TOWN OF ALBION MAINE

CONVENTIONAL ENERGY GENERATION, BATTERY STORAGE, AND SUBSTATION ORDINANCE

Enacted March 21, 2026

Date of Enactment: 3/21/26

Attested Signature: Jeanie Doore

Jeanie Doore (Town Clerk)

Municipal Officers' Certification of Official Text of a Proposed Ordinance
[30-A M.R.S. § 3002(2)]

To the Town Clerk of the Town of Albion:

We hereby certify to you that the document to which we have affixed this certificate is a true copy of the official text of an ordinance entitled TOWN OF ALBION, MAINE CONVENTIONAL ENERGY GENERATION, BATTERY STORAGE, AND SUBSTATION ORIDNANCE which is to be presented to the voters for their consideration on March 21, 2026.

Pursuant to 30-A M.R.S. § 3002(2), you will retain this copy of the complete text of the ordinance as a public record and make other copies available for distribution to the voters, and you will ensure that copies are available at the special town meeting on the day of the vote.

Dated: March 9, 2026.

Town of Albion Selectboard

Attest: A true copy of an ordinance entitled "TOWN OF ALBION, MAINE CONVENTIONAL ENERGY GENERATION, BATTERY STORAGE, AND SUBSTATION ORIDNANCE" as certified to me by the municipal officers of the Town of Albion on the 9th day of March 2026.

Signature _____

Jeanie A Doore
Town Clerk of Albion

Town of Albion, Maine
Conventional Energy Generation, Battery Storage, and Substation Ordinance

I. Title

This Ordinance shall be known as the "Conventional Energy Generation, Battery Storage, and Substation Ordinance" for the Town of Albion, Maine.

II. Authority

This Ordinance is adopted pursuant to the enabling provision of Article VIII, Part 2 Section 1 of the Maine Constitution; the provisions of Title 30-A M.R.S. Section 3001, and the provision of the Planning and Land Use Regulation Act, Title 30-A M.R.S. Section 4312 et seq.

III. Purpose

The purpose of this Ordinance is to protect the health, safety, and general welfare of Albion's residents and property owners and to protect the natural resources and unique character of the Town of Albion by establishing reasonable conditions to provide for the construction, operation, and decommissioning of Conventional Energy Generation Facilities, Battery Energy Storage Facilities, and Electrical Substations.

IV. Definitions

1. **Applicant.**
   The legal entity, including successors and assigns, that files an application under this Ordinance.

2. **Associated Facilities.**
   All associated equipment, infrastructure, buildings, cabling, conduit, electrical connections, monitoring devices, communication systems, machinery and equipment related or connected to the Public Utility Scale Electrical Energy Facility.

3. **CEO.**
   The Code Enforcement Officer of the Town of Albion, Maine.

4. **DEP Certification.**
   A certification issued by the Department of Environmental Protection pursuant to 35-A M.R.S.

5. **Electrical Energy Facility.**
   Any Conventional Energy Generation Facility, Battery Energy Storage Facility, or Electrical Substation used for Utility Scale purposes as defined in this Ordinance.

6. **Nameplate Capacity.**
   The maximum electrical output a power generator or facility is designed to produce under ideal, specified conditions, as stated by the manufacturer on a physical plate (nameplate).

7. **Non-Residential Battery Energy Storage Facility.**
   A battery energy storage system used to store and distribute electrical energy to principally serve on-site residential and non-residential load, consisting of one or more cells or batteries and related equipment.

8. **Non-Utility Scale Conventional Energy Generation Facility.**
   A system used to generate energy to principally serve on-site residential and non-residential load and to reduce on-site consumption of utility power or other fuel, consisting of one or more electrical energy generators and related equipment capable of producing, in aggregate, less than 50kW of electrical energy.

9. **Non-Participating Landowner.**
   Any landowner other than a participating landowner whose property is located within Albion, Maine.

10. **Occupied Structure.**
    A residence, school, hospital, house of worship, public library, farm or other building that is occupied or in use as a business or residence or is customarily frequented by the public, or a space where people are present or could reasonably be expected to be present, whether they are actually present or not, at the time when the permit application is submitted.

11. **Operational License.**
    The legal permission granted by the Town of Albion, Maine which allows the operation of a Utility Scale Electrical Energy Facility.

12. **Participating Landowner:**
    One or more persons that hold title in fee or a leasehold interest with sublease rights to property on which Electrical Energy Facilities are proposed to be located pursuant to an agreement with the Applicant or an entity that has entered into an appropriate agreement with the Applicant allowing the

Applicant to demonstrate the requisite right, title, and interest in such property.

13. **Person.**
An individual, corporation, partnership, firm, organization or other legal entity.

14. **Public Hearing.**
An open meeting of a town board that discusses and reviews ordinances or components thereof.

15. **Qualified Independent Consultant.**
An independent professional consultant having the skill and experience necessary to provide the particular certificate, report, or approval required by this Ordinance.

16. **Residential Battery Energy Storage Facility.**
A battery energy storage system used to store and distribute electrical energy to principally serve on-site residential loads consisting of one or more cells or batteries and related equipment.

17. **Scenic Resource, Prime Farmland Soil, and Scenic Resource of Local Significance.**
Either a scenic resource of state or national significance, as defined in 35-A M.R.S § 3451(9), Prime Farmland Soil, or a Scenic Resource of Local Significance located within Albion, Maine.

Prime Farmland Soil is land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber and oilseed crops, and is also available for but not limited to these uses: cropland, pastureland, rangeland, forest land, or other land, but not urban built-up land or water.

Scenic Resource of Local Significance are any land(s) as identified in Albion's Comprehensive Plan.

18. **Sight Line.**

The imaginary line extending from an observer's eye to a viewed object or area, indicating the direction in which a person must look to see something.

19. **Substation.**

An assemblage of equipment including switches, circuit breakers, and transformers through which electrical energy is passed for the purpose of distribution, switching, or modifying its characteristics and that is connected or intended to be connected to a transmission or distribution electrical energy grid.

20. **Utility Scale Battery Energy Storage Facility.**

A battery energy storage system used to serve, store and distribute Utility Scale electrical energy principally for off-site load, sale, or distribution, consisting of one or more cells or batteries and related equipment and infrastructure.

21. **Utility Scale Conventional Energy Generation Facility.**
A system used to generate Utility Scale electrical energy to principally serve off-site load, sale, or distribution, consisting of one or more electrical energy generators and related equipment capable of producing, in aggregate, 50kW or greater, of electrical energy.

22. **Utility Scale Electrical Energy Facility.**
Any Utility Scale Battery Energy Storage Facility, Utility Scale Conventional Energy Generation Facility, or Electrical Substation as defined in this Ordinance.

V. Applicability

This Ordinance applies only to Utility Scale Battery Energy Storage Facilities, Utility Scale Conventional Energy Generation Facilities, and Electrical Substations, and any associated infrastructure, buildings and facilities located within the Town of Albion, Maine, proposed for construction after the effective date of this Ordinance.

VI. Conflict and Severability

1. Should a conflict between provisions in the Ordinance be found, the more stringent shall apply. If there is a conflict between a provision of this Ordinance and that of another Albion, Maine ordinance, the more stringent shall apply.

2. The invalidity of any part of this Ordinance shall not invalidate any other part of this Ordinance.

VII. Effective Date

This Ordinance becomes effective upon adoption.

VIII. Classification of Electrical Facilities and Permit Requirements

1. Conventional Energy Generation Facilities:
   a. Non-Utility Scale Conventional Energy Generation Facilities, permit not required.
   b. Utility Scale Conventional Energy Generation Facilities, permit required.

2. Battery Energy Storage Facilities
   a. Residential Battery Energy Storage, permit not required.
   b. Non-Residential Battery Energy Storage, permit not required.
   c. Utility Scale Battery Energy Storage, permit required.

3. Substations, permit required.

IX. Administration

1. Review and Approval Authority
   a. The Town of Albion Code Enforcement Officer (CEO) is authorized to review all applications for Utility Scale Conventional Energy Generation Facilities, Utility Scale Battery Energy Storage Facilities, and Utility Scale Electrical Substations and any associated infrastructure, buildings and facilities and provide recommendations to the Town of Albion Planning Board as required.

b. The Town of Albion Planning Board is authorized to review all applications for Utility Scale Conventional Energy Generation Facilities, Utility Scale Battery Energy Storage Facilities, and Utility Scale Electrical Substations and any associated infrastructure, buildings and facilities, and may approve, deny, or approve with conditions such applications in accordance with this Ordinance.

2. Permit Required
    a. No Utility Scale Electrical Energy Facilities or any associated infrastructure, buildings or facilities shall be constructed or located in Albion, Maine without a permit issued in accordance with this Ordinance.

    b. Any physical modification to an existing Utility Scale Conventional Energy Generation Facility, Utility Scale Battery Energy Storage Facility, or Utility Scale Electrical Substation that materially alters the location or increases the area of development on the site, or that alters the nameplate capacity of the facility shall require a permit modification under this Ordinance.

3. Permit Applications
    a. Application Components

    Utility Scale Conventional Energy Generation Facilities, Utility Scale Battery Energy Storage Facilities, and Utility Scale Electrical Substations permit applications shall consist of the application letter, application fee, and supporting documents, as described below.

b. Application Fees
Application Fees shall be assessed and paid upon submission of the application in accordance with Appendix A of this Ordinance.

c. Supporting Documents
The Application shall include all additional documents necessary to satisfy the applicable submission requirements specified by this Ordinance.

4. Application Submission
The Applicant shall submit its application for a Utility Scale Conventional Energy Generation Facility, Utility Scale Battery Energy Storage Facility, or Utility Scale Electrical Substation to the Code Enforcement Officer, who shall note on the application the date on which it was received.

5. Changes to a Pending Application
   a. The Applicant shall promptly notify the Code Enforcement Officer of any changes the Applicant proposes to make to any information contained in the application.

   b. After a Public Hearing to Review
   If changes to a pending application are proposed after a public hearing on the application has been held, the Planning Board may consider those changes and continue with the review and approval process without a renewed public hearing if it determines the proposed changes do not materially alter the application. If the Planning Board determines the proposed changes do

materially alter the application, or for any other reasonable cause arising out of the proposed change, the Planning Board shall schedule and conduct another public hearing within sixty (60) days of that determination.

6. Permit Application Procedures
    a. Applicants shall be required to meet with the Code Enforcement Officer prior to submitting an application. The pre-application meeting provides an opportunity for the Code Enforcement Officer to review application requirements with the Applicant. The Applicant should provide visual and written descriptions of the proposed facility and proposed site, including its location and lot area.

    b. Within sixty (60) days after receipt of the application by the Code Enforcement Officer, the Planning Board shall notify the Applicant in writing either that the application is complete, or if the application is incomplete, the specific additional material required to complete the application.

    c. The Planning Board shall hold a Public Hearing within sixty (60) days after determining the application is complete.

    d. Within sixty (60) days after the close of the Public Hearing, the Planning Board shall issue a written order, unless the Planning Board determines that additional

time is reasonably necessary to fully evaluate the application.

The written order shall:

i. Deny approval of the proposed Utility Scale Electrical Energy Facility;
ii. Approve the proposed Utility Scale Electrical Energy Facility; or
iii. Approve with conditions the proposed Utility Scale Electrical Energy Facility, subject to such conditions as the Planning Board determines are necessary to ensure compliance with this Ordinance.

In rendering its decision, the Planning Board shall determine whether the proposed Utility Scale Electrical Energy Facility satisfies all applicable standards and criteria set forth in this Ordinance.

7. Notice of Meetings

Thirty (30) days prior to any meeting at which an application for a proposed Utility Scale Electrical Energy Facility is to be considered, the Planning Board shall send notice by first class mail, to the Applicant and to all owners of property within a 1-mile radius of the property on which the Utility Scale Electrical Energy Facility is proposed to be located.

8. Public Hearings

The Planning Board shall make notice of the date, time, and place of any public hearing and the proposed location of the Utility Scale Electrical Energy Facility:

a. Published at least once in a newspaper having general circulation within the municipality, and the date of the last publication shall be at least ten (10) days but not more than thirty (30) days before the hearing. Applicant is responsible for the publication costs.

b. Posted on the Town of Albion website, Town Facebook page, and at the Town Office at least ten (10) days before the Public Hearing.

9. Professional Services
    a. In reviewing the application for compliance with this Ordinance, the Planning Board may, at any point during the review process, and as it deems necessary, retain Professional Services, including but not limited to those of an attorney, consultant, or State of Maine licensed professional engineer to verify information presented by Applicant. The applicant is solely responsible for the cost of such services. Professional Services providers shall first estimate the reasonable cost of such a review, and the Applicant shall deposit in escrow the full estimated cost.

    b. Professional Services shall be paid for from the escrow account by the Town of Albion, to Professional Service providers, and the Town of Albion shall reimburse the applicant if funds remain after final Application approval or denial.

10. Expiration of Permits

Permits shall expire:

a. Two (2) years after the date of approval unless a substantial start on construction has occurred, and

b. Three (3) years after the date of approval unless construction of the Utility Scale Electrical Energy Facility has been completed. Upon the Applicant's written request, the Planning Board may extend either or both expiration time limits by one (1) year. If a permit expires, the Applicant shall implement pertinent provisions of the approved decommissioning plan.

11. Access

The Code Enforcement Officer shall always have access to the site to review the progress of work or operation, and shall have the authority to review all records and documents related to the design, construction, and operation of the Utility Scale Electrical Energy Facility.

12. Enforcement

a. It shall be unlawful for any Person to violate or fail to comply with or take any action that is contrary to the terms of this Ordinance, or to violate or fail to comply with any permit issued under this Ordinance, or to cause another to violate or fail to comply or take any action which is contrary to the terms of this Ordinance or any permit under this Ordinance.

b. If the Code Enforcement Officer or other Person charged with enforcement of municipal laws determines that a

violation of this Ordinance or permit has occurred, the Code Enforcement Officer shall provide written notice to any Person alleged to be in violation of this Ordinance or permit. If the alleged violation does not pose an immediate threat to public health or safety, the Code Enforcement Officer and alleged violator shall engage in good faith negotiations to resolve the alleged violation.

c. If after thirty (30) days from the date of notice of violation the Code Enforcement Officer determines, in his/her reasonable discretion, that the parties have not resolved the alleged violation, the Code Enforcement Officer may institute civil enforcement proceedings or any other remedy at law to ensure compliance with the Ordinance or permit.

13. Appeals

Any person aggrieved by a decision of the Planning Board or Code Enforcement Officer under this Ordinance may appeal to the Board of Appeals. Written notice of an appeal must be filed with the Board of Appeals within thirty (30) days of the decision. The notice of appeal shall clearly state the reasons for the appeal.

X. Application Submission Requirements

1. General Submission Requirements:

a. A complete application letter including:

i. Applicant and Participating Landowner(s) name(s) and contact information.

ii. The address, tax map number, and owner(s) of the proposed facility site and any contiguous parcels owned by Participating Landowners.

iii. The address, tax map number, and property owners within a 1-mile radius of the property on which the Utility Scale Electrical Energy Facility is proposed to be located.

iv. A notarized affidavit signed and dated by the Applicant stating that the information provided in the application is correct and that the proposed Utility Scale Electrical Energy Facility and/or structure(s), if approved and built, shall be constructed and operated in accordance with the standards of this Ordinance and all federal, state, and local conditions of approval.

b. Receipt showing payment of application fee in accordance with Appendix A.

c. A copy of a deed, easement, purchase option, or other comparable documentation demonstrating the Applicant has right, title, or interest in the proposed facility site.

d. Location map showing the boundaries of the proposed facility site and all contiguous property under total or partial control of the Applicant or Participating Landowner(s) and any Scenic Resource, Historic Site, or

Prime Farmland Soils with 2,500 feet of the proposed development.

e. Description of the proposed Utility Scale Electrical Energy Facility that includes the number and aggregate energy generating, energy storage, or switching capacity of all primary components; physical descriptions of such components including width, depth and height of each generating component; and manufacturer's specification for each component, including make, model, maximum generating, storage, and switching capacity, all safety features, and a description of all associated infrastructure and facilities.

f. Site Plan detailing the proposed location of every energy generating, storage, and switching component and any of the following features: complete parcel boundaries, all required setbacks, two-foot topographic contour line map of the site, roads, rights-of-way, wetlands, streams, water bodies, farmland, forest, or otherwise protected areas and areas proposed to be re-graded or cleared of vegetation.

g. Written evidence that the provider of electrical service to the property has been notified by the Code Enforcement Officer of the intent to connect an electrical generator, battery, or substation to the electricity grid, if such a connection is proposed or deemed likely to be proposed in the future.

h. Description of emergency and normal shutdown procedures.

i. Photographs of existing conditions at the site.

j. Written evidence that the Environmental Coordinator of the Maine Department of Inland Fisheries and Wildlife and the Maine Natural Areas Program have both been notified of the pending application and the location of the proposed Utility Scale Electrical Energy Facility.

k. A written request for review by the Town of Albion Planning Board.

l. Written evidence that the Town of Albion has been requested to report the total potential impact to the municipal budget, emergency services, and any other costs the Planning Board or its agent deems reasonable to ensure the health and safety and general welfare of the residents and property owners of the Town of Albion considering the proposed Utility Scale Electrical Energy Facility.

m. Written evidence that the Applicant has performed a stray voltage analysis in accordance with this section.

    i. Applicant shall conduct and document in the form of a written report, a pre-construction, stray voltage test on all Occupied Structures located within a 0.5-mile radius of the Project Parcels. The test shall be performed by a Planning Board-approved investigator, using a testing protocol approved by the Planning Board. Findings shall be included in the Permit Application and shall be

provided to property owners in the study area upon request. Applicant shall not be required to perform testing on property where the owners have refused to grant permission.

ii. Within one (1) year of commencement of operation, holder of the Operational License shall conduct a post-construction stray voltage test on all Occupied Structures located within a 0.5-mile radius of the Project Parcels. The test shall be performed by a Planning Board-approved investigator, using a testing protocol approved by the Planning Board. Findings shall be included in the Permit Application and shall be provided to property owners in the study area upon request. Applicant shall not be required to perform testing on property where the owners have refused to grant permission.

iii. Holder of the Operational License shall provide to property owners neutral isolation devices at its sole expense, where post-construction testing revealed neutral to earth voltage increases in excess of 0.5 volts.

n. Other relevant studies, reports, certifications and approvals as may be reasonably requested by the Planning Board to ensure compliance with the Ordinance, state, and federal requirements and adherence to latest best practices.

2. Additional Submission Requirements for Utility Scale Battery Energy Storage Facilities:

    a. Written statement, signed by Applicant, that certifies the proposed facility/facilities is/are designed to meet the applicable glare control standards under nationally recognized best practices and acknowledges the Applicant or Operational License holder obligation to take remedial action if the Code Enforcement Officer determines those standards are not being met.

    b. Sight line, photographic, and screening information:

        i. Sight Line representations of the Utility Scale Electrical Energy Facility from the nearest Occupied Building and from at least one other representative location within 500 feet of the facility. Each Sight Line Representation shall be rendered at a scale sufficiently large to make it legible. If screening is proposed, the proposed screening device shall be depicted on the rendering along with the sight line altered by the screening.

        ii. Current eight-inch by eleven-inch color photograph of the proposed site of the facility taken from the viewpoints corresponding to each of the sight line renderings.

        iii. One copy each of the photographs described in item ii, above, onto which is superimposed an accurately scaled and sited representation of the facility.

c. Certificates of design compliance obtained by the equipment manufacturers from Underwriters Laboratory, or other similar certifying organizations.

d. Decommissioning plan in accordance with this Ordinance.

e. Written summary of operation and maintenance procedures for the Utility Scale Electrical Energy Facility and a maintenance plan for access roads, erosion, and sediment controls and storm water management facilities.

f. Storm water management plan stamped by a Maine licensed professional engineer.

g. Sound level analysis, prepared by a qualified engineer describing ambient sound levels at pre-construction, construction, and operational phases.

h. Other relevant studies, reports, certifications and approvals as may be reasonably requested by the Planning Board to ensure compliance with this Ordinance.

3. Additional Submission Requirements for Utility Scale Conventional Energy Generation Facilities:

a. Written statement, signed by Applicant, that certifies the proposed Utility Scale facility and/or facilities is/are designed to meet the applicable glare control standards

under nationally recognized best practices and acknowledges the Applicant or Operational License holder obligation to take remedial action if the Code Enforcement Officer determines those standards are not being met.

b. Sight line, photographic and screening information:

   i. Sight Line representations of the Utility Scale Electrical Energy Facility from the nearest Occupied Building and from at least one other representative location within 500 feet of the facility. Each Sight Line Representation shall be rendered at a sufficiently large scale to make it legible. If screening is proposed, the proposed screening device shall be depicted on the rendering along with the sight line altered by the screening.

   ii. Current eight-inch by eleven-inch color photograph of the proposed site of the facility taken from the viewpoints corresponding to each of the sight line renderings.

   iii. One copy each of the photographs describe in item ii, above, onto which is superimposed an accurately scaled and sited representation of the facility.

c. Certificates of design compliance obtained by the equipment manufacturers from Underwriters Laboratory, or other similar certifying organizations.

d. Decommissioning plan in accordance with this Ordinance.

e. Written summary of operation and maintenance procedures for the Utility Scale Electrical Energy Facility and a maintenance plan for access roads, erosion, and sediment controls and storm water management facilities.

f. Storm water management plan stamped by a Maine licensed professional engineer.

g. Sound level analysis, prepared by a qualified engineer describing ambient sound levels at pre-construction, construction, and operational phases.

h. Other relevant studies, reports, certifications and approvals as may be reasonably requested by the Planning Board to ensure compliance with this Ordinance.

4. Additional Submission Requirements for Substations:

a. Written statement signed by Applicant that certifies the proposed facility is designed to meet the applicable glare control standards under nationally recognized best practices and acknowledges the Applicant or Operational License holder obligation to take remedial action if the Code Enforcement Officer determines those standards are not being met.

b. Sight line, photographic and screening information:

   i. Sight Line representations of the Utility Scale Electrical Energy Facility from the nearest Occupied Building and from at least one other representative location within 500 feet of the facility. Each Sight Line Representation shall be rendered at a sufficiently large scale to make it legible. If screening is proposed, the proposed screening device shall be depicted on the rendering along with the sight line altered by the screening.

   ii. Current eight-inch by eleven-inch color photograph of the proposed site of the facility taken from the viewpoints corresponding to each of the sight line renderings.

   iii. One copy each of the photographs describe in item ii, above, onto which is superimposed an accurately scaled and sited representation of the facility.

c. Certificates of design compliance obtained by the equipment manufacturers from Underwriters Laboratory, or other similar certifying organizations.

d. Decommissioning plan in accordance with this Ordinance.

e. Written summary of operation and maintenance procedures for the Utility Scale Electrical Energy Facility and a maintenance plan for access roads, erosion and

sediment controls and storm water management facilities.

f. Storm water management plan stamped by a Maine licensed professional engineer.

g. Sound level analysis, prepared by a qualified engineer describing ambient sound levels at pre-construction, construction, and operational phases.

h. Other relevant studies, reports, certifications and approvals as may be reasonably requested by the Planning Board to ensure compliance with this Ordinance.

XI. General Standards

1. Access
   All ground-mounted electrical and control equipment and all access to Utility Scale Electrical Energy Facilities, components and infrastructure shall be labeled and secured to prevent unauthorized access.

2. Building Permit
   All components of Utility Scale Electrical Energy Facilities shall conform to relevant and applicable local, state, and national codes.

3. Decommissioning
   The Applicant shall prepare and present to the Town of Albion a decommissioning plan in accordance with Appendix B.

4. Design Safety Certification
   Each component of a Utility Scale Electrical Energy Facility shall conform to applicable industry standards including those of the American National Standards Institute and at least one other nationally recognized certifying organization.

5. Effect on Scenic Resources
   Applicant shall provide the Planning Board or its designee with a visual impact assessment. The Planning Board may require, in its sole discretion, additional information to determine if there is potential for significant adverse effects on Scenic Resources.

   a. The Planning Board shall determine, based on consideration of the evaluation criteria and any other information it determines pertinent, whether the proposed Utility Scale Electrical Energy Facility would have an unreasonable adverse effect on the scenic character or existing uses to scenic character of a Scenic Resource.

6. Electrical Components and Interconnections
   All electrical components and interconnections shall conform to relevant and applicable local, state and national codes.

7. Erosion Control
   Erosion of soil and sedimentation shall be minimized by employing current best practices.

8. Liability Insurance
   The Applicant or Applicant's designee acceptable to the Planning Board shall maintain a current general liability policy

for the Utility Scale Electrical Energy Facility that covers bodily injury and property damage with limits in amounts commensurate with the scope and scale of similar-scale utility facilities. The Applicant or its designee shall provide certificates of insurance to the Planning Board.

9. Local Emergency Services
   The Applicant shall provide a copy of the project summary and site plan to local emergency service providers, including paid or volunteer fire department(s).

   The Applicant shall cooperate with emergency service providers to develop and coordinate implementation of an emergency response plan.

10. Natural Resource Protection
    Utility Scale Electrical Energy Facilities shall not have an unreasonable adverse effect on rare, threatened or endangered wildlife, significant wildlife habitat, rare threatened or endangered plants and rare and exemplary plant communities, prime farmland soils, soils of statewide importance, and forests in making its determination under this subsection. The Planning Board and Code Enforcement Officer shall consider pertinent application materials and the written comments and or recommendations, if any, of the Maine Department of Inland Fisheries and Wildlife Environmental Coordinator and the Maine Natural Areas Program, and other private or public institutions or persons during the permitting and construction, and over the full facility life cycle.

11. Public Inquiries and Complaints

    The Applicant or its designee shall maintain a phone number and identify a responsible Person for the public to contact with inquiries and complaints throughout the life of the Utility Scale Electrical Energy Facility. Records of all such inquiries or complaints shall be made available to the Town of Albion at no cost by request.

12. Signal Interference

    The Applicant shall make reasonable efforts to avoid and mitigate disruption or loss of radio, telephone, television, or other signals caused by the Utility Scale Electrical Energy Facility.

13. Use of Public Roads

    The Applicant shall identify all state, local and private roads to be used within Albion to transport equipment and parts for construction, operation or maintenance of the Utility Scale Electrical Energy Facility.

    The Road Commissioner or a qualified third-party engineer reasonably acceptable to the Planning Board and the Applicant paid for by the Applicant pursuant to section IX.(9) of this Ordinance, Professional Services, shall document road conditions prior to construction.

    a. The Road Commissioner or a qualified third-party engineer shall document road conditions again thirty (30) days after construction is complete, or as weather permits.

b. The Applicant shall demonstrate, to the satisfaction of the Planning Board, that it has financial resources sufficient to comply with all Ordinance requirements, and the Planning Board may require the Applicant to post a bond or other security to ensure such compliance.

   Any road damage identified by the Road Commissioner caused by Applicant or its contractors shall be promptly repaired at the Applicant's expense.

14. Warnings
    A clearly visible warning sign concerning voltage or other hazards must be placed where appropriate.

XII. Special Standards for Utility Scale Conventional Energy Generation Facilities

1. Design and Installation
   Layout, design and installation of Utility Scale Conventional Energy Generation Facilities shall conform to applicable industry standards, including the American National Standards, Underwriters Laboratory, The American Society for Testing and Materials, Institute of Electrical and Electronics Engineers, Electrical Testing Laboratory, or alternative nationally recognized certifying organizations.

2. Visual Appearance
   The visual appearance of Utility Scale Conventional Energy Generation Facilities shall be unobtrusive and shall not be used to display signs or advertising except warning and access signs as required.

The Planning Board may find that the Utility Scale Conventional Energy Generation Facility has an unreasonable adverse effect on Scenic Resources, other areas and Non-Participating Landowner's property based on these criteria.

XIII. Special Standards for Utility Scale Battery Energy Storage Facilities

1. Design and Installation
   Layout, design, and installation of Utility Scale Battery Energy Storage Facilities shall conform to applicable industry standards, including the American National Standards, Underwriters Laboratory, The American Society for Testing and Materials, Institute of Electrical and Electronics Engineers, Electrical Testing Laboratory, or alternative nationally recognized certifying organizations.

2. Visual Appearance
   The visual appearance of a Utility Scale Battery Energy Storage Facility shall be unobtrusive and shall not be used to display signs or advertising except warning and access signs, as required.

3. The Planning Board may find that the Utility Scale Battery Energy Storage Facility has an unreasonable adverse effect on Scenic Resources, other areas and Non-Participating Landowner's property based on the foregoing criteria in paragraphs 1 & 2 of this section.

XIV. Special Standards for Substations

1. Design and Installation
   Layout, design and installation of Substations shall conform to applicable industry standards, including the American National Standards, Underwriters Laboratory, The American Society for Testing and Materials, Institute of Electrical and Electronics Engineers, Electrical Testing Laboratory, or alternative nationally recognized certifying organizations.

2. Visual Appearance
   The visual appearance of Substations shall be unobtrusive and shall not be used to display signs or advertising except warning and access signs as required.

   a. The significance of the potentially affected Scenic Resource, other areas and value of non-participating landowners' property prior to Utility Scale Substation permitting.

   b. The existing character of the surrounding area.

   c. The expectations of the typical viewer.

   d. The extent, nature and duration of potentially affected public use of a Scenic Resource or other area and impact to private land.

3. The Planning Board may find that the Utility Scale Substation has an unreasonable adverse effect on Scenic Resources, other areas and Non-Participating Landowner's property based on the foregoing criteria in paragraphs 1 & 2 of this section.

XVI: Operating License

1. No Utility-Scale Conventional Energy Generation Facility, Utility Scale Battery Energy Storage Facility, or Substation may operate in Albion, Maine without an Operational License, issued by the Town of Albion.

2. Operational Licenses are non-transferable. In the case of the transfer of an operating Utility Scale Electrical Energy Facility, the new owner must first obtain an Operational License from the Town of Albion prior to operating the facility.

3. Operational Licenses shall be valid for a period of one (1) year and may be obtained or renewed by submitting an Operating License Application Letter to the Town of Albion.

4. Operational License Application Letters shall include.

    a. Original Permit Application.

    b. Receipt from the Town of Albion for current Operational License fees.

    c. An affirmation, signed and dated by the Applicant, addressed to the Code Enforcement Officer, that the information provided in the application is correct and that the Utility Scale Electrical Energy Facility shall be operated in accordance with the standards of this ordinance and all conditions of permit approval.

d. A copy of the most recent Code Enforcement Officer's inspection report.

5. Within sixty (60) days after receipt of the Operational License Application Letter by the Code Enforcement Officer, the Planning Board shall notify the Applicant in writing either that the application is complete, or, if the application is incomplete, the specific additional material required to complete the application.

6. Within sixty (60) business days from determining whether an Operational License Application is complete, the Planning Board shall issue a written order: 1) Denying approval of the Operational License, 2) Granting approval of the Operational License, or 3) Granting approval of the Operational License with conditions. The Planning Board shall determine whether the proposed Utility Scale Energy Facility meets the applicable criteria described in this Ordinance.

7. The Planning Board or Code Enforcement Officer may refuse to grant or renew an Operational License when failure to operate a Utility Scale Electrical Energy Facility in accordance with the standards of this Ordinance or under the conditions of permit approval under this Ordinance has been demonstrated.

XVI. Financial Guarantee

A yearly, renewable finance guarantee indemnifying the Town for 100% of the costs of removal of any Utility Scale Electrical Energy Facility permitted under this Ordinance shall be submitted to the Planning Board before start of construction and shall be maintained yearly as long as the facility exists. The guarantee may be in the form

of a performance bond, irrevocable letter of credit, or escrow account with a supporting agreement.

XVIII. Abandonment

A Utility Scale Electrical Energy Facility that is deemed abandoned shall be removed from the property by the Applicant within 120 days of receipt of notice from the Code Enforcement Officer, unless the Applicant provides information that the Planning Board deems sufficient to demonstrate that the project has not been abandoned. If the Utility Scale Electrical Energy Facility is not removed within this period of time, the municipality may remove it at the Applicant's expense. The Applicant shall pay all site reclamation costs deemed necessary and reasonable to return the site to its pre-construction condition, including the removal of roads and reestablishment of vegetation.

If a surety has been given to the municipality for facility removal, the Applicant may apply to the Planning Board for release of the surety when the Utility Scale Electrical Energy Facility has been removed to the satisfaction of the Code Enforcement Officer.

XVIII. Inspections

1. All permitted Utility Scale Electrical Energy Facilities, including all components and infrastructure, shall be inspected prior to the issuance of an Operational License and Operational License Renewal for structural and operational integrity by a Maine licensed professional engineer hired by the Town of Albion, paid for in full by the Applicant.

2. The Code Enforcement Officer, or his/her agent, may inspect permitted Utility Scale Electrical Energy Facilities at any time to ensure the health, safety and general welfare of the residents and landowners in the Town of Albion. All inspections should be coordinated with a Facility contact Person.

XIX. Amendments

This Ordinance may only be amended by majority vote of those attending the Town Meeting or by secret ballot referendum. Proposed amendments may be initiated by a majority vote of the Planning Board, Select Board or by written petition by a number of Albion voters equal to at least 10% of the number of votes cast in the municipality in the last gubernatorial election. No proposed amendments shall be voted on until the Planning Board holds a public hearing on proposed amendments and provides a final written recommendation.

XX. Terms and Conditions

The Planning Board may, as term or condition of approval, establish any reasonable requirement to ensure the Applicant has made adequate provision for the control of noise, glare, electromagnetic force, visual, or other impact or conditions related to the construction or operation of a Utility Scale Electrical Energy Facility. Such conditions may include, but are not limited to, enclosing or shielding equipment or operations, imposing limits on hours of operation, or requiring the employment of specific design, site design, operation, or traffic patterns.

Appendix A: Fees (subject to change by the Planning Board when required)

1. Utility Scale Conventional Energy Generation Facility:
   Initial Application Fee: $2,000, one time
   Final Application Fee: $7,500, one time
   Operating License Fee: $5,000, annual

2. Utility Scale Battery Energy Storage Facility:
   Initial Application Fee: $2,500, one time
   Final Application Fee: $7,500, one time
   Operating License Fee: $5,000, annual

3. Substation
   Initial Application Fee: $2,500, one time
   Final Application Fee: $7,500, one time
   Operating License Fee: $5,000, annual

Appendix B: Decommissioning Plan

Applicant shall provide a plan for decommissioning which shall include, but not be limited to the following:

1. A description of the trigger for implementing the decommissioning plan.

2. A description of the work required to physically remove the Utility Scale Electrical Energy Facility, associated foundations to a depth of 24 inches, building, cabling, components and any other associated infrastructure or facilities to the extent they are not otherwise in productive use. All earth disturbed during decommissioning must be graded and re-seeded, unless

otherwise agreed to by landowner and the Code Enforcement Officer.

3. An estimate of the total cost of decommissioning less salvage value of equipment and itemization of the estimated major expenses, including the projected costs of measures taken to minimize or prevent adverse effects on the environment during implementation of the decommissioning plan.

4. Demonstration in the form of a performance bond, surety bond, letter of credit, or other form of financial assurance as may be acceptable to the Planning Board that, upon the end of the useful life of the Utility Scale Electrical Energy Facility, the Applicant will have the necessary financial assurances in place for 100% of the total cost decommissioning, less salvage value.