act as a positive role model at ALL times.
- Attend all scheduled meetings, workshops and trainings.

POSITION REQUIREMENTS/QUALIFICATIONS

Education & Experience

- Minimum of a high school diploma or equivalent preferred

Knowledge, Ability, Skills

- Prior experience with beach attending extremely helpful.
- Personal swimming skills. Lifeguard and/or first aid and CPR training a big plus.
- Strong verbal communication skills.
- Hearing and listening skills; ability to interpret, understand and effectively carry out all oral and written directions.
- Enjoys working with general public.
- Self-directed and motivated.
- Enjoys a leadership role.

Physical Requirements/Other

- Frequent standing, sitting, bending and walking.
- Must be available to work from Memorial Day weekend to Labor Day weekend.
- Must be available to work a mixture of hours: from 7:00am to 7:00pm. Position will involve sharing work hours with other staff, but should be willing and able to work 20-40 hours each week.

Acknowledgement

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Name of Employee: _____ Date: _____

Name of Supervisor: _____ Date: _____

ORIGINAL

POSITION DESCRIPTION

TOWN OF GRAY MAINE

POSITION TITLE: WILKIES BEACH ATTENDANT **DATE CREATED/ REVISED: 04/06/2021**

Classification: Seasonal Full-Time – Hourly (Memorial Day weekend to Labor Day weekend)

Narrative: The Wilkies Beach Attendant is responsible for maintaining a clean and safe beach area, monitoring the public for appropriate behavior, answering questions as needed, and making sure all Wilkies Beach visitors are following guidelines for the parking, beach, and water areas. This is not a lifeguard role.

Supervision: Under the direction of the Recreation Director.

POSITION RESPONSIBILITIES/TASKS

Illustrative only and not all inclusive:

- Monitor and ensure a clean and safe recreation area for the community.
- Understand all policies and ordinances relating to the beach and be able to explain them respectfully to residents.
- Check Gray resident identifications when necessary to ensure all guidelines are followed.
- Resolve conflicts as necessary and respond promptly in cases of emergency.
- Tidy and rake the beach, picking up trash as needed.
- Monitor the parking lot, especially during busy times.
- Complete minor landscape projects in collaboration with Buildings and Grounds.
- Conduct courtesy boat inspections per guidelines.
- Monitor swim float.
- Monitor geese population.
- Other duties as assigned by the Recreation Director.

ADDITIONAL JOB FUNCTIONS

- Practice positivity and model responsible behavior.
- Stay alert and be prepared to respond assertively.
- Collaborate effectively and attend all scheduled meetings and trainings.

POSITION REQUIREMENTS/QUALIFICATIONS

Education & Experience

- Minimum of a high school diploma or equivalent preferred
- Prior experience with boating and beach attending helpful
- Lifeguard and/or first aid and CPR training a plus

Knowledge, Ability, Skills

- Boating and recreation knowledge
- Customer service mentality; enjoys working with the general public

- Personal swimming skills
- Strong verbal communication skills
- Hearing and listening skills; ability to interpret, understand and effectively carry out all oral and written directions
- Self-directed and motivated
- Enjoys a leadership role

Physical Requirements/Other

- Frequent standing, sitting, bending, and walking
- May be required to lift up to 25 pounds on occasion
- Must be available to work from Memorial Day weekend to Labor Day weekend
- Must be available as needed to work varying hours, from 7:00am to 7:00pm. Position may involve sharing work hours with other staff, so should be willing and able to work 20-40 hours each week.

Acknowledgement

I have received a copy of this position description and having reviewed it, agree with its description and requirements and understand that it is the basis for my performance and evaluations.

Name of Employee: _____ Date: _____

Name of Supervisor: _____ Date: _____

- To make the Town of Gray the most desirable community for smart new real estate and business investment (in line with the Comprehensive Plan) in the State of Maine
 - Reclaim and revitalize the Gray Village, develop a Master Plan, and implement ordinance and zoning changes that protect the Town's investments in properties and infrastructure by managing growth.
 - Renegotiate our relationship with MDOT and MTA around traffic flow through the Gray Village and artery roads, to slow traffic and enhance bike-ped safety.
 - Reposition Gray through coordinated outreach campaigns that help existing businesses expand, attract new businesses, and stabilize or increase property value.
 - Ensure planning and development is 'person centered' to ensure Community is livable for all age demographics.
- To ensure that Town resources, specifically budget and staff time, are used to advance Town Council goals and the vision conveyed in the Comprehensive Plan.
 - Increase staff interaction through Department meetings and Inter-departmental project coordination and promote importance of contributing to the Comp Plan implementation.
 - Review existing budget process and make suggestions to improve process by simplifying, standardizing Staff requests (needs, wants, long term) and streamlining meeting timeline.
 - Clarify the Town / citizen relationship and promote accessibility and inclusion in Town business and official proceedings by creating navigation aids for services.
 - Implement zoning/ordinance revisions and performance standards that align with the Comp Plan's stated goals to create development zones and preservation areas.
- To foster a supportive, enriching work environment for Town staff that includes respect for the roles we play in the community, a culture of continuous learning, and a healthy work / life balance.
 - Elevate staff professionalism by creating standards and expectations for work, create a lead by example work ethic, and foster/maintain public trust in local government.
 - Pursue enhanced health and safety initiatives for Town staff that reduce insurance premiums and increase staff wellness.
 - Reinvigorate commitment to staff professional development and training to help build operational capacity; improve recruiting efforts and onboarding; develop cross-training and training redundancy; and, develop strategic management skills for accomplishing multiple projects and goals.