

Jerry Ferszt
New Sweden
LD 2174

Senator, Representative, and members of the committee:

My name is Jerry Ferszt, and I serve as Planning Board Chair for the Town of New Sweden. I am submitting testimony in opposition to LD 2174 in its current form.

Last year, our town adopted a commercial solar ordinance after careful study, public discussion, and a vote of our residents. That ordinance restricts large-scale commercial solar developments in our community. It was not passed lightly, nor was it reactionary. It was a direct response to real impacts being experienced across rural Maine.

New Sweden is a small, agricultural town. Our residents value farmland protection, open space, forests, and local decision-making. We are not opposed to renewable energy. In fact, many residents have installed personal solar systems. However, industrial-scale solar development presents very different land use implications than residential or farm-based installations.

LD 2174 would strip municipalities of their authority to enact standards that are more protective than state minimums. It would invalidate local ordinances that reflect the will of voters and local conditions. It would effectively centralize land use authority at the state level.

This bill does not simply create predictability in permitting — it removes predictability for municipalities who have relied on long-standing home rule authority.

The Maine Constitution grants municipalities the power of local self-government. Rural communities are not interchangeable landscapes. What is appropriate for one region may not be appropriate for another. Local officials are best positioned to evaluate impacts on:

Agricultural soils

Community character

Road infrastructure

Taxpayer liability

Long-term decommissioning risks

Environmental constraints unique to that locality

The provision deeming projects automatically approved if state timelines are missed is also deeply concerning. Automatic approval removes meaningful oversight and incentivizes speed over diligence.

This legislation would override locally enacted ordinances and declare them void. That is an extraordinary preemption of municipal authority.

If the Legislature wishes to streamline permitting at the state level, that conversation can occur without nullifying municipal land use authority.

I respectfully urge the committee to either:

Remove the municipal preemption language from LD 2174, or

Amend the bill to explicitly preserve a municipality's right to prohibit or regulate commercial-scale renewable energy developments within its borders.

Rural communities deserve a voice in shaping their future.

Thank you for your time and consideration.

Respectfully,

Jerry Ferszt
Planning Board Chair
Town of New Sweden