

**Form 2  
Submission 3  
Final Version  
Zoning By-Laws  
Article 29**

**Section 51. Large-Scale Ground-Mounted Solar Photovoltaic Installations**

**51.1 Applicability.** The Planning Board may grant site plan approval for the erection, construction, installation, operation and modification of a Large-Scale Ground-Mounted Solar Photovoltaic Installation in any Zoning District subject to the requirements set forth herein.

**51.2 Purpose and Intent.** The purpose of this Section is to promote the creation of new large-scale, ground-mounted solar photovoltaic installations by providing standards for the placement, design, construction, operation, monitoring, modification and removal of such installations that address public safety, minimize impacts on scenic, natural and historic resources and to provide adequate financial assurance for the eventual decommissioning of such installations.

**51.3 Definitions.** As used in this Section, the following terms shall have the meanings indicated:

**Large-Scale Ground-Mounted Solar Photovoltaic Installation** – A solar photovoltaic system that is structurally mounted on the ground and is not roof-mounted, and has a minimum nameplate capacity of 250 kW DC.

**Rated Nameplate Capacity** – The maximum rated output of electric power production of the Photovoltaic system in Direct Current (DC).

**Solar Parking Canopy** – An elevated structure that hosts solar panels installed over parking lots or other hardscape areas. Also may be called a solar carport installation.

**Solar Photovoltaic System** – An electrical system that consists of an array of one or more photovoltaic modules, inverters, electrical components, and one or more electric loads.

**51.4 General.** Large-scale ground-mounted solar photovoltaic installations shall be consistent with all applicable local, state and federal requirements, including but not limited to safety, construction, electrical, and communications requirements. All buildings and fixtures forming part of a solar photovoltaic installation shall be constructed in accordance with the State Building Code.

5. Land Clearing: Clearing of natural vegetation shall be limited to what is necessary for the construction, operation and maintenance of the solar photovoltaic installation or otherwise prescribed by applicable laws, regulations and bylaws.
6. Screening: Landscaping shall be required to screen the solar photovoltaic installation and accessory structures from roadways, wetlands and adjacent uses. The width of the landscaped buffer shall be a minimum of ninety (90) feet. Within the landscaped buffer, landscaping shall not be managed, maintained, trimmed or subject to selective removal for the purpose of additional solar gain. Where existing landscaping is insufficient for year-round screening purposes, the Planning Board will require installation of additional vegetation and/or fencing. The Planning Board may waive this requirement if it determines that there is no public benefit from such screening.
7. Lighting: Lighting shall be limited to that required for safety and operational purposes, and shall be reasonably shielded from abutting properties. Where feasible, lighting of the solar photovoltaic installation shall be directed downward and shall incorporate full cut-off fixtures to reduce light pollution.
8. Glare: No solar photovoltaic installation shall produce glare that would constitute a nuisance to occupants of neighboring properties or persons traveling neighboring roads.
9. Signs: No signs shall be erected on the solar photovoltaic installation except signs identifying the owner, the operator, the manufacturer, an emergency telephone number, safety signage, and warning signage. Special placards and signs shall be installed on all combiner boxes, inverters, transformers, disconnects, and panel feed breakers. This shall include the following placards:

WARNING – SOLAR INVERTER OUTPUT DISCONNECT  
DO NOT RELOCATE  
THIS DEVICE

AC Disconnects located at: (i.e. Rear of maintenance shed)

A permanent sign shall be installed that shows the peak power, current, and voltages of each inverter, in lettering that is legible from a distance of three (3) feet.

All signs shall comply with local utility requirements and Section 34 herein.

10. Network Interconnections and Power Lines: To the extent feasible, all network interconnections and power lines, to and from the facility, shall be located underground. Electrical transformers for utility interconnections may be above ground if required by the utility provider.

### **51.7 Maintenance Requirements and Emergency Shutdown Procedures.**

1. At all times the solar photovoltaic installation shall be maintained in good working condition and regular maintenance shall be performed in accordance with the approved maintenance schedule. A record shall be kept of all maintenance performed, and said maintenance record shall be provided to Town officials whenever requested to verify maintenance or status.
2. The owner or operator shall provide a copy of the site plan and emergency shutdown procedures to the Emergency Management Director, Police Chief and Fire Chief prior to issuance of an occupancy permit. The owner or operator shall cooperate with local emergency services in developing an emergency response plan.
3. The owner or operator shall provide the Building Inspector with the contact information for a person responsible for responding to public inquiries and complaints throughout the life of the project and post this information in a visible location at the installation. This contact information shall be updated as necessary.

### **51.8 Removal Requirements.**

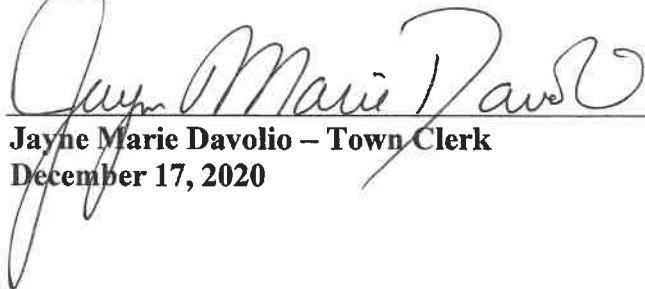
1. At least thirty (30) days prior to the date of discontinued operations, the owner of the solar photovoltaic installation shall notify the Building Inspector by certified mail of any proposed date of discontinued operations and plans for removal of the solar photovoltaic installation.
2. A solar photovoltaic installation that is not used for twelve (12) successive months, or that has reached the end of its useful life, shall be deemed discontinued, and shall be removed by the owner. Upon issuance of a Notice of Discontinuance by the Building Inspector, the owner shall have thirty (30) days to provide sufficient evidence that the system has not been discontinued. Failure to provide such evidence to the Building Inspector within the time allowed shall be conclusive evidence that the solar photovoltaic installation has been discontinued.
3. The owner shall dismantle and physically remove the solar photovoltaic installation within ninety (90) days from the date of discontinued operations. Removal of the system shall include:
  - a. Physical removal of all large-scale ground-mounted solar photovoltaic installation, structures, equipment, security barriers and transmission lines from the site.
  - b. Disposal of all solid and hazardous waste in accordance with local, state and federal waste disposal regulations.
  - c. Stabilization or re-vegetation of the site as necessary to minimize erosion. The Planning Board may allow the owner or operator to maintain landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.

**51.9 Performance Guarantee.** The Planning Board shall require surety, either in the form of a bond or other security, in an amount sufficient to assure satisfactory removal of the system. The cost estimate for removal and re-vegetation shall be prepared by the Planning Board's technical consultant and shall include a twenty-five percent (25%) contingency fee. The Planning Board shall review the amount of the surety at five year intervals to ensure that it is sufficient to guarantee satisfactory removal and re-vegetation. The Planning Board shall have the right, upon determination of discontinuance and failure to remove the installation within the ninety (90) day period identified in Section 51.8(3), but not the obligation, to claim the financial surety, and to the extent duly authorized by law enter the site and remove the facility in accordance with the requirements of this section.

**51.10 Waiver Provision.** The Planning Board may waive strict compliance with any provision of this bylaw if it deems it in the public interest and determines that the intent of the bylaw has been maintained.

**51.11 Modification.** All material modifications to a large-scale solar photovoltaic installation made after issuance of the site plan approval shall require submission of a modified site plan, applied for in accordance with all regulations applicable at the time such application is properly made.

**A TRUE COPY ATTEST:**



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**Jayne Marie Davolio – Town Clerk**  
**December 17, 2020**