



Local Ordinances to Promote Wind, Solar, and Battery Energy Deployment

Potential for implementation in Maryland, New York, Connecticut, and Maine

This approach to community engagement is viable in each of the four focus states. Local governments may need to adjust how they implement these recommendations based on the resources available to them, state law, and other state and local dynamics. Laws in Maryland, New York, Connecticut, and Maine centralize renewable energy siting and permitting authority at the state level,¹ but in each jurisdiction, local governments play a role as stakeholders in state permitting processes.² Additionally, some state governments offer resources like local model

¹ Md. Code Ann., Public Utilities § 7-207; *Bd. of County Comm'rs of Washington Cnty. v. Perennial Solar, LLC*, 2020 WL 2904643 (Md. Ct. App. 2020) (held that state law preempts local zoning for solar projects requiring a CPCN); N.Y. Pub. Serv. Law § 136 (grants the Office of Renewable Energy Siting exclusive jurisdiction over large-scale renewable energy projects); Conn. Gen. Stat. § 16-50k, x (establishes CSC authority over electric generating facilities); Me. Rev. Stat. Ann. tit. 38, §§ 481, 483, 484-C-D (requiring large scale developments to obtain a permit from the Maine DEP and additional requirements for renewable energy development).

² See Md. Pub. Util. § 7-207(e)(1); COMAR 20.79.03.03; N.Y. Pub. Serv. Law § 142(3) (allowing municipalities to submit statements to ORES against a project); Conn. Gen. Stat. § 16-50l(b),(f);

ordinances, technical assistance grants, and zoning recommendations that could aid local engagement committees.³ These resources can help local governments craft ordinances and implement the best practices we recommend.

We suggest prioritizing communities based primarily on strong potential for clean energy and/or battery storage development, due to land availability and/or proximity to grid infrastructure.

It is worth noting that communities that are currently grappling with proposed clean energy development almost certainly already have residents and other stakeholders voicing opposition to that development. This approach – community engagement, followed by ordinances articulating the parameters within the community will support clean energy facility siting – is valuable everywhere, but is especially important in communities like these that are currently on the leading edge of the clean energy transition.

In general, any community with land availability and proximity to grid infrastructure is likely to be a hot spot for future development, and it is essential to begin to address endemic levels of community concern. There is little to be gained by ignoring or sidestepping community concerns; as some have put it, “The only way out is through.”

Maryland

Maryland’s renewable portfolio standard (RPS) requires Maryland utilities to move to 50 percent renewable energy by 2030.⁴ At present, renewable energy provides 13 percent of Maryland’s energy.⁵ About 40 percent of Maryland’s renewable energy comes from two hydroelectric power plants.⁶ In 2023, approximately 10 percent of Maryland’s renewable energy came from onshore

§ 16-50m; Me. Rev. Stat. Ann. tit. 35-A, §3452(3) (allowing interested parties to submit information to the siting authority).

³ See Md. Code Ann., Tax-Prop. § 7-514; notes 80-85, 114-115 *infra*.

⁴ Maryland Public Service Commission, Renewable Energy, <https://www.psc.state.md.us/electricity/renewable-energy/>

⁵ *Maryland State Profile and Energy Estimates*, U.S. Energy Information Administration (Jan. 16, 2025), <https://www.eia.gov/state/analysis.php?sid=MD>.

⁶ *Maryland State Profile and Energy Estimates*, U.S. Energy Information Administration (Jan. 16, 2025), <https://www.eia.gov/state/analysis.php?sid=MD>.

wind and 6 percent from solar.⁷ In order to close the gap between Maryland's existing energy generation profile and its clean energy goals, additional solar and wind generation will need to be sited, permitted, and placed in service. The majority of the renewable energy coming online in Maryland now is solar energy, of which there is ample potential for additional development according to a 2018 study by the Maryland Public Service Commission (PSC), which found that approximately 1,157,287 acres of land were suitable for utility-scale solar.⁸

In May 2025, Maryland passed the Renewable Energy Certainty Act (RECA), which makes significant changes to state and local processes related to siting renewable energy infrastructure. RECA streamlines state requirements for clean energy development, requires state agencies to develop standardized land use requirements for siting solar and energy storage, and preempts local government prohibitions on solar as well as energy storage.⁹ Importantly, RECA reflects input from and collaboration with local governments. According to the Maryland Association of Counties, the standards RECA sets forth "were developed with extensive input from county planners and industry representatives."¹⁰

Maryland communities considering a statement of principles will need to reference the statewide standards established by RECA as a baseline, and avoid principles or objectives that contradict with standards established by RECA. RECA sets out a number of statewide siting standards for clean energy projects, including minimum setbacks from residential areas, land use percentage caps, decommissioning plans, and bans on certain practices deemed harmful to farmland.¹¹

⁷ *Maryland State Profile and Energy Estimates*, U.S. Energy Information Administration (Jan. 16, 2025), <https://www.eia.gov/state/analysis.php?sid=MD>.

⁸ *Draft: Benefits and Costs of Utility Scale and Behind the Meter Solar Resources in Maryland*, Daymark Energy Advisors at 50 (April 10, 2018), <https://www.psc.state.md.us/wp-content/uploads/MD-Costs-and-Benefits-of-Solar-Draft-for-stakeholder-review.pdf>.

⁹ Md. Code Ann., Pub. Util. § 7–219

¹⁰ Dominic Butchko, *Deep Dive: Maryland's Pivotal 2025 Actions on Solar Energy Policy*, Maryland Association of Counties (April 20, 2025), <https://conduitstreet.mdcounties.org/2025/04/30/deep-dive-marylands-pivotal-2025-actions-on-solar-energy-policy/>.

¹¹ <https://mgaleg.maryland.gov/2025RS/bills/sb/sb0931E.pdf>. Agrivoltaics are excluded from these requirements and instead are governed by Public Utilities Article § 7-306.2

Maryland also requires project developers to consult with local governments prior to seeking approvals from the state public service commission (PSC).¹² At least 90 days before applying for a CPCN, project developers must provide documentation and analysis to relevant local governments and request local governments to provide (a) a finding stating whether the proposed project is consistent with local comprehensive plans, (b) a finding stating whether the project is consistent with local zoning ordinances, and (c) suggestions for improving or modifying the application prior to submitting it to the PSC.¹³

While Maryland's centralized siting approvals process and the provisions of RECA can help avoid community impacts and are important measures to help accelerate clean energy development, stakeholder engagement at the local level can serve as an additional tool to engage and educate communities, articulate specific local priorities for the public record, and help to allay concerns that might otherwise be raised by local governments and community members later in state-level adjudicative proceedings.¹⁴ Local governments and community members can participate in adjudicative CPCN proceedings before the state's utility commission, and can also appeal CPCN decisions in court if they are unsatisfied with the results.¹⁵ Targeted local engagement can help prevent permitting delays and reduce community impacts, by providing communities with information from experts and project developers and by providing developers with a roadmap for how to avoid undue impacts on local priorities, which vary significantly from community to community and can not all be captured by any single state law.

Implementation Resources

Maryland has funds available to support local government activities related to clean energy. Maryland recently announced the Local Government Energy Modernization Program, which aims to provide \$64 million in funding for planning and capital projects to help local governments

¹² *Md. Code Regs. 20.79.01.05(A) (governing generating stations); see also Public Utilities Article § 7-219(d)(2) (requiring two public meetings if a storage project is in an overburdened or underserved community).*

¹³ *Md. Code Regs. 20.79.01.05(A).*

¹⁴ Local governments and community members can participate in state-level CPNC proceedings, and can appeal those decisions. *Md. Code, Public Utilities § 7-207(e), (f); COMAR 20.79.01.05; see also Md. Code, Public Utilities § 3-204.*

¹⁵ *Pub. Util. § 7-207(e).*

lower utility costs, modernize infrastructure, and advance the state goal of net-zero emissions.¹⁶ Block grants under this program can be used for activities such as planning.¹⁷ It is possible those funds could be used to support the type of ordinance proposed in this paper.¹⁸ Planning, feasibility studies, and strategy development are also among the types of local programs eligible for competitive awards.¹⁹

In addition, Maryland state law allows a renewable energy developer to enter into an agreement with a county government to make a negotiated payment to the county in lieu of property taxes on the renewable energy facility.²⁰ Local governments could establish a payment in lieu of taxes agreement, commonly referred to as a PILOT agreement, with renewable energy developers.²¹ PILOT agreements provide flexible funding to local governments that could be used to host community meetings and cover a portion of other expenses that are related to community engagement. PILOT funding could also be used to support other areas of need in host communities. PILOT funds could increase the feasibility of our recommended best practice by providing funding to directly cover the costs of the stakeholder engagement activities we recommend.

New York

New York has made substantial investments in clean energy development but remains behind schedule on legislatively mandated climate targets, which require New York utilities to source 70

¹⁶ Cale Ahearn, *Maryland launches \$64 million clean energy program for local governments*, Fox45 News, Aug. 4, 2025, available at <https://foxbaltimore.com/news/local/gov-wes-moore-64-million-grants-for-clean-energy-projects-maryland>

¹⁷ Local Government Energy Modernization Program (L-GEM), website available at <https://energy.maryland.gov/govt/pages/smartenergycommunities.aspx>. Note this program replaces the Maryland Smart Energy Communities (?MSEC) program for fiscal year 2026. Id.

¹⁸ See id.

¹⁹ See id.

²⁰ Md. Code Ann., Tax-Prop. § 7-514. For example, Washington County signed several PILOT agreements with solar developers, noting that although the agreements resulted in lower property taxes, “the County gains [an amount] of tax revenue it would not otherwise receive if the solar farm is not constructed and operated.” *Board of County Commissioners Open Session Agenda*, Washington County Maryland, at 22 (June 25, 2019), <https://www.washco-md.net/wp-content/uploads/bocc190625a.pdf>.

²¹ Md. Code Ann., Tax-Prop. § 7-514.

percent of their electricity from renewable sources by 2030.²² According to the Energy Information Administration, as of 2023, hydropower made up the largest portion of renewable energy generation in the state, at 22 percent of net electricity generation, followed by solar energy at 5 percent and wind energy at 4 percent.²³ The state regulatory structure for clean energy siting was recently updated. In 2024, the New York State Assembly passed the Renewable Accelerated Permitting and Siting of Infrastructure Development (RAPID) Act, which directs the Office of Renewable Energy Siting (ORES), a division of the New York Public Service Commission (PSC), to conduct all environmental reviews, siting, and permitting for clean energy projects larger than 25 MW.²⁴ New York's 25 MW threshold leaves significant authority for local governments to regulate small- and medium-sized clean energy projects. For example, community solar projects in New York are primarily permitted by local governments, although the state provides incentives as well as guidance, including a unified solar permit that local governments can elect to adopt, and a model solar energy local law.²⁵

It will be important for local leaders crafting the ordinance we recommend to consider existing state regulatory authority and guidance. For instance, even for projects below the RAPID Act's 25 MW threshold, ORES has the authority to override local laws or regulations it finds "unreasonably burdensome" in light of New York's climate goals.²⁶ As a result, any outright moratorium on small scale renewable development could still be overturned by ORES, and local ordinances should be crafted to avoid falling afoul of the "unreasonable burdensome" standard. For projects above the 25 MW threshold, local governments still have important roles to play that can influence the pace of renewable energy deployment.

Among other things, renewable energy developers applying for state permits must demonstrate early consultation with affected municipalities by conducting at least one public meeting in the

²² N.Y. Pub. Serv. Law § 66-p(2).

²³ New York State Profile and Energy Estimates, EIA (Jan. 16, 2025), <https://www.eia.gov/state/analysis.php?sid=NY>.

²⁴ ORES Overview, Department of Public Service, <https://dps.ny.gov/about-ores> (last accessed July 2024).

²⁵ *Doing Solar Business in New York*, NYSERDA, <https://www.nyserda.ny.gov/All-Programs/NY-Sun/Contractors/Doing-Solar-Business> (last accessed July 2025).

²⁶ N.Y. Pub. Serv. Law § 142(5).

host community and must submit a municipal statement of compliance with relevant local laws concerning environmental protection, public health, and safety.²⁷ Furthermore, municipalities may petition for party status in state proceedings to raise substantive factual or legal issues that merit adjudication.²⁸

Implementation Resources

New York has various resources to support local government efforts such as the type of community engagement process we recommend, including technical assistance and grants.²⁹ ORES requires that project developers finance community benefits to help offset the local impacts of any project that are subject to ORES approval.³⁰ NYSERDA provides model ordinances and technical assistance to local municipalities for clean energy siting, such as a comprehensive plan guide.³¹ Through its Clean Energy Communities program, New York provides grant funding to communities that complete four high-impact actions, including local government training on best practices for developing clean energy in their communities.³² The NY-Sun program provides municipalities funding opportunities for on-site and community solar.³³ Finally, ORES offers Local Agency Account Funds to prospective renewable energy host municipalities to participate in ORES's renewable energy siting process.³⁴ It offsets costs for

²⁷ N.Y. Pub. Serv. Law § 142(1).

²⁸ N.Y. Comp. Codes R. & Regs. tit. 16, § 1100-8.3.

²⁹ See notes 80-85, *infra*.

³⁰ N.Y. Comp. Codes R. & Regs. tit. 16, § 1100-6.1(f).

³¹ N.Y. State Energy Research & Dev. Auth., Clean Energy and Your Comprehensive Plan: A Guide for Local Governments (Dec. 2021), Clean Energy Siting Resources (NYSERDA), <https://www.nyserda.ny.gov/All-Programs/Clean-Energy-Siting-Resources/Comprehensive-Plan-Guide> ; N.Y. State Energy Research & Dev. Auth., Clean Energy Siting Resources, <https://www.nyserda.ny.gov/All-Programs/Clean-Energy-Siting-Resources> (last accessed July 2025).

³² <https://www.nyserda.ny.gov/All-Programs/Clean-Energy-Communities/High-Impact-Actions> ; <https://www.nyserda.ny.gov/All-Programs/Clean-Energy-Communities/High-Impact-Actions/Toolkits/County-Hosted-Trainings>

³³ Solar Program NY-Sun, New York State, <https://www.nyserda.ny.gov/All-Programs/NY-Sun> (last accessed July 2025).

³⁴ Large Scale Renewable Energy Permitting & Local Governments: NYPF Local Government Day Conference at 12, New York Office of Renewable Energy Siting and Electric Transmission (April 7, 2025), <https://nypf.org/wp-content/uploads/2025/04/Charles-Voss-Large-Scale-Renewable-Energy-Permitting-Local-Governments-1.pdf>; Request For Local Agency Account Funding Form, New York Office of Renewable Energy Siting and Electric Transmission (Aug. 20, 2024),

expert witnesses, studies, consultants, attorneys, and other activities.³⁵ The wide array of support options and technical assistance available in New York can help communities conduct effective public engagement and clean energy planning proceedings.³⁶

Connecticut

Connecticut's current renewable energy portfolio standard requires electricity suppliers to procure 48 percent of their energy from renewable energy by 2030.³⁷ Connecticut has potential for additional clean energy development, though the state has a limited amount of agricultural and forested land available for clean energy development and the Connecticut State Siting Council has taken steps to curb clean energy development in those areas.³⁸ The state remains largely reliant on fossil fuels, with 53 percent of Connecticut's energy produced by natural gas, 39 percent by nuclear power, and the remainder by renewable energy.³⁹ While Connecticut has worked to emphasize rooftop solar installations to reduce utility scale clean energy installations in rural areas, farmland solar installations still increased significantly from 22 acres in 2022 to 165 acres in 2023, the last year for which data is available.⁴⁰ In addition to bringing new solar

<https://dps.ny.gov/system/files/documents/2024/09/request-for-local-agency-account-funding-2024-08-20.pdf>.

³⁵ 16 N.Y.C.R.R. § 1100-5.1 (2024),

<https://dps.ny.gov/system/files/documents/2024/08/chapter-xi-title-16-of-nycrr-part-1100-generation-siting-effective-2024-07-17.pdf>

³⁶ In addition, the City University of New York (CUNY) has published a Model Solar Energy Law and Toolkit for local governments, which CUNY states is “aimed to balance best practices that promote solar energy systems with common local requirements and concerns.” See New York State Model Solar Energy Law, SUNY, at 2 (May 2016),

https://nysolarmap.com/media/1620/nys_model_solar_energy_lawtoolkit_final_final.pdf.

³⁷ *State Brief: Connecticut*, Center for New Energy Economy (2023)

https://cnee.colostate.edu/wp-content/uploads/2023/09/State-Brief_CT_SEP_2023_Final.pdf

³⁸ 2024 Annual Report, Solar Photovoltaics, Connecticut State Council on Environmental Quality (

<https://portal.ct.gov/ceq/ar-24-gold/2024-ceq-annual-report-ebook/waste-diversion/solar-photovoltaics>

³⁹ Connecticut State Energy Profile, EIA, <https://www.eia.gov/state/analysis.php?sid=CT> (last accessed August, 2025).

⁴⁰ *Personal Impact: Solar Photovoltaics*, in 2023 CEQ Ann. Rep., Connecticut State Council on Envntl. Quality ((2024),

<https://portal.ct.gov/ceq/ar-23-gold/2023-ceq-annual-report-ebook/personal-impact---waste-diversion/solar-photovoltaics>.

and onshore wind online to help meet to the state RPS, the state has undertaken significant efforts to pursue offshore wind opportunities,⁴¹ though federal actions have slowed such plans.⁴²

The Connecticut Siting Council (CSC) is the principal regulatory authority governing the siting of energy infrastructure in the state. Under state law, the CSC holds jurisdiction over any proposed electric generating facility with a capacity greater than 1 MW and may also override local regulations by a supermajority vote of six out of nine council members.⁴³ Developers proposing a project over 2 MW sited on prime farmland or forest land must obtain written determination from the Department of Agriculture or Department of Energy and Environmental Protection confirming the project will not materially impact the land's classification.⁴⁴ CSC authority limits the authority of municipal governments to halt clean energy siting and permitting.⁴⁵ However, municipalities may submit written objections or orders regarding larger facilities under CSC review.⁴⁶

Although additional large-scale renewable potential may be limited compared to New York and Maryland, and local government authority is constrained, public engagement committees nonetheless have the potential to speed up clean energy development in Connecticut and to help ensure that this development is community-compatible.

Implementation Resources

State-supported or other planning tools may facilitate adoption and implementation of a community engagement ordinance. These kinds of tools may be particularly helpful for resource-constrained communities that may not have the administrative capacity to plan and carry out stakeholder engagement processes on their own, increasing the feasibility of our recommended best practice. For instance, state agencies have published guidance on

⁴¹ Connecticut Renewable Portfolio Standard, CT Public Utilities Regulatory Authority, <https://portal.ct.gov/pura/rps/renewable-portfolio-standards-overview> (last accessed July 2025).

⁴² John Moritz, *Tong joins other state AGs in lawsuit over Trump's wind moratorium*, CT Mirror (May 5, 2025), <https://ctmirror.org/2025/05/05/trump-offshore-wind-ct-lawsuit/>.

⁴³ Conn. Gen. Stat. Ann. § 16-50x(d)(1)(b); Conn. Gen. Stat. Ann. § 16-50i.

⁴⁴ Conn. Gen. Stat. Ann. § 16-50k(a).

⁴⁵ Conn. Gen. Stat. Ann. § 16-50x.

⁴⁶ *Id.*

developing solar energy facilities on brownfields and agricultural land.⁴⁷ Another state resource, the Community Renewable Energy Siting Tool (CREST), provides geographic and land use data that local governments can use to identify appropriate sites for development.⁴⁸ This tool could be used by committees in Hartford and Litchfield Counties to identify sites where the community would prefer clean energy be developed. Once committees report findings to each county's board of commissioners, each county commission could work with clean energy developers and state officials during the CSC siting process to direct clean energy developments to preferred locations.

Maine

In 2019, Governor Mills signed Maine's renewable portfolio standard (RPS) into law, which requires electricity suppliers in Maine to transition to 80 percent renewable energy by 2030.⁴⁹ Significant potential exists to develop new clean energy resources in the state.⁵⁰ State incentives have increased the pace of development for solar energy in particular.⁵¹ Small scale

⁴⁷ Conn. Dep't of Energy & Env'tl. Protection, Steps for Solar Development: Brownfields Siting Guide (June 2024), https://portal.ct.gov/-/media/deep/planning/steps-for-solar-development/steps-brownfields-siting-solar-guide_june-2024.pdf?rev=b4049f5267ad4263a29a1dbc392656d0&hash=6590442B6CFDFB866A835086C408461B; Conn. Dep't of Energy & Env'tl. Protection, *Draft Guidance for Siting Solar on Agricultural Land* (Jan. 2024), https://portal.ct.gov/-/media/deep/planning/steps-for-solar-development/draft-guidance-for-siting-solar-on-agricultural-land_rev-jan-2024.pdf.

⁴⁸ *What Is CREST?* Conn. Dep't of Energy & Env'tl. Prot. (Dec. 4, 2024), <https://portal.ct.gov/-/media/deep/planning/steps-for-solar-development/what-is-crest-one-pager-12424.pdf>; Conn. Dep't of Energy & Env't. Prot., *Steps for Solar Development in Connecticut* (July 2025), <https://portal.ct.gov/deep/planning/steps-for-solar-development>.

⁴⁹ *Governor Mills Signs Major Renewable Energy and Climate Change Bills Into Law*, Office of Governor Janet T. Mills (June 26, 2019), <https://www.maine.gov/governor/mills/news/governor-mills-signs-major-renewable-energy-and-climate-change-bills-law-2019-06-26>; Me. Rev. Stat. Ann. tit. 35-A, § 3210(1-A).

⁵⁰ Renewable Energy Goals Market Assessment Final Report, State of Maine Governor's Energy Office, (2021), <https://www.maine.gov/energy/studies-reports-working-groups/current-studies-working-groups/renewable-energy-market-assessment>.

⁵¹ *Maryland State Profile and Energy Estimates*, U.S. Energy Information Administration (Jan. 16, 2025), <https://www.eia.gov/state/analysis.php?sid=MD> (supra).

solar increased 50 percent from 2022 to 2023 due to state incentives.⁵² Large, utility-scale wind farms have also begun to help the state reliably and affordably meet demand for electricity.⁵³ Notably, a 1,000 MW wind farm, King Pine Wind, is also development in Aroostook County, Maine and is projected to generate around 3 billion kWh of energy each year, enough to power approximately 450,000 homes.⁵⁴ In total, 67 percent of Maine's 2023 in-state energy production came from renewable energy, most of which is generated by hydroelectric dams, wind turbines, and biomass fuels.⁵⁵

Despite promising potential for clean energy development in Maine, unique characteristics may make the ordinance we recommend less critical to accelerating the pace of clean energy development in the state. Many of the large clean energy projects in the state are sited on unincorporated land outside the jurisdiction of any local government.⁵⁶ For instance, Maine's two largest clean energy projects - the Three Corners Solar Farm and the Bingham Wind Farm⁵⁷ - are both sited in unincorporated areas without distinct local governance structures, therefore falling under state planning and zoning authority.⁵⁸ According to Maine's Office of the State

⁵² *Maryland State Profile and Energy Estimates*, U.S. Energy Information Administration (Jan. 16, 2025), <https://www.eia.gov/state/analysis.php?sid=MD> (supra).

⁵³ Annual Report on New Renewable Resource Portfolio Requirement, Maine Pub. Utils. Comm'n (Mar. 31, 2025), https://www.maine.gov/mpuc/sites/maine.gov.mpuc/files/inline-files/2023%20Activity%20RPS%20Report%20to%20Legislature-FINAL_0.pdf.

⁵⁴ King Pine Wind, Long Road Energy <https://www.longroadenergy.com/renewable-energy-portfolio/king-pine-wind/> (last accessed July 2025).

⁵⁵ *Maryland State Profile and Energy Estimates*, U.S. Energy Information Administration (Jan. 16, 2025), <https://www.eia.gov/state/analysis.php?sid=MD>.

⁵⁶ Based on a review of the energy projects in Maine according to LUCN's Site Certification Review list and Maine DEP's website, 10 projects submitted Land Use Regulatory Commission (LUCN permits) between 2012 and 2024, indicating that they are located within unorganized and deorganized (unincorporated) areas subject to the Land Use Planning Commission's jurisdiction. See *Site Law Certification Review - LUPC Certification to the Department of Environmental Protection (DEP)*, Land Use Planning Commission (Jan. 3, 2024), https://www.maine.gov/dacf/lupc/projects/site_law_certification/slc_links.shtml; *Major Projects Before the Department*, Maine DEP, <https://www.maine.gov/dep/projects.html> (last accessed July 2025); *County Summary*, LUPC (June 21, 2023), <https://www.maine.gov/tools/whatsnew/attach.php?id=1486951&an=1> (listing towns and plantations served by the LUPC.).

⁵⁷ LUPC Certification, Bingham Wind Farm, https://www.maine.gov/dacf/lupc/projects/site_law_certification/slc3/31-LUPC_Certification.pdf

⁵⁸ Maine DEP Application for Three Corners Solar, LLC; Unity Twp, Benton, and Clinton, Maine Department of Environmental Protection, <https://www.maine.gov/dep/land/projects/three-corners/index.html> (last accessed July 2025); *DEP to hold*

Auditor, slightly over one half of the state's overall land mass is unincorporated; in total, 429 townships do not lie within a municipal boundary in Maine.⁵⁹ Under the Maine Site Location of Development Act, the Maine Department of Environmental Protection permits energy facilities in Maine.⁶⁰ Maine's Land Use Regulatory Commission (LURC) is the state agency that regulates planning and zoning in unorganized and deorganized areas of the state (e.g. unincorporated areas).⁶¹ Because a state agency is responsible for planning and zoning in many of the areas where large clean energy projects may be located, a local ordinance may be less helpful in Maine.

Conclusions

State and federal clean energy and climate goals can guide energy policy, clarify priorities, and shift resources, but ultimately the infrastructure that is necessary to realize any of these goals is built in communities. Local governments in Maryland, New York, and Connecticut can play an important role in ensuring the success of clean energy development at the necessary pace and in a manner consistent with community priorities. Regardless of state regulatory context, local government officials and their constituents can raise legal, procedural, and public affairs challenges that delay or even cancel renewable energy projects. However, local officials are well-positioned to help build channels of communication and information-sharing among clean energy developers, state leaders, and residents in communities that are likely to host energy infrastructure. Local processes such as the one we recommend can advance progress towards a development paradigm that is well-informed and considers local community concerns.

Public engagement committees, along with the promulgation through zoning ordinances of local principles and priorities for energy development, can enable communities to raise community

second public meeting on proposed Bingham Wind project, Maine Department of Environmental Protection (Feb. 10, 2014), <https://www.maine.gov/dep/news/news.html?id=614409>.

⁵⁹ Office of the State Auditor, Unorganized Territory, <https://www.maine.gov/audit/unorganized-territory/index.html>.

⁶⁰ Me. Rev. Stat. tit. 38, § 481 (2025) <https://www.mainelegislature.org/legis/statutes/38/title38sec481.html>.

⁶¹ 12 M.R.S.A. § 685-A(1) (2025) ("The commission, acting on principles of sound land use planning and development, shall determine the boundaries of areas within the unorganized and deorganized areas of the State that fall into land use districts..."); see also *About Us*, Maine Land Use Planning Commission (LUPC), Maine Department of Agriculture, Conservation & Forestry, <https://www.maine.gov/dacf/lupc/about/index.shtml> (last accessed July 2025).

concerns about energy infrastructure development, learn about new technologies and methods to mitigate the impacts of clean energy siting, and make publicly available a set of community priorities that can serve as a roadmap for communities as well as developers and planners. Proactively codifying or publishing community concerns into a publicly available statement of principles can allow renewable energy developers to address community concerns in their initial environmental assessments and siting applications, craft siting and community benefits plans that address specific community concerns, and can help avoid unnecessary delays and reduce overall project impacts. Ultimately, efficiently siting renewable energy projects at the local level is key to achieving the decarbonized electric system that is necessary to help communities avoid the worst impacts of climate change.

About this Research

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