

**TOWN OF DOVER-FOXCROFT MORATORIUM ORDINANCE  
REGARDING PRIVATE DISTRIBUTION CORRIDORS TO INCLUDE PAVED  
HIGHWAYS, PIPELINES AND HIGH TENSION TRANSMISSION LINES**

The Town of Dover-Foxcroft, MAINE adopts the following Moratorium Ordinance as follows:

WHEREAS, - the Town of Dover-Foxcroft and surrounding region, are faced with the possible construction of a Private Distribution Corridor, to include private paved highways, pipelines and high tension transmission lines; and

WHEREAS, this potential development has been proposed and has not been adequately provided for in the Town's current Comprehensive Plan and ordinances; and

WHEREAS, there is a strong likelihood that certain areas of the Town will continue to be subjected to this development pressure due to the amount of undeveloped land, the nonexistence of any regulations or restrictions on the location of a Private Corridor, and the relatively low land prices of some of the land at issue; and

WHEREAS, the development of such Corridors could pose serious threats to public health, safety, welfare and livelihoods by destroying acres of forests, wildlife habitat, wetlands, and aquifers; and

WHEREAS, the present threat of such development is causing fear, uncertainty, condemnation blight and loss of land values now; and

WHEREAS, such development will affect water, air, and soil quality, vistas and ecosystems which thereby affects land values, the rural-agricultural nature of the Town, and future quality of life in the community; and

WHEREAS, the Town will need at least 180 days to thoroughly evaluate any proposed private corridor development and to develop ordinances which protect and support the local economy while also protecting the region's ecosystems; and

WHEREAS, these facts create a necessity within the meaning of 30-A MRS §4356 (1)(B) which requires that the following Moratorium Ordinance be adopted for the preservation of public health, safety, and welfare, and the prevention of any degradation of the natural resources of the community.

NOW, THEREFORE, the Town of Dover-Foxcroft ordains that a

moratorium is hereby imposed, effective in thirty days and applicable, to the maximum extent permitted by law, and subject to the severability clause below, to all proceedings, applications, and petitions now pending (within the meaning of 1 MRSA §302) as of June 10, 2014, and on any new construction or use, requiring approval under the terms of the Town's zoning and land use ordinances and regulations until the effective date of the necessary amendments to the zoning and land use ordinances and regulations or until December 10, 2014 .

BE IT FURTHER ORDAINED, that the Planning Board, Board of Appeals, the Code

Enforcement Officer, all Town agencies and all Town employees shall neither accept nor

approve applications, plans, permits, licenses, and/or fees for any new construction or uses governed by this Moratorium Ordinance for such privately owned corridors for said period of time; and

BE IT FURTHER ORDAINED, that those provisions of the Town's Land Use Ordinance and regulations which are inconsistent or conflicting with the provisions of this Moratorium, including, without limitation, the requirements for site plan review by the Planning Board, subdivision and/or special exception review by the Planning Board, and any variance appeals by the Board of Appeals, are hereby repealed to the extent that they are applicable for the duration of the Moratorium Ordinance hereby ordained, but not otherwise;

BE IT FURTHER ORDAINED, that to the extent any provision of this Moratorium Ordinance is deemed invalid by a court of competent jurisdiction, the balance of the Moratorium Ordinance shall remain valid.  
EMERGENCY CLAUSE:

In view of the emergency cited in the preamble, this Moratorium Ordinance shall take effect immediately upon passage by the Town, shall apply, to the maximum extent permitted by the law but subject to the severance clause above, to all proceedings, application and petitions not pending as of June 10, 2014, and shall stand repealed as of June 10, 2014.

**RESOLUTION # 115 - 121514**

**RESOLUTION TO EXTEND THE TOWN OF DOVER-FOXCROFT MORATORIUM ORDINANCE REGARDING PRIVATE DISTRIBUTION CORRIDORS TO INCLUDE PAVED HIGHWAYS, PIPELINES, AND HIGH TENSION TRANSMISSION LINES**

**RESOLVED, by the Board of Selectmen of the Town of Dover-Foxcroft, that:**

WHEREAS, the Town of Dover-Foxcroft, pursuant to a Town Meeting Referendum Vote on June 10, 2014, voted to adopt Article 12 to enact the TOWN OF DOVER-FOXCROFT MORATORIUM ORDINANCE REGARDING PRIVATE DISTRIBUTION CORRIDORS TO INCLUDE PAVED HIGHWAYS, PIPELINES, AND HIGH TENSION TRANSMISSION LINES [hereinafter "Moratorium"]; and

WHEREAS, 30-A M.R.S.A. § 4356 provides that, after notice and hearing, the municipal officers may extend moratoriums for additional 180-day periods; and

WHEREAS, a properly noticed public hearing was held on the 15th day of December, 2014, to allow the Board of Selectmen to consider the need to extend the moratorium and whether reasonable progress has been made to alleviate said need, at which the Board of Selectmen heard from all persons wishing to speak to the issue of extending the Moratorium; and

WHEREAS, pursuant to this hearing, the Board of Selectmen have found the problem giving rise to the Moratorium still exists, and that the Town of Dover-Foxcroft has made reasonable progress to alleviate this need for the Moratorium, including efforts to assemble, compile and analyze appropriate data to update the Town of Dover-Foxcroft Comprehensive Plan; and

WHEREAS, additional time is warranted to provide sufficient time to alleviate the need giving rise to the Moratorium.

NOW, THEREFORE, the Board of Selectmen of the Town of Dover-Foxcroft hereby extends the Moratorium by an additional 180-day time period, whereby the Town shall neither accept nor

approve applications, plans, permits, licenses, and/or fees or any other governmental approvals for any new construction or uses governed by the Moratorium for such privately owned corridors for said period of time as set forth in the provisions of the Moratorium.

BE IT FURTHER ORDAINED, that those provisions of the Town's Land Use Ordinance and any other Town ordinances or regulations which are inconsistent or conflicting with the provisions of the Moratorium, including, without limitation, the requirements for site plan review by the Planning Board, and any variance appeals by the Board of Appeals, are hereby repealed to the extent that they are applicable for the duration of the Moratorium, but not otherwise; and

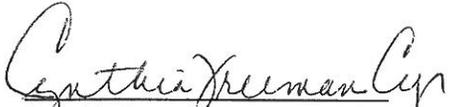
BE IT FURTHER ORDAINED that to the extent any provision of this Resolution or the Moratorium is deemed invalid by a court of competent jurisdiction, the balance of the Resolution and/or Moratorium shall remain valid.

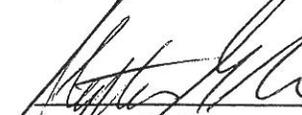
DATED this 15<sup>th</sup> Day of December, 2014.

**BOARD OF SELECTMEN OF THE TOWN OF DOVER-FOXCROFT**

Absent

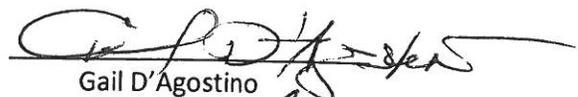
Elwood E. Edgerly, Chairman

  
Cynthia Freeman Cyr, Vice Chairman

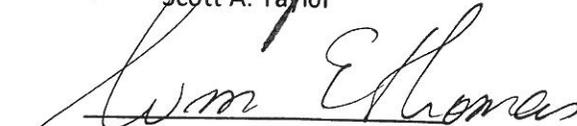
  
Stephen G. Grammont

Absent

Jane K. Conroy

  
Gail D'Agostino

  
Scott A. Taylor

  
W. Ernie Thomas

(seal.)