

Shall the town vote to amend Article 2 Definitions to add the following underlined words and to remove the following strikethrough words:

Animal Husbandry: Raising, breeding or keeping of more than ten fowl or any number of other animals except customary household pets. ~~for a person's own consumption and the incidental sale of such products.~~

Elderly Housing: A building or buildings containing dwelling units constructed or reconstructed specifically for occupancy by persons ~~families in which at least one member is of 55 years of age or older or 62 years of age or older.~~

Shall the town vote to amend Buxton's zoning ordinance Article 10 by removing the strikethrough wording:

10.1.A. No building permit shall be issued to erect any structure on a lot without frontage on a public or private way and such lot is not part of a subdivision as defined in Article 2 of this Ordinance unless an access road meeting the following criteria has been constructed within a deeded right-of-way that is fifty (50) feet in width. ~~Any access road serving more than one unit shall have a road maintenance agreement in place prior to the issuance of a permit for a second dwelling. This agreement shall specify the rights and responsibilities of each lot owner with respect to the maintenance, repair and plowing of the access road.~~ The finished surface of the access road shall be constructed to a minimum width of twelve (12) feet for the entire length of the road including its most distant terminus if serving one dwelling unit and fifteen (15) feet for the entire length of the road including its most distant terminus if serving two dwelling units. The access road shall contain a minimum depth of fifteen (15) inches of bank-run gravel and have drainage ditches and culverts at all appropriate points. Such an access road shall serve no more than two dwelling units. Any access road serving three or more dwelling units shall meet the road acceptance regulation of this Ordinance for the entire length of the road including its most distant terminus: (amended June 15, 2002, amended June 14, 2003, Amended June 14, 2008)

10.1.B.2. The plan must contain the following notation: "The access road shown on this plan is not dedicated to the Town of Buxton. The responsibility for maintenance and plowing the access road is that of the owners of the lots served by the access road. If the access road is ever proposed for acceptance as a town road or public easement, the owners of the lots served by the access road must construct the road to the then current road construction and/or acceptance standards of Article 12. Planning Board approval of an amendment to this plan must also be obtained prior to dedication of the access road."

~~10.1.B.3. An access road maintenance agreement must be approved by the Planning Board. This agreement shall specify the rights and responsibilities of each lot owner with respect to the maintenance, repair and plowing of the access road.~~

Shall the town vote to amend Buxton's Zoning Ordinance Article 5 by adding the underlined wording:

10.1.B.4. No access to any lot is permitted by way of the ends of the hammerhead. (amended 6/12/04, amended 6/14/08) There shall be no parking of boats, trailers, storage or any other vehicles within the hammerhead.

10.1.B.5. The plan with the above notation and maintenance agreement must be recorded at the York County Registry of Deeds and shall be referenced in the Deed of each lot.

~~10.1.B.6. No access to any lot is permitted by way of the ends of the hammerhead. (amended 6/12/04, amended 6/14/08)~~

5.5 Minimum Amount – Permit exemption.

No permit shall be required for the construction, alteration, relocation or replacement of any building or part thereof, so long as it conforms with the provisions of the Building Code of the Town of Buxton and this Ordinance to the extent of \$2,500 or less in total estimated project value. The burden of proof in regard to this value rests with the property owner.

A building permit shall not be required for fences or the replacement of roofing, siding, windows and interior flooring if no structural changes to the building are required as part of such work. A building permit shall not be required for structures not intended for human habitation, of 200 square feet or less. The Code Enforcement Officer shall be consulted before starting the work.

TOWN OF BUXTON ORDINANCE ESTABLISHING A TEMPORARY MORATORIUM ON DATA CENTERS

The Town of Buxton (the "Town") makes the following findings:

WHEREAS, the Town has witnessed increasing interest in the siting and development of data centers, which are large-scale facilities used for the processing, storage, and transmission of digital information; and

WHEREAS, data centers are intensive uses requiring substantial and continuous electric power, raising concerns regarding impacts on local grid capacity and infrastructure; and

WHEREAS, such facilities rely on extensive machinery and systems that may generate noise, heat, and emissions, affecting surrounding properties and natural resources; and

WHEREAS, data centers may require significant water usage, and place demands on local water supplies; and

WHEREAS, the construction and operation of data centers may increase traffic, road wear, and strain on public infrastructure; and

WHEREAS, data centers often occupy large areas, raising concerns regarding efficient land use and consistency with the Town's planning goals; and

WHEREAS, there is a strong likelihood of continued development pressure for data centers due to regional and national demand; and

WHEREAS, the Town's Zoning Ordinance is designed "to promote the health, safety and general welfare of the residents of the Town; to encourage the most appropriate use of land throughout the Town; to promote traffic safety; to provide safety from fire and the elements; to prevent water pollution; to control building sites, placement of structures and land uses; to conserve natural beauty and open space"; and

WHEREAS, pursuant to 30-A M.R.S. §4356 (1), the Town's existing Zoning Ordinance does not provide an adequate mechanism to address the concerns related to the construction and operation of data centers and to prevent public harm from an overburdening of public facilities and potential adverse effects on neighborhoods due to environmental concerns and traffic that may create a public nuisance or hazard; and

WHEREAS, the Town will need at least 180 days to study the impact of the construction and operation of data centers, develop and implement amendments to the Zoning Ordinance which appropriately and adequately regulate the construction and operation of data centers to minimize or eliminate the public health, safety, and welfare risks posed by the aforementioned development pressures.

NOW THEREFORE, pursuant to the authority granted to it by 30-A M.R.S. § 4356, be it hereby ordained by the Town of Buxton as follows:

1. DEFINITIONS.

As used in this Ordinance, the following term has the following meaning:

“Data Center” means any facility, which may be a freestanding structure or a facility within a larger structure, that (1) is primarily designed, constructed, operated, or occupied for the processing, storage, management, mining, hosting, or distribution of large loads of digital data, artificial intelligence operations, blockchain operations, cryptocurrency mining, cloud computing, colocation services, enterprise services, or similar high-intensity computational activities; and (2) has an aggregate Data Center Area of 2,500 square feet or greater. The term “Data Center” includes but is not limited to hyperscale data centers, enterprise data centers, colocation facilities, edge computing facilities, artificial intelligence computing facilities, and cryptocurrency mining operations, whether operated as a principal use or accessory use.

“Data Center Area” means the gross floor area occupied by (1) any building, structure, facility, equipment, or portion or combination thereof, that contains the physical computing equipment comprising a Data Center, including but not limited to routers, graphics processing units (GPUs), switches, servers, high-density computing systems, storage systems, and other electronic and computing equipment; the physical infrastructure housing such equipment, such as data center racks and server cabinets; and any inter-equipment space and corridors used for cooling and maintenance of the physical computing equipment; and (2) any other impervious surfaces associated with a Data Center, including but not limited to access ways, parking lots, transmission corridors, and any accessory buildings or structures.

2. TITLE AND AUTHORITY; APPLICABILITY AND PURPOSE; RETROACTIVE APPLICATION.

- A. Title and Authority. This *Town of Buxton Ordinance Establishing a Temporary Moratorium on Data Centers*, duly enacted by the legislative body of the Town of Buxton is referred to herein as this “Ordinance.” This Ordinance is adopted pursuant to Article VIII, Part Second, of the Maine Constitution and 30-A M.R.S.A. § 3001; 30-A M.R.S. § 4356; and any other enabling statutes and laws.
- B. Applicability and Purpose. This Ordinance shall apply to any proposal to develop, establish, install, construct, operate, or expand a Data Center, or any expansion of any existing facility, structure, or operation so as to render it a Data Center.
- C. Retroactive Application. This Ordinance is expressly intended to and shall have retroactive effect. Notwithstanding 1 M.R.S. § 302 or any other law to the contrary, and regardless of its effective date, this Ordinance governs and applies retroactively to any proceedings and applications relating to the development, establishment, installation,

construction, operation, or expansion of a Data Center that were or are pending before the Town at any time on or after August 12, 2026 (the "Date of Applicability") and, to the extent allowed by 30-A M.R.S. § 3007(6), shall nullify any final permit, license, or approval of a new or expanded Data Center issued by a municipal reviewing authority within 45 days of the effective date of this Ordinance.

3. PROHIBITION.

During the time this Ordinance is in effect, no official, officer, board, body, agency, agent or employee of the Town shall accept, process or act upon any application pending on or after the Date of Applicability for approval, including but not limited to a building permit, certificate of occupancy, conditional use permit, license or any other approval, relating to the establishment, installation, construction, operation, or expansion of any Data Center.

4. ENFORCEMENT, VIOLATION AND PENALTIES.

This Ordinance shall be enforced by the Code Enforcement Officer of the Town. Any person who violates this Ordinance shall be subject to civil penalties and other remedies provided in 30-A M.R.S. § 4452.

5. EFFECTIVE DATE.

This Ordinance shall become effective immediately upon its adoption and shall remain in full force and effect for a period of 180 days from the Date of Applicability, unless extended, repealed, or modified in accordance with applicable law.

6. SEVERABILITY; CONFLICTS.

Should any section or provision of this Ordinance be declared by any court to be invalid, such a decision shall not invalidate any other section or provision. Any provisions of the Town's ordinances that are inconsistent with or conflict with the provisions of this Ordinance are hereby repealed to the extent applicable for the duration of the prohibition set forth herein.

Municipality of Buxton

Local Food Sovereignty Ordinance

Sec. 1 Short Title

This ordinance shall be known and may be cited as the "Local Food Sovereignty Ordinance."

Sec. 2. Authority and Purpose.

This Ordinance is intended to provide residents with increased access to local food, to support the ability of residents to produce, sell, purchase and consume locally produced foods, and to reduce governmental regulation of local foods to the extent permitted by and pursuant to 7 M.R.S. § 281 - § 286.

This Ordinance is enacted pursuant to 7 M.R.S. § 284 and the home rule authority granted to municipalities by 30-A M.R.S. § 3001, or in the case of plantations, per authority of 30-A M.R.S. § 7051(11).

Sec. 3. Definitions

As used in this ordinance, the following words have the meanings stated below:

Consumer. "Consumer" means an individual who acquires food or food products directly from a food producer of the individual's choosing solely for consumption by the individual or individual's family.

Direct producer-to-consumer transaction on. "Direct producer-to-consumer transaction" means an exchange of food or food products directly between a food producer and a consumer by barter, trade or purchase on the property or premises owned, leased or rented by the food producer; at roadside stands, fundraisers, farmers' markets and community social events; or through buying clubs, deliveries or community-supported agriculture programs, herd-share agreements and other private arrangements.

Food or food products. "Food or food products" means food or food products that are grown, produced, processed, or prepared for human consumption, including, but not limited to, vegetables, fruit, eggs, grain or grain products, herbs, seasonings or spices, milk or milk products, meat or meat products, poultry or poultry products, fish or fish products, seafood or seafood products, fresh produce, cider or juice, acidified foods, canned fruits or vegetables, honey, nuts, maple products or condiments or any combination of those items,

such as baked goods, sandwiches or other meals, and that are provided in a direct producer-to-consumer transaction.

Food producer. “Food producer” means a person that provides directly to a consumer food or food products that the person: (1) grows, raises or produces; or (2) grows, raises, produces or acquires from another source and processes or prepares in a kitchen.

Kitchen. “Kitchen” means a room, area, site or location where food or food products are produced, processed or prepared for a direct producer-to-consumer transaction.

State food law. “State food law” means any provision of Title 7 or Title 22 of the Maine Revised Statutes that regulates direct producer-to-consumer transactions.

Sec. 4. License and Inspection on Exemptions.

A. Notwithstanding any other provision of the Ordinances of this municipality to the contrary, producers, growers, and processors of food or food products in the municipality are exempt from licensure and inspection requirements contained in State food law (as defined above) with respect to their direct producer-to-consumer transactions as defined herein.

B. Pursuant to 7 M.R.S. § 285, the exemption provided in sec on 4(A) above does not apply to any transactions involving meat, meat products, poultry or poultry products, as those terms are defined in 22 M.R.S. § 2511. All such transactions remain subject to state inspection and licensing pursuant to Chapter 562-A of Title 22 of the Maine Revised Statutes and the rules adopted thereunder.

5. Severability.

If any section or provision of this ordinance is declared to be invalid by a court of competent jurisdiction, such decision shall not invalidate any other section or provision of this ordinance.

6. Effective Date.

This ordinance shall become effective upon its adoption by Town Meeting.

This ordinance was adopted under Article () at the (date) Special Town Meeting.