APPLICATION FOR BUILDING PERMIT
Town of Machias, Maine

Building Permit request for:
(X) New Construction ( ) Expansion / Alteration
( ) Moving of Building ( ) Reconstruction / Replacement
( ) Conversion to another or different use

Date application received at Town Office: _____ Fee Paid $_____

Recipients Initials: _____

Name of Applicant (or Agent): White Pine Solar LLC

Address of Applicant: C/O Midcoast Solar LLC, 6 Balsam Circle, New Harbor, ME 04554

Telephone: 810-625-1801

Address of Building(s): Dublin Road (next to 241 Dublin Road)

Map 5 Lot 50

Proposed Use: (Describe briefly use of structure such as nature of business or residence, single or multi-family)
White Pine Solar LLC is proposing a 0.99 MWac solar array.

Indicate what other structures are located on the same lot and the uses:
No other structures on lot.

(Refer to Town of Machias Building Permit Ordinance 01/26/1989 in answering all applicable sections below.)

1. (x) Yes ( ) No — A waiver or variance is requested. (Attach separate sheet stating the request and reasons why you believe they should be allowed.)
2. (x) Yes ( ) No — A copy of the applicable town tax map showing lot location is attached.
3. (x) Yes ( ) No (Not applicable) — The property is connected to the Machias Water Co. supply or can be connected. If the property is not, or cannot be connected to the Machias Water Co. supply, water will be provided by:
   ( ) Well ( ) Spring ( ) Other _____
4. (x) Yes ( ) No (Not applicable) — The property is connected to Town of Machias sewer system or can be connected. Attach a copy of the Sewer Entrance Permit and include the location of the connection on the site plan if the project is to be connected to the Town of Machias sewer system.
5. ( ) Yes (x) No — A soil test has been conducted for installation of a septic system for sewage disposal. (Attach a copy of test document and diagram of the recommended septic location.)
6. (x) Yes ( ) No — A site plan showing all items listed in section 4A(3) of Machias Building Permit Ordinance is attached. The site plan should reflect the dimensions of the lot on which construction is to be undertaken specifically to include the road frontage measurement. The plan should also include setback distances for the proposed construction from each boundary and from the public road or private access road.
7. (x) Yes ( ) No — A copy of the deed, lease, purchase and sales agreement, or other evidence of ownership or control of the real estate is attached.
8. ( ) Yes (x) No — Will surface water drainage adversely affect any neighboring properties?
9. ( ) Yes (x) No — Will lighting reflect beyond lot lines or cause annoyance to neighboring properties?
10. (x) Yes ( ) No — Lot has a minimum of at least 100 feet of frontage on a town road or deeded private way.
11. (x) Yes ( ) No — The building lot is at least 15,000 square feet in size or larger.
12. (x) Yes ( ) No — The building setback will be at least 35 feet from the front of the lot.
13. (x) Yes ( ) No — Side and rear distances from the lot lines are at least 15 feet to proposed building.
14. (x) Yes ( ) No — The proposed structure will be no more than 50 feet above ground level, including chimneys, stacks or other protrusions that are part of the structure.
15. (x) Yes ( ) No — There will be safe vehicular entrance and exit to public or private roads that border the lot. (Indicate vehicle driveway on site plan.)
16. (x) Yes ( ) No — Will the proposed activity involve the installation or change of use of a driveway providing access to a state highway? If so, an entrance permit from the Department of Transportation must be obtained prior to any issuance of permits and attached to this application.
17. There will be 0 off street parking spaces as shown in site plan.
18. Commercial, industrial, and residential structures are required to comply with certain federal and/or state minimum standards and regulations. By initialing the items set forth below, the applicant is acknowledging awareness of, and compliance with, any applicable federal and state regulations and has attached copies of all approved permits that may be required. Indicate below which items apply to this building permit application and certify compliance by initialing the appropriate below:

Water Supply		Water Pollution		Flood Hazard Development Permit	
Air Pollution		Soil Erosion	Pending	Maine DOT Entrance Permit	Pending
Shoreland Zoning		Surface Drainage		Sewer Connection Permit	
Sewage Pollution		Noise Level		Natural Resources Protection Act Permit	
Other					

19. Estimated cost of proposed building or structure(s): $ $3M for solar facility

20. Name, address and telephone number of contractor or builder: To be determined

21. I have read and understand the Town of Machias Building Permit Ordinance and herby make application for a permit based on the information contained above and request the Planning Board to act on this application at its next scheduled monthly meeting.

Signature of Applicant: [signature]

NOTE: Although not required, it is recommended that the applicant, or a duly appointed representative attend the meeting at which the application for a Building Permit is to be considered.

For Planning Board use:
Building Permit: ( ) Approved ( ) Denied By the Planning Board on (Date): _____

Authorized Planning Board Signature: _____

Flycatcher
LAND + SCIENCE + PEOPLE

December 18, 2025

Mr. Harry Flower, Chair
Machias Planning Board
P.O. Box 418
Machias, ME 04654

Subject: White Pine Solar LLC
Machias Solar Project Site Plan Review Application

Dear Mr. Flower:

On behalf of White Pine Solar LLC, a subsidiary of Midcoast Solar, LLC (Applicant), Flycatcher LLC (Flycatcher) is pleased to submit the enclosed Site Plan Review application for the proposed Machias Solar Project (Project). We appreciate your consideration.

The Machias Solar Project is a proposed approximately 0.99 (MW) alternating current (AC) ground-mounted solar electric generation facility located on privately owned lands near 241 Dublin Street. The Project footprint will encompass approximately 11.1 acres of the 55-acre parcel and will include the solar array, access driveway, electric inverter units, safety fencing, and overhead and underground powerlines and interconnection infrastructure.

We are providing a submission that meets the requirements of the newly approved solar ordinance. We are looking forward to working with the Planning Board on this important energy project. If there are questions prior to our meeting, please don't hesitate to contact me at sean@flycatcherllc.com or 207-400-6161.

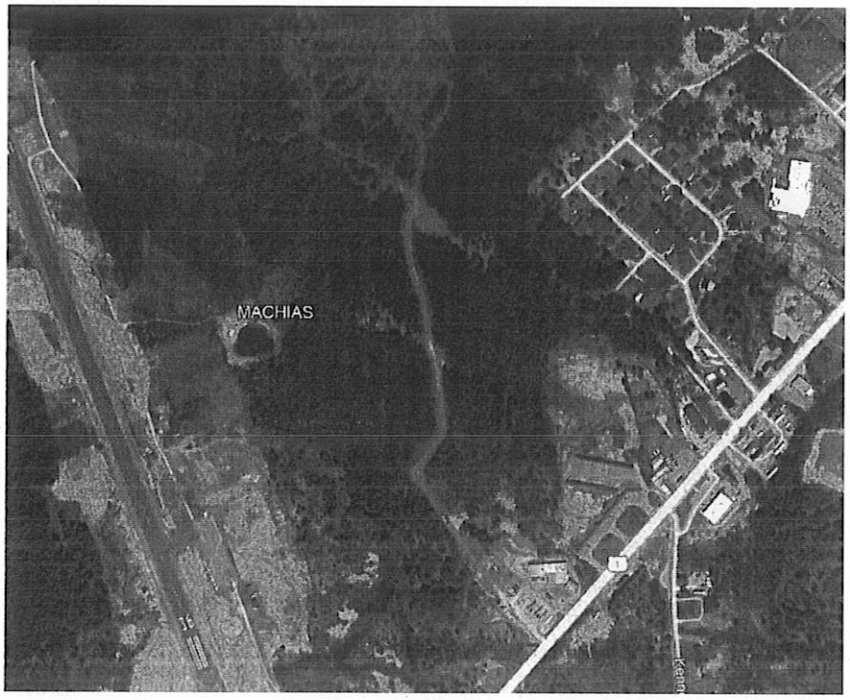
Respectfully submitted,

Sean Murphy
Senior Regulatory Specialist
Authorized Permitting Agent

Enclosed: Original

Cc: Nathaniel Curtis, Mischa Curtis, Midcoast Solar

Machias Solar Project



Application for Site Plan Review
Machias Planning Board

Applicant: White Pine Solar, LLC
Agent: Flycatcher LLC

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EXHIBITS

PART A. Project Introduction and Description

White Pine Solar LLC (Applicant) understands that the "Commercial Solar Energy System Ordinance of the Town of Machias, Maine" (Ordinance) was enacted by the voters of the Town of Machias (Town) in order to:

- *Establish guidelines, standards, and time frames for the Towns to regulate Commercial Solar Energy System (SES) projects.*
- *Regulate the location of Commercial SES projects.*
- *Mitigate potential adverse impacts of commercial SES on surrounding property values.*
- *Protect public health, safety, and welfare.*
- *Protect the Town's scenic and natural beauty, wildlife habitats, freshwater and coastal wetlands, and other valued geographic characteristics by regulating the development of Commercial SES projects.*
- *Protect historical and archaeological sites.*
- *Control and protect groundwater resources, protect drinking water supplies, provide adequate and safe subsurface wastewater disposal, and prevent water pollution.*
- *Prevent and minimize soil pollution.*
- *Provide for the complete decommissioning of Commercial SES facilities at the end of their useful life.*

This Site Plan Review Application package is designed to provide the Machias Planning Board with the information required to make the determination that the proposed Project meets these standards.

Project Details: The Machias Solar Project (the Project) consists of the design and installation of a 0.99-megawatt (MW) alternating current (AC) ground-mounted, photovoltaic solar electric generation facility located next to 241 Dublin Street and is depicted on Machias tax map 5 as lot 50. The Project will occupy approximately 11.1 acres of the approximately 55-acre parcel. The Project area is forested and has been subject to forest management activities. The Applicant will utilize an existing gravel logging road to access the Project site but will also revegetate a portion of this road so as to minimize the area of impervious surface required. The Project components will consist of solar panels mounted on steel racking, central inverters, above and belowground electric collector lines, a gravel access driveway, and security fencing.

Application Fee: Under the Ordinance the application fee would be $2,500 (more than 2 acres but not more than 25 acres) and the permit fee would be $990 ($1 per kilowatt). We have provided a check in the amount of $3,490. We have also provided a separate check in the amount of $150 to cover the CEO fee for the certificate of compliance inspection. The Applicant understands that there may be an additional fee should it be necessary to bring in a third-party reviewer.

Waivers: The Applicant is requesting the following waivers:

Section 6.5: This section requires that a CEO inspection form be included in the application. In speaking with CEO Fitzgerald, we understand that this form is under development.

Section 8.1 – U: This section requires that a public outreach plan be provided. In the application, the methods of informing abutting property owners and the community at large is described but a separate document did not appear to be necessary.

Section 8.1 – V: This section requires that notices be sent by to abutters at least one (1) month prior to application. The Applicant submitted notices on December 5, 2025, which is one month prior to the first date that the Planning Board could consider the application, and requests that this be considered sufficient given that the Ordinance went into effect on December 3, 2025.

Section 8.1 – Y: This section requires that an escrow, surety bond, or other financial instrument that demonstrates the ability to fund future decommissioning be provided. As described in the Decommissioning Plan, the Applicant proposes to provide this financial surety prior to construction. We would note that the language in the Ordinance is consistent with that of the Maine Solar Decommissioning Act and the Maine Department of Environmental Protection regularly issues permits where the financial assurance is provided prior to construction.

PART B. Addressing Article 8: Submission Requirements

8.1. An application for a permit to construct and operate a Commercial SES must include the following items in their submitted application:

A. **Identities of the owner and operator of the Commercial SES with contact information.**

The owner and operator of the facility will be White Pine Solar LLC, a subsidiary of Midcoast Solar with a mailing address of 6 Balsam Circle, New Harbor, Maine, 04554. The contact is Nathan Curtis, who can be reached at sales@midcoastsolar.com or 810-625-1801. It is possible that at some point the ownership will shift to another subsidiary of Midcoast Solar for administrative purposes.

B. **Detailed qualifications of the operator and an overview of their experience and safety record.**

White Pine Solar LLC is a subsidiary of Midcoast Solar, a Maine based, family run, solar services company that offers greenfield development to turnkey solution projects by partnering with tong term like-minded locally based funding partners in the early-development stage with a focus on low impact solar projects using American and locally sourced products and labor. They focus on commercial, distributed energy, and community solar projects, typically between 500kW and 2 MW including asset management and operations, with an emphasis on agrivoltaics whenever possible. They developed over 100+ solar projects, representing 70 MWs of energy, including 12 projects in Maine. Their management team brings over 26 years of PV development, management, engineering, procurement, and construction to enable Midcoast's mission of local Renewable Energy Supplied Solutions. Midcoast Solar is proud to power locally Maine based businesses including Reny's department stores and many aquaculture and Lobster Co-ops. We work with every stakeholder of the project from the landowner, community, municipalities, and investors to ensure everyone is satisfied before moving forward on a project. We are proud to deliver clean, affordable, American made power to the citizens of Maine. There have been no safety issues associated with any of their projects.

C. **Identity of the property owner with contact information.**

White Pine Solar LLC is the property owner.

D. **If applicable, a copy of the lease agreement, excluding financial terms, and documents detailing roles, rights, and responsibilities of the Commercial SES owner, operator, landowner, and any other responsible parties over the life of the lease agreement.**

A redacted Purchase and Sale agreement is provided in Exhibit 1.

E. The roles and responsibilities of the system owner, operator, landowner, and any other party involved in the project.

White Pine Solar LLC will be responsible for the operation of the Commercial SES, including all of the responsibilities described in this application.

F. A site plan showing

(1) **Property lines and physical features, including roads, for the project site.**
(2) **Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, screening vegetation or structures.**
(3) **The Commercial SES design and equipment layout plan showing conformance to all applicable industry standards and the provisions in this ordinance.**
(4) **Location of important plant and animal habitats identified by the Maine Department of Inland Fisheries and Wildlife or the Town, and rare and irreplaceable natural areas, such as rare and exemplary natural communities and rare plant habitats as identified by the Maine Natural Areas Program.**
(5) **Locations of wetlands and waterbodies.**
(6) **Locations of "Prime Farmland" and "Farmland of Statewide Importance."**
(7) **Location of floodplains.**

The Project's site plans are provided in Exhibit 2 of this application. The plans show property lines, the existing road, proposed clearing areas, and grading activities. The design as presented conforms to all of the standards in the Ordinance.

Wetland and streams within the Project area are provided on the site plans. The Applicant consulted the state of Maine's Beginning with Habitat portal and there are no identified wildlife habitats or rare plants / natural communities within the Project area. There are no floodplains within the Project area.

As shown on site plans, soils within the primary Project area are mapped as Lamoine-Scantic-Colonel complex, 0 to 8 percent slopes, very stony (LSB). These are not Prime Farmland or Farmland of Statewide Importance. The southern extent of the access road is classified as Lamoine-Scantic complex, 0 to 8 percent slopes (LmB), which the USDA website states is considered Farmland of Statewide Importance. However, the Project will utilize the existing access road and therefore will have no impact on these soils.

G. Locations of local or National Historic Districts.

The Applicant conducted a review of the National Register of Historic Places and did not identify any historic properties or districts in the vicinity of the Project area.

H. A one- or three-line electrical diagram detailing the solar photovoltaic installation, associated components, and electrical interconnection methods.

A one-line diagram is provided as Exhibit 3. Please note a Battery Energy Storage System is no longer being considered for this Project.

I. A description of the project's major components, including PV panels, mounting systems, inverters, and equipment to be installed. Description shall include manufacturer, make and model, and design specifications.

The Project components will consist of solar panels mounted on steel racking, central inverters, above and belowground electric collector lines, a gravel access driveway, and security fencing. Each component is described below. Typical solar panel, inverter, and transformer details are provided in Exhibit 4, although it is possible that the specific units may change.

Solar Panels: Photovoltaic solar panels will be mounted on steel racks in linear rows oriented in a north-south direction. Each panel comes manufactured with cabling for connecting in series. At the end of each row, the cabling is collected in a trench or hung aboveground on a cable support system (e.g., CAB system). At periodic intervals, the cabling is routed to a junction box and fused into larger cabling that is buried in a trench and routed to a central inverter.

Racking: Galvanized steel racking is used to support the solar panels. Panels will be mounted on fixed tilt or single axis trackers. Filt tilt units are placed so as to capture the maximum solar exposure over the course of the day. For single axis trackers, the racks slowly rotate throughout the day such that the panels track the sun's progression from east to west. The solar racks are supported by steel H-Beam posts that are hydraulically driven into the ground.

Collector Lines: Overhead electric cabling will bring electricity from the inverters to the point of interconnection (POI) with Versant Power's existing distribution line located on Dublin Street. New utility poles will be installed along the access driveway between the array and the POI.

J. A description of how and to whom the energy produced will be sold and or used.

Energy will be sold to local residents and small commercial companies within the Versant Territory.

K. A copy of the agreement and schematic details of the connection arrangement with the transmission or grid system, clearly indicating the roles, rights, and responsibilities of all parties involved over the life of the Commercial SES project.

A copy of the interconnection agreement between the Applicant and Versant is provided in Exhibit 5. The language has been approved by Versant's technical staff and the Applicant has signed the

document. However, the final approval has been unexpectedly delayed. We expect to have it in-hand prior to the Planning Board making a final decision or would accept this as a condition of the permit.

The Applicant will deliver power to the utility poles shown on the site plans, which will in turn connect to the grid, and will have the same level of responsibility as other Small Facility Generators.

L. A complete construction project plan with site plan, timeline, known contractors, site security controls, electrical schematics, and anticipated date of commencement. Such a plan will also be submitted to the Fire Chief, along with a signed waiver acknowledging that the town of Machias and the Machias Fire Department have no liability beyond containing said fire to the property.

The Construction Plan as submitted to the Fire Chief is provided in Exhibit 6. Construction of the Project will begin with establishing base lines and demarcating the Project limit of work. Following installation of temporary erosion and sediment control measures such as silt fence and erosion control mix (ECM), the site will be cleared and grubbed as necessary. The design of erosion and sedimentation control measures will be based on the Maine Erosion & Sediment Control Handbook for Construction: Best Management Practices (BMPs). Gravel access roads or entranceways will then be constructed, along with proposed stormwater management features. The perimeter fence will be installed, followed by installation of solar panels. Posts will first be installed for attachment of the racking system, then installation of solar panels and aboveground and underground conductors will occur. The ground around the solar panels will be planted with herbaceous vegetation. The final number of solar panels will be based on site conditions as determined during construction and may vary slightly from the permit drawings. Individual foundation excavations will then be made, and concrete pads will be installed for the placement of electrical equipment such as the transformers and inverters. Any necessary final grading, site stabilization, vegetation management and landscaping will then be completed.

Pending approvals, the Applicant intends to begin construction in Q2 of 2026 and complete work in Q3.

M. An operations maintenance plan, including security controls and the projected operating life of the Commercial SES. Such a plan shall be completed by qualified experts and include measures for maintaining safe access to the installation, stormwater controls, as well as general procedures for operational maintenance. The plan shall include all efforts to protect and support beneficial flora and fauna, as well as a commitment to not utilizing pest control substances such as herbicides, fungicides, and or insecticides. Qualified experts' names and places of business shall be included with the plan.

An Operations and Maintenance Plan is provided in Exhibit 7. This plan has been developed by the Midcoast Solar team based on their extensive experience in the operation of solar facilities.

N. An emergency management plan addressing all reasonably anticipated potential hazards that has been approved by and filed with the Fire Chief.

An emergency management plan is provided as Exhibit 8. It was submitted to the Fire Chief with the Construction Plan (Exhibit 5).

O. A stormwater management plan certified by a Maine-licensed engineer. The licensed engineer's certifications, name, and business shall be disclosed.

The site plans provided in Exhibit 2 provide the Erosion and Sediment Control Plan (Sheet C-2.00), Pre-Construction Stormwater Plan (Sheet C-2.10) and Post-Construction Stormwater Plan (Sheet C-2.20), as well as Erosion and Sediment Control Details (Sheets 3.00 and 3.01). Because the Project will have less than one acre of impervious, it will be permitted under the Maine Department of Environmental Protection's Stormwater Permit-by-Rule process.

P. A soils and groundwater assessment, a soils management plan, and a soils testing plan from a qualified soils and water expert that contains proper provisions by the expert for yearly testing for contamination that may be produced or leached from the Commercial SES. The soils and water experts' names and businesses shall be disclosed.

(1) **The plan will include appropriate soils and groundwater testing before construction to determine existing baseline conditions.**
(2) **The plan will ensure testing the overall site conditions during construction, and after operation starts until the decommissioning of the Commercial SES is complete. Test results and reports will be sent to the CEO by January 15 each year for the first three years, then every other year thereafter**
(3) **Should soil or groundwater contamination occur at any point over the life of the Commercial SES, a point source contamination remediation plan should be developed and submitted to the CEO. The plan shall include remediation actions to be performed by qualified soils and groundwater specialists. Specialists' names and businesses shall be disclosed.**

A soils management and testing plan is provided in Exhibit 9. It is based on sampling protocols approved by the Town of Chelsea, whose ordinance requires a soil sampling program.

Q. Evidence that the noise levels at all property lines, public roads, and right-of-ways, or any coastal or inland shoreline, will not exceed ten (10) decibels above preconstruction noise levels at any time during steady state operation.

A sound study is provided in Exhibit 10. The results are provided as dBA units, which is logarithmic so that if two machines each produced 90 dBA of noise individually, the resultant sound would not be 180 dBA but would rather likely be in the range of 93 dBA. The sound study results show that the noise from the solar facility will be in the "very quiet" range (e.g., library) during the daytime and "barely audible" range during the nighttime. The study also provides an "Estimated Combined Sound Level at the Property Line, which concludes that the noise levels at the property lines will increase by less than 10 dBa above pre-construction background levels and in fact will likely be only slightly above background levels. It should also be noted that the study does not consider the significant attenuation that would come from the 75+ feet of forested buffer, which would further dampen the sound levels.

R. A copy of the deed detailing the property boundaries and lot description for the proposed Commercial SES project from the Washington County Registry of Deeds and the survey of the property conducted by a Maine-licensed surveyor. Name of the said surveyor and their business information shall be disclosed.

A copy of the deed for the Project property is provided as Exhibit 11. The property survey was completed by Verdantas, located at 34 School Street in Littleton, NN 03561 and a copy is provided in Exhibit 11.

S. Hazardous waste disposal plan demonstrating compliance with local, state, and federal waste disposal regulations.

The soils management plan provided in Exhibit 8 confirms that hazardous waste will be addressed in a manner consistent with local, state and federal guidelines.

T. An Electromagnetic and Radiofrequency Radiation (EMFR) Management Plan provided by a reputable professional EMFR consultant for facilities greater than 1 MW AC in size. The EMFR Management Plan will demonstrate baseline EMFR survey results and planned actions to keep EMFR emissions from the Commercial SES within the limits specified by the International Commission on Non-Ionizing Radiation Protection (ICNIRP) at any property lines, public roads, and rights-of-way, and any coastal or inland shoreline. Documentation shall include the EMFR professional's name and business information.

This section is not applicable due to the size of the Project (0.99 MW AC).

U. A public outreach plan, including how the applicant will inform abutters and the community at large about the project.

The Applicant submitted notices to abutters and property owners within 1000 feet of the Project on December 5, 2025 and printed a notice in the newspaper on December 11, 2025. These notices provided contact names, telephone numbers and emails. Once the Project is completed, there will be a sign at the facility's gate with a contact number to call.

V. Copies of notifications and receipts sent to all abutters. Such notifications shall be sent by certified mail with return receipt at least one (1) month prior to application submission to the Planning Board. Written notification shall include a detailed description, overall sketch, and location of the proposed Commercial SES.

A copy of the materials sent to abutters and those within 1,000 feet of the Project, as well as a list of these individuals, is provided in Exhibit 12.

W. A copy of public postings published in local newspapers with the widest local community circulation, with proof of publication date. The public postings will include an overview of the Commercial SES project and the intent to seek Planning Board approval.

A copy of the newspaper notice is provided in Exhibit 12.

X. A Decommissioning Plan meeting the requirements of Section 9 of this ordinance shall be provided. The plan must adhere to "State of Maine Act to Ensure Decommissioning of Solar Energy Developments" procedures and guidelines as noted in 35-A M.R.S. § 3494.

A Decommissioning Plan is provided in Exhibit 13.

Y. An escrow, surety bond, or other financial instrument that demonstrates the ability to fund future decommissioning in the event of default or bankruptcy of the Applicant in accordance with Section 9 of this ordinance.

As noted in the Decommissioning Plan, the Applicant will provide the financial surety prior to initiating construction. This approach is consistent how the Maine Department of Environmental

Protection addresses the "Financial Assurance" requirement of the Maine Solar Decommissioning Act.

Z. The complete application and accepted permit for all additional Federal, State, County, and Municipal permits the project requires.

The Project will not impact wetlands, streams or other sensitive resources and so the Applicant will not need to apply for to the Maine Department of Environmental Protection for a Natural Resources Protection Act permit or the U.S. Army Corps of Engineers for wetland permit. We will be applying for a Stormwater Management Act Permit-by-Rule and Solar Decommissioning Act permit. As required in the Ordinance, the Applicant will provide the Planning Board with copies of all permit approvals prior to submitting a Building Permit.

PART C. Addressing Article 9: Decommissioning Plan Requirements

9.1. All Commercial SES projects require a Decommissioning Plan, unless waived by the Planning Board for good cause. As defined in 35-A M.R.S.§ 3491 ""Decommissioning" means the physical removal of all components of a solar energy development, including but not limited to solar panels and associated anchoring systems and foundations to a depth of at least 24 inches or to the depth of bedrock, whichever is less, and other structures, buildings, roads, fences, cables, electrical components or associated facilities and foundations to a depth of at least 24 inches or to the depth of bedrock, whichever is less, to the extent the components of the development are not otherwise in or proposed to be placed in productive use or otherwise authorized to remain in place by the environmental permitting entity. For any portion of a solar energy development located on land classified as farmland any time within 5 years preceding the start of construction of the development, "decommissioning" means the physical removal of all such components of the development to a depth of at least 48 inches or to the depth of bedrock, whichever is less, to the extent such components are not otherwise in or proposed to be placed in productive use or otherwise authorized to remain in place by the environmental permitting entity. "Decommissioning" includes the grading to postconstruction grade and revegetation of all earth disturbed during construction and decommissioning, except for areas already restored, providing for the recycling of the waste components of the solar energy development that are recyclable, including, but not limited to, the solar panels, by a facility authorized to accept such materials for recycling and providing for the disposal of the waste components of the solar energy development that are not recyclable by a facility authorized to accept such materials for disposal."

The Decommissioning Plan provided in Exhibit 13 utilizes these definitions and requirements.

9.2. A decommissioning plan shall be provided to the planning board as part of the application. The decommissioning plan shall include the following:

A. A plan and schedule for accomplishing the following tasks.

(1) Physical removal of all Commercial SES structures, equipment, security barriers, foundations above and below grade, and transmission lines from the site.
(2) Disposal of all solid and hazardous waste in accordance with Municipal, State, and Federal waste disposal regulations.
(3) Stabilization and re-vegetation of the site as necessary to minimize erosion. The CEO may allow the Applicant or the responsible party to leave landscaping or designated below-grade foundations to minimize erosion and disruptions to vegetation.
(4) Grading and re-seeding any earth disturbance, unless authorized for another developed use. Reseeding will be only with native species of this area, and no invasive species shall be used.

The Decommissioning Plan provided in Exhibit 13 includes these requirements.

B. An estimate of the total cost to decommission the Commercial SES, including an itemized list of estimated major expenses. The estimates will also include measures to be taken to minimize or prevent adverse impacts on the environment during Decommissioning Plan execution. The itemized costs may include, but are not limited to panel, equipment, foundation, building, transmission corridor, and road removal and permanent stabilization.

The Decommissioning Plan provided in Exhibit 13 includes these requirements.

C. A performance bond, surety bond, letter of credit, or other form of financial assurance deemed acceptable by the Planning Board to ensure that at the end of the Commercial SES's useful life, the Applicant will have the necessary financial resources to pay for 110% of the estimated cost of decommissioning. The decommissioning cost will be updated every five (5) years. The financial assurance shall include a provision granting the Town the ability to access the funds and property to perform the decommissioning if the facility is abandoned, or the Applicant or subsequent responsible party fails to meet their obligations after reasonable notice.

The Decommissioning Plan provided in Exhibit 13 includes these decommissioning cost calculations and requirement that these be updated every five years, as well as assurance that the Town is a co-obligee. As discussed above and in the Decommissioning Plan, the Applicant is committing to providing the financial surety prior to construction, which is consistent with the Maine Department of Environmental Protection's approach to a similar requirement.

D. Disposal plan of all decommissioned equipment and facilities with specific provisions for solid and hazardous waste in accordance with Local, State, and Federal waste disposal regulations.

The Decommissioning Plan provided in Exhibit 13 includes this requirement.

E. Letter acknowledging and agreeing to the Decommissioning Plan performance triggers detailed in this ordinance.

The Decommissioning Plan provided in Exhibit 13 includes this letter.

9.3. The following decommissioning plan performance triggers shall be acknowledged and agreed to by the Applicant:

A. A Commercial SES will be presumed to be abandoned if it ceases operation for more than twelve (12) consecutive months. Upon such occurrence, the Town will notify the Applicant that a presumption of abandonment has arisen. The Applicant may file an objection within thirty (30) days of notification. The Applicant will then be afforded the opportunity to rebut the presumption to the Select Board. If the Select Board finds that the

operation has not been abandoned, the Applicant will be required to file a reasonable timetable for recommencing operations or initiating decommissioning. If the Select Board finds that the Applicant has not rebutted the presumption, decommissioning will be initiated. The Applicant may appeal the Select Board's finding of abandonment to Superior Court pursuant to Maine Rules of Civil Procedure 80B. Decommissioning will be stayed during any such appeal.

B. The decommissioning plan shall be initiated if the project causes the soils and groundwater to become contaminated beyond baseline levels measured during the initial soils and groundwater assessment, and remediation has not been initiated within 30 (thirty) days of identifying contamination. Proof of remediation must be provided to the Select Board within six (6) months. An extension of the six-month requirement may be granted by the Select Board where reasonable progress is being made. Remediation must be completed by a qualified remediation expert. Documentation detailing remediation actions and the professional's name and business information shall be provided to the Select Board.
C. In addition to the remedies for conviction of a violation of this Ordinance, the Court may order decommissioning for repeated, serious ordinance violations.

The Decommissioning Plan provided in Exhibit 13 includes a letter agreeing to these performance triggers.

9.4. Applicant Reporting Requirements

A. The Commercial SES Applicant will provide the CEO a report detailing monthly power production output, and output as a percentage of capacity for the prior full six (6) months by January 15 and July 15 each year.

The Applicant agrees to this condition.

B. The Commercial SES Applicant will provide the results of annual soil and water contamination monitoring to the CEO by January 15 each year for the first three years, then every other year thereafter.

The Applicant agrees to this condition.

9.5. Decommissioning Plan Execution

A. Commercial SESs that have reached the end of their useful operating life, cease to generate power, or have been abandoned shall be decommissioned in accordance with the approved Decommissioning Plan.
B. Decommissioning should be completed in accordance with the decommissioning schedule contained in the Decommissioning Plan.
C. The Applicant or current responsible party shall notify the CEO by certified mail,

return receipt requested, of the proposed date of the discontinued operations and plans for decommissioning.

D. The Applicant or current responsible party may apply to the CEO for release of any financial assurances at such time that it or its assignees remove the system and associated abandoned structures, and such completed removal is found to be satisfactory by the Planning Board.

The Decommissioning Plan provided in Exhibit 13 includes these requirements.

9.6. At the time of decommissioning, the Applicant may provide evidence of plans for continued beneficial use of any or all components. Any changes to the approved decommissioning plan shall be subject to review by the CEO and approval by the Planning Board.

The Decommissioning Plan provided in Exhibit 13 includes these requirements.

PART D. Addressing Article 7: Standards

To approve an application, the Planning Board must make a positive finding that the applicant meets each of the following criteria, either with or without conditions:

A. Maintain scenic views – All reasonable efforts shall be made to ensure that commercial SESs are visually consistent with the character of the community.

During site selection, Project planning and design, the Applicant was mindful to minimize alteration of the scenic character of the Town. The Project has been located a significant distance from public viewing sites, and a buffer of at least seventy-five feet will be utilized to create a visual screening for the neighboring parcels.

Security fencing will also diminish potential visual impacts associated with the array. The security fence will have gaps along the base large enough for small animal movement through the Project area. This fence will not impede movement such as a solid fence, stone wall or berm might. Also, the proposed Project will be low profile (no multi-level buildings or storage facilities), so the visual screen does not need to attain a height sufficient to screen such uses.

B. Archaeological sites – Any proposed land use activity involving structural development or soil disturbance shall be reported to the Maine Historic Preservation Commission for review by the applicant at least thirty (30) days prior to action being taken by the permitting authority. The permitting authority shall consider comments received from the Commission prior to reaching a decision on the application.

The Applicant submitted a letter to the Maine Historic Preservation Commission (MHPC) on December 2, 2025, requesting "any known or potential cultural or historic resources within or nearby the area". On December 10, the MHPC responded that a "Phase 1 prehistoric archeological survey is necessary for the portion of the project located at an elevation of less than 80 feet (between the 80 foot USGS contour and the Machias River to the north). A copy of this letter is provided in Exhibit 14. As shown on the map provided in Exhibit 14, none of the solar arrays and a limited length of the fencing is located below the 80-foot contour and therefore the Applicant believes that a Phase 1 survey is not required.

C. Lots and Coverage – Commercial SESs shall not cover more than twenty-five (25) acres and shall not exceed 20% coverage of any lot. Lot coverage shall be based on the total Commercial SES structure surface area on and/or projected over the ground. The lot size and boundaries shall be determined and mapped by a Maine-licensed surveyor.

The Project is approximately eleven (11) acres on a fifty-five-acre lot or 20% of the lot area. The lot size and boundaries shown on the site plans (Exhibit 10) were provided by a Maine-licensed surveyor.

The Applicant notes that there have been discussions about the Town potentially purchasing portions of the property. If this transaction were to happen, the Applicant would file a variance request with the Planning Board.

D. Legal Responsibilities – The applicant must provide proof that it has authorization to construct, use, and maintain the property, and any access drive for the life of the project, including decommissioning. If the project site is leased, the lease term must cover the life of the project, including decommissioning. During the life of the project, the property owner is jointly and severally liable for the implementation and decommissioning plans. The applicant shall build and maintain any structures, equipment, and facilities in compliance with all relevant Federal, State, County, and Municipal laws, regulations, and ordinances.

A Purchase and Sales Agreement is provided in Exhibit 1. With the submission of this application, the Applicant acknowledges that they are jointly and severally liable for the implementation and decommissioning plans and that they must build and maintain in compliance with applicable laws, regulations, and ordinances.

E. Communication – The applicant shall identify a responsible person to address and respond to public inquiries throughout the duration of the Commercial SES project.

The annual reports provided to the CEO will provide contact information for the responsible person. In addition, a small sign will be mounted on the entrance gate with contact information.

F. Deed registration – A notice of the Commercial SES decommissioning requirements for the property shall be recorded with the Washington County Registry of Deeds within thirty (30) days of Commercial SES operation.

The Applicant agrees to this requirement.

G. Setback – All Commercial SES structures shall be set back a minimum of one hundred fifty (150) feet from all lot lines.

The site plans provided in Exhibit 2 demonstrate compliance with this standard.

H. Prohibited locations – All commercial SES should be located to ensure access without reliance on and/ or interference with adjacent properties. Commercial SES structures

or equipment shall not be placed within any legal easement or active right of way, within any stormwater conveyance system, or in any location that would alter or impede the operation of any stormwater conveyance system. A Commercial SES is not permitted within the shoreland zone nor within two hundred and fifty (250) feet of state Route 1 or ¼ mile within the Bold Coast National Scenic Byway within Machias.

The site plans provided in Exhibit 2 demonstrate compliance with this standard.

I. **System types and locations – Only ground-mounted photovoltaic Commercial SESs will be permitted in the Town. All other Commercial SES system types are prohibited, including but not limited to systems built on or in waterways or waterbodies, or air collector systems.**

The site plans provided in Exhibit 2 demonstrate compliance with this standard.

J. **Equipment – Electrical equipment must have an Underwriters Laboratories or equivalent listing.**

The Applicant agrees to this requirement.

K. **Utility Notification – Grid-integrated commercial SESs shall not be approved by the Planning Board until evidence has been provided to the Planning Board that the applicant has an agreement with the utility to accept the power.**

As previously described, Exhibit 5 has the interconnection agreement which is awaiting signature by Versant.

L. **Fence – Commercial SESs shall be protected by a well-constructed perimeter security fence at least eight feet in height. Such fences shall be raised six inches above the ground to allow for wildlife passage.**

The site plans provided in Exhibit 2 demonstrate compliance with this standard.

M. **Signage – Clear and visible signage shall be installed, which identifies the Commercial SES operator and provides a 24-hour emergency contact phone number. A clearly visible warning sign shall be placed at the base of all pad-mounted transformers, substations, and any fence surrounding the commercial SES informing individuals of**

potential voltage hazards. Signs should be posted at distances of every twenty-five (25) feet and shall not be used to display advertising of any kind.

Signage will be limited to a small sign mounted on the entrance gate with the Project name and emergency contact information in accordance with the NESC standards.

N. Physical screening – Commercial SESs shall be screened from view of adjacent properties, roads, public ways, and waterways to the greatest extent practical using existing vegetation, supplemental plantings, berms, or natural topography. To the maximum extent reasonable, existing vegetation shall be preserved to provide screening.

During site selection, Project planning and design, the Applicant was mindful to minimize visual impacts. The Project has been located a significant distance from public viewing sites and the arrays height is not significant when compared to the height of existing vegetation.

A vegetative buffer of at least seventy-five feet will be utilized to create a visual screening for the neighboring parcels. Limited tree clearing and tree trimming may occur in this buffer to reduce shading on the array but the visual barrier will be maintained.

The security fencing will also diminish potential visual impacts associated with the array.

O. Glare – Commercial SESs shall be situated and constructed in a way that eliminates concentrated glare visible from other properties, abutters, roadways, scenic areas, airports, aircraft, waterways, and waterbodies.

The solar panels proposed to be installed do not cause glare. The Applicant will be required to receive Federal Aviation Administration (FAA) approval prior to construction.

P. Noise – Any noise generated by the Commercial SES shall not be more than ten (10) decibels greater than the ambient noise level measured prior to construction, nor should it be a pure tone at the property line. This decibel level must be used as the standard noise level at all property lines, public roads, and public right-of-ways, or any coastal or inland shoreline.

As described above, the sound study provided in Exhibit 10 shows that the noise from the solar facility will be in the "very quiet" range (e.g., library) during the daytime and "barely audible" during the nighttime. As these values are consistent with or lower than background levels, the resultant sound would not be much higher than current condition and certainly less than 10 decibels. It should also be noted that the study does not consider the significant attenuation that would come from the 75+ feet of forested buffer, which would further dampen the sound levels.

Q. Height restrictions – Commercial SES solar photovoltaic cells or arrays shall be subject to a maximum height of eighteen (18) feet above the ground surface when oriented at maximum tilt. Associated SES structures shall be subject to the maximum height regulations specified for principal and accessory buildings within the applicable zoning district.

The site plans provided in Exhibit 2 demonstrate compliance with this standard.

R. Lighting – Commercial SES lighting shall be limited to that required for safety and operational purposes and be shielded to the maximum extent possible from visibility at abutting properties. Lighting of the SES shall be directed downward and shall incorporate full cut-off fixtures to reduce light pollution. Other than required lighting, lighting shall not be used between the hours of 8:30 p.m. and 7 a.m.

Currently there is no Project lighting proposed, except for potential downward lighting on equipment to assist in nighttime maintenance.

S. Stormwater management – Commercial SES developments shall have stormwater management systems designed by a Maine-licensed engineer for both pre- and post-development conditions. Components of Commercial SESs must not be located as such that storm water runoff could negatively impact an adjacent water supply (e.g., domestic wells or septic systems).

The site plans provided in Exhibit 2 provide the Erosion and Sediment Control Plan (Sheet C-2.00), Pre-Construction Stormwater Plan (Sheet C-2.10) and Post-Construction Stormwater Plan (Sheet C-2.20), as well as Erosion and Sediment Control Details (Sheets 3.00 and 3.01). Because the Project will have less than one acre of impervious, it will be permitted under the Maine Department of Environmental Protection's Stormwater Permit-by-Rule process.

The Pre- and Post-Construction Stormwater sheets show the results of using HydroCAD v.10 modeling to determine the peak runoff for the 2-, 10-, and 25-year storms, which are shown in the table below. Based on this analysis, peak runoff will be the same or reduced in any singular watershed for this Project after construction activities.

Pre-Development Peak Flows (cfs)			
Analysis Point	2-year	10-year	25-year
SN001	12.71	22.29	30.51
SN002	11.74	22.23	31.53
SN003	5.12	9.68	13.75
SN004	14.26	30.41	45.43
Post-Development Peak Flows (cfs)			
Analysis Point	2-year	10-year	25-year
SN001	12.71	22.29	30.51
SN002	11.74	22.23	31.53
SN003	5.12	9.68	13.75
SN004	13.13	28.82	43.55

T. Utility connections – Reasonable efforts shall be made to place all utility connections for the Commercial SES underground, depending on appropriate soil conditions, shape, and topography of the site, and any requirements of the utility provider. Electrical transformers for utility interconnections may be above the ground if required by the utility provider.

The site plans provided in Exhibit 2 demonstrate compliance with this standard.

U. Emergency services – The applicant shall provide a copy of the development project plan, electrical schematics, and site plan to the Fire Chief.

(1) **The applicant shall coordinate with the Fire Chief and any local emergency services to develop an emergency response plan.**
(2) **A 3200 series KNOX BOX, or acceptable equivalent, shall be provided and installed by the applicant to be used to provide emergency service personnel access. All means of shutting down powered systems must be clearly marked.**
(3) **The applicant or operator must provide emergency action training to Machias emergency services personnel upon start of operations and at least once every three years to the satisfaction of the Fire and Ambulance chiefs.**

The Applicant provided a copy of the proposed Emergency Management Plan to the Town Fire Chief as shown in Exhibit 6 and commits to working in a collaborative fashion to finalize the document.

The site plans provided in Exhibit 2 use the 3200 series Knoxbox as its knox box detail and any alternative must be consistent with this model. With the submission of this application, the Applicant is committing to clearly marking all means of shutting down powered systems

The Applicant further commits to offering emergency action training to Machias emergency services personnel upon start of operations and at least once every three years afterwards. The Applicant understands that these trainings events must be done to the satisfaction of the Fire and Ambulance Chiefs.

V. Fire safety – Commercial SES solar photovoltaic systems shall be installed in compliance with the photovoltaic systems standard of the latest edition of the National Fire Protection Association (NFPA 1) adopted by the Town. All wiring shall be installed in compliance with the photovoltaic systems standard of the latest edition of the National Electrical Code (NFPA 70) adopted by the Town.

The Applicant agrees to these requirements.

W. Electromagnetic and Radio Frequency Radiation Emissions (EMFR) – Emissions of any frequency from Commercial SES operations greater than 1 MW AC in capacity shall be minimized within the limits established by the International Commission on Non-Ionizing Radiation Protection and the Institute of Electrical and Electronics Engineers at any property lines, public roads, and right of ways, or any coastal or inland shoreline.

This standard is not applicable due to the size of the Project (0.99 MW AC).

X. Ongoing maintenance – Commercial SESs must be properly maintained and kept free from all hazards detrimental to public health/safety or general welfare. The Planning Board must find that the applicant has an appropriate operations and maintenance plan that addresses the following points:

(1) **Maintenance shall include, but is not limited to, painting, structural repair, vegetative screening, fences, mowing, landscaping and plantings, and security measures.**
(2) **Cleaning of solar panels using harsh chemicals shall be avoided, and a mild detergent and or ammonia mixture should be used in its place to avoid potential leaking of hazardous chemicals into the ground and or water supply.**
(3) **Site access shall be maintained to a level acceptable to the emergency services chiefs to ensure safe emergency service egress and ingress. This includes, but is not limited to road maintenance and snow removal.**

(4) **Maintenance activities that result in any earth disturbance must be graded and reseeded unless a waiver is approved by the planning board.**
(5) **The use of herbicides, pesticides, or chemical vegetation control products is strictly prohibited on or around Commercial SES at all stages of development, operation, and decommissioning.**

The Operations and Maintenance Plan provided in Exhibit 7 demonstrates compliance with these standards.

Y. Decommissioning and removal – Commercial SES that have reached the end of their useful life or have been abandoned, consistent with this Ordinance, shall be removed.

The Decommissioning Plan provided in Exhibit 12 demonstrates compliance with this standard.

Z. Sufficient financing – The Planning Board must find that the applicant has the financial resources to fund development, safely operate, and decommission the Commercial SES.

White Pine Solar LLC is owned by Midcoast Solar LLC and backed by Nugenics Properties. Currently, Midcoast has one operating asset and one in-construction about to go online in Maine, demonstrating their ability to secure financing for their projects. Nugenics Properties has three operating assets and one in-construction asset about to go online in January. It is also worth noting that the primary costs associated with a solar facility are related to equipment, meaning that a solar developer must make significant financial payments prior to initiating any construction on a site. For decommissioning, the Applicant will provide financial surety prior to construction.

AA. Abandonment – Absent notice of a proposed date of decommissioning or written notice to the CEO of extenuating circumstances, a Commercial SES shall be considered abandoned when it fails to operate for more than one year. If the owner or operator fails to remove the installation within 365 days of abandonment or the proposed date of decommissioning, the Town retains the right to use all available means to have the Commercial SES removed.

The Decommissioning Plan provided in Exhibit 13 demonstrates compliance with this standard.