

Rockland Energy Committee

Committee Meeting Agenda

Date: **January 14, 2016 Meeting**

Members: Larry Pritchett, Bill Pearce, Tony Coyne, Brooks Winner
Nathan Davis (Mayor Has Nominated/Pending Council Confirmation)

Agenda: Larry Pritchett
Committee Chair

Minutes: Bill Pearce
{None: When Minutes Completed In Italicized Text In Brackets Below}

1 Introduce Nate

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2 Review Moratorium On Power Generation Facilities Over 10 MW

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3 Confirm Energy Meeting Dates Related To Moratorium Schedule

Scheduled To Provide "Issues Summary" For Planning Board

1/14 Thursday 4:30 PM (Council Chambers)

1/21 Thursday 4:30 PM (Council Chambers)

1/25 Monday 4:30 PM (Library Community Room)

Note: Energy Should Vote On Summary For Planning Board On 1/25

Schedule Additional Tentative Meetings On Technical Advisor(s) Question

Note: EC Needs To Vote On List Of Options By 2/10

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4 Review Presenters' Slides From August 19th Forum

SMRT/Everett

CLF/Cunningham

OPA/Schneider

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5 Review Of Questions From Two City Forums

Note: See Separate PDF's from May & August Forums For Community Questions

Note: Request Similar Info From Renew Rockland's Forum

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6 Initial Discussion Of Issues For Planning Board Consideration

What is the most appropriate "forum" to address a particular question?

What might be MePUC questions?

What might be MeDEP questions?

What might be local TIF (if requested) questions, but not Planning Board Questions?

What are clearly local regulatory questions?

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7 Initial Discussion Of Possible Technical/Legal Advisors (If Time Permits)

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8 Committee Member Tasks Prior To January 21 Meeting

Start Initial Draft Of Issues For PB Outline?

Contact CLF?

Contact SMRT?

Contact Woodard & Curran?

Contact Panelist From Renew Rockland Forum?

Any Others At This Stage?

Do an RFI For Technical Assistance?

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CITY OF ROCKLAND, MAINE

ORDINANCE AMENDMENT #48

IN CITY COUNCIL

December 14, 2015

**ORDINANCE AMENDMENT: Establishing Moratorium On
Site Plan Applications For New
Grid-Scale Power Generation Facilities**

WHEREAS, properties within the City of Rockland have become a focus for a proposal to construct a gas-fired, combined-cycle electric power generation facility; and

WHEREAS, if not properly sited and designed and regulated, grid-scale power generation facilities can be a source of considerable air, water and noise pollution that can adversely impact the neighborhoods and communities where these facilities are located, thereby endangering public health, safety, and welfare; and

WHEREAS, public and professional comments have raised questions as to whether the City's current noise standards are an appropriate tool for addressing the specific types of sounds originating from grid scale combined cycle power generation facilities; and

WHEREAS, the City has no specific ordinance provisions governing acceptable sources or disposal options for the potentially large volumes of water needed for cooling grid scale combined cycled power generation facilities; and

WHEREAS, the City has no specific regulations governing potential impacts from the air emissions associated with large volume open cooling water towers that are utilized at many grid scale power generation facilities; and

WHEREAS, community members have questioned whether the City's commercial and industrial ordinance standards, which were developed for large volume retail and specialty manufacturing, provide appropriate regulation for a grid scale power generation facility when this type of generation facility is located on parcels abutting residential zones or historic districts; and

WHEREAS, appropriate zoning limitations, site plan and performance standards, and other municipal regulations can ameliorate the impacts of grid-scale power generation facilities by requiring their location in industrial areas; by limiting noise, vibration, and emissions; and by requiring appropriate buffering and screening from public ways, residential areas, and other incompatible uses; and

WHEREAS; the development of natural gas fired combined cycle power generation facility would require the construction of a natural gas distribution line into the City to provide fuel; and

WHEREAS; the City's street opening ordinances do not include provisions that provide for adequate inspection of natural gas piping as it is being installed to insure leaks are avoided; and

WHEREAS, the City Council hereby finds that, to avoid the serious public harms that reasonably may ensue from the unregulated siting and development of grid-scale power generation facilities in the City, a moratorium is needed while the City studies, drafts, and adopts one or more zoning or other ordinance amendments to establish reasonable municipal regulations for grid-scale power generation facilities to avoid and/or ameliorate such public harms,

NOW, THEREFORE, THE CITY OF ROCKLAND HEREBY ORDAINS AS FOLLOWS:

THAT, pursuant to Title 30-A, Maine Revised Statutes, Section 4356, a moratorium is hereby established barring the acceptance of new site plan applications, and the processing of and action upon site plan applications filed with the City on or after December 14, 2015, for the construction of electrical power generation facilities having a capacity in excess of 10 megawatts in the City of Rockland for 180 days. The provisions of this moratorium do not apply to businesses constructing heating or power generation systems to meet on-site heating and/or power needs; and

THAT, within 14 days of the Council's adoption of this ordinance in second reading the City's Energy Committee is directed to convey to the Planning Board a summary of any issues that the Committee recommends be considered by the Planning Board based on the forums held by the Committee and the Energy Committee is also directed to provide advice or assistance to the Planning Board as may be requested by the Board's Chairman; and

THAT, within 30 days of the Council's adoption of this ordinance in second reading ~~the City Manager, in consultation with the Energy Committee,~~ is directed to provide options for technical experts from which the Planning Board can select ~~for technical experts~~ to advise the Board as needed the Board may choose in this process; and

THAT, no later than March 4, the City Manager is directed to bring before Council for its consideration a draft of a street opening ordinance that addresses the technical questions, inspection requirements, and responsibility for costs related to the installation of natural gas distribution lines and any other infrastructure changes that should be made in tandem with this work; and

THAT, the Planning Board is directed, no later than March 4, 2016, to draft for City Council consideration, an ordinance or ordinances regulating the siting and development of grid-scale power generation facilities in the City of Rockland.

Sponsor: Councilor Jillson
Originator: Councilor Jillson