

PROSPECT PLANNING BOARD
PROSPECT COMMUNITY CENTER

THURSDAY, JANUARY 08, 2026

4:15 PM

PUBLIC HEARING ON DRAFT SOLAR ORDINANCE

5:00 PM

PRESENT: KATHLEEN JENKINS, BECKY AMES, SANDY REYNOLDS, HENRI GIGNOUX, ARLINE LAMARCHE

ABSENT: LAURIE JONES

ZOOM: LOIS GIANNI

Jenkins called the meeting to order at 4:14 pm.

READING AND APPROVAL OF MINUTES OF REGULAR MEETING FOR DECEMBER 11, 2025:

Minutes from the meeting were sent to all members. Gignoux made a motion to accept the minutes of December 11, 2025, Reynolds seconded the motion. All others approved the motion.

COMMUNICATION:

Town Attorney Kristen Collins/Changes to the Draft Solar Ordinance:

- Collins emailed Jenkins with her suggested changes to the Draft Solar Ordinance and Jenkins made the changes, sent to the Municipal Officers and the Clerk will make copies for the Public Hearing.

Language to Share with Inquiries on Building in Prospect:

- Jenkins spoke with the Maine Municipal Association and the Town Attorney on the appropriate response to inquiries on building lots in Prospect. The Town Attorney put together language to share with individuals calling to ask about buildable lots.

Having spoken with the Town attorney and with a Maine Municipal Association lawyer, I'm afraid the Prospect Planning Board is unable to provide guidance on what

can be done with a property without a complete application having been filed. Buyers are encouraged to consult with a building professional and/or lawyer as part of their due diligence related to a purchase.

"They are asking you (the PB) to opine without actually submitting an application and without all of the relevant information. We call these advisory opinions and I would caution against providing this prospective buyer any such opinion. They may seek advice from real estate attorneys or other land use consultants that specifically provide this type of advice. This is beyond the scope of authority for the board." (MMA staff)

The Prospect Planning Board is authorized to administer Town ordinances and offering pre-purchase opinions is beyond our authority.

NEW BUSINESS:

Pike Industries & Mining:

- It was brought up that it appears Pike Industries is reactivating activities on their property on Hawes Bridge Road. It is not clear if they are blasting/mining again. They can remove what has already been blasted. The Planning Board will review the Mining Ordinance and see if Pike Industries can attend a future meeting.

OLD BUSINESS:

Planning Board Goals for 2026:

- Gignoux suggested the Board have a page on the Town website. What are the job limitations of the Board and also post the information to individuals asking about properties in Town. He said the Goals for 2026 are in the Land Use Ordinance and also the job of the Board of Appeals.
- The Board doesn't have to worry about LD 1829.
- Battery Storage should be discussed.

(Regular Planning Board meeting was stopped at 4:45 pm to prepare for the Public Hearing).

PUBLIC HEARING:

5:00 pm

The meeting was recording by the Town Clerk and a sign-in sheet was passed out for those in attendance.

- The copy of the DRAFT Solar Ordinance being passed out at the Public Hearing has two sections highlighted. II. AUTHORITY AND APPLICABILITY and V. SEVERABILITY AND CONFLICT. The Town Attorney suggested we review these two sections (combine or pick one)?
- Jenkins also passed out a sheet with highlights of the Draft Solar Ordinance.

Any

solar energy system with a total project area (including all fenced area, equipment area and service roads) exceeding five (5) acres is prohibited.

The maximum land area permitted for a CSES five (5) acres.

No more than one CSES shall be permitted or constructed on a single lot or combination of adjoining lots under the same ownership.

All

proposed CSES shall include a natural, undisturbed wooded buffer extending two hundred (200) feet horizontally from all exterior property lines.

The CSES owner/operator shall submit a financial plan to guarantee that the facility will be properly removed and remediated upon abandonment or termination of production. Amount of financial guarantee to be updated annually.

- There has never been a complaint about the Shute Solar Project. It is 5 acres, 1 MW and cannot be seen from the road. People in Town clearly are not happy with any visibility with a Solar project.
- The Ordinance will not be voted on tonight. This is just a Public Hearing. The Municipal Officers may decide to have a vote at Town meeting.
- A CSES cannot be prohibited. It is considered a “taking”. No town can prohibit solar.
- There is no statewide minimum distance that regulates the distance between solar farms. But that said, solar farms can’t be expanded. So you couldn’t build solar farms next to each other.
- If this Solar Ordinance does not get approved. It is back to square one.

- There was a question on visibility. It was suggested that a CSES not be visible at all for all seasons. The Town Attorney said it would be absolutely impossible but add the language “in all seasons year round”. How would this be enforced? Ultimately the court would handle any dispute.
- It was reiterated that the 200 feet was not included in the 5 acres.
- Page 5 Fencing – shouldn’t there be a height requirement? 8 feet or standard height.
- What about herbicides? There should be something added to prevent the use of pesticides/herbicides. What if the CEO said it was okay to use the pesticides? The CEO would have to go by all rules and State regulations. If there is a dispute the courts would handle it. Add a section on vegetation control.

The Public Hearing ended at 5:44 pm.

The Planning Board meeting resumed at 5:45 pm.

The Town Attorney kept track of any changes in the chat and will make sure the Planning Board gets a copy of the notes. She will copy and send in an email. The Planning Board will make the appropriate changes and have the Town Attorney review, then send a copy to the Municipal Officers and there will be a vote scheduled in the future. Shoults will put an updated copy of the DRAFT Solar Ordinance on the Town of Prospect website for the town for review.

The Town Attorney said if the Planning Board denies or requires anything that would require an appeal process – refer to the Site Plan Review process and an appeal can be filed with the Board of Appeals.

OTHER:

- N/A

MOTION TO ADJOURN MEETING:

The meeting was adjourned at 6:10 pm.

Next regular meeting of the Planning Board will be held on Thursday, January 22, 2026 at 4:15 pm at the Prospect Community Center.