

CHAPTER 300. ZONING.

ARTICLE 19: SOLAR PHOTOVOLTAIC FACILITIES OVERLAY DISTRICT (PVOD)

§ 300-19.1 Purpose.

The purpose of this Article is to promote and regulate the use of residential, commercial and municipal Solar Energy Systems (SES) within the Town of Medfield and encourage their location and use in a manner which minimizes negative visual and environmental impacts on scenic, natural and historic resources and to the residents of Medfield. The purpose is also to provide adequate financial assurance for the eventual decommissioning of such installations. In the event of conflicting language, the provisions set forth in this section shall take precedence over all other sections of the Medfield Zoning Bylaws when considering applications related to the construction, operation and/or repair of Solar Energy Systems.

§ 300-19.2 Applicability.

The requirements of this Article shall apply to all Solar Energy Systems installed or modified in a manner that materially alters the type, configuration, or size of these installations or related equipment after the effective date of this Article, excluding general maintenance and repair.

§ 300-19.3 Definitions.

As used in this Article, the following terms shall have the meanings indicated:

AS-OF-RIGHT SITING

As-of-right also referred to as "by right" siting shall mean that development may proceed without the need for a special permit, variance, amendment, waiver, or other discretionary approval; as-of-right development shall be subject to site plan approval by the Planning Board pursuant to § 300-14.12.

GROUND-MOUNTED SOLAR PHOTOVOLTAIC ARRAY

An SES that is directly structurally mounted on the ground, including a Large-Scale Ground-Mounted Solar Photovoltaic Array, a Medium-Scale Ground-Mounted Solar Photovoltaic Array, a Small-Scale Ground-Mounted Solar Photovoltaic Array and a Solar Parking Canopy Solar Photovoltaic Array.

LARGE-SCALE GROUND-MOUNTED SOLAR PHOTOVOLTAIC ARRAY

An SES that is structurally mounted on the ground and is not roof-mounted, and has a Rated Nameplate Capacity equal to 250 kW DC or greater.

MEDIUM-SCALE GROUND MOUNTED SOLAR PHOTOVOLTAIC ARRAY

An SES that has a Rated Nameplate Capacity of between 10 kW and 250 kW DC and is structurally mounted on the ground, not roof-mounted.

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The locations permitted shall be within the large-scale ground-mounted solar photovoltaic overlay district, hereinafter referred to as "PVOD."

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PARKING CANOPY SOLAR PHOTOVOLTAIC ARRAY

A roof or roof-like application of a Ground-Mounted Solar Photovoltaic Array that is installed on top of a functional parking surface (striped, in use) that maintains the function of the area beneath the canopy; also known as solar carports which provide some protection or shelter to vehicles or equipment parked or stored below.

RATED NAMEPLATE CAPACITY

The maximum rated output of electric power production of the SES, in direct current (DC).

RELATED EQUIPMENT OR FACILITIES

Any equipment, building, structure, access way, landscaping or other means used to support the operation, or disguise the appearance, of a solar photovoltaic tower, antenna, or transmitting or receiving equipment of any kind.

ROOF-MOUNTED SOLAR ENERGY SYSTEM:

An SES that is structurally mounted to and confined to the limits of the roof of a building or structure. This is intended to serve as an accessory use to the primary use on the property and may be used to provide electricity, hot water, or space heating and cooling.

SOLAR ENERGY SYSTEM (SES)

A device whose primary purpose is the collection, storage, and distribution of solar energy for space heating or cooling, electricity generation, or water heating, which can be ground mounted or rooftop mounted. Solar Energy Systems include photovoltaic panels, mounting structures, transmission lines and any other equipment, or structure, including access ways or landscaping, used to support solar photovoltaic activities.

SMALL-SCALE GROUND MOUNTED SOLAR PHOTOVOLTAIC ARRAY

A Solar Energy System that is equivalent to a rated nameplate capacity of up to 10 kW and is structurally mounted on the ground, not roof-mounted.

§ 300-19.4 Solar Photovoltaic Overlay District.

In order to allow new Solar Energy Systems (SES), to be located efficiently and in areas that will have the least visual and environmental impact, there is hereby created the following Town-wide Solar Photovoltaic Overlay District (PVOD) consisting of the following subdistricts;

- Large-Scale Ground-Mounted Solar Photovoltaic Overlay Subdistrict - This district shall consist of the following land and parcels: All land and parcels within the boundaries of the Industrial Extensive (IE) Zoning District shown on the Zoning Map and as described

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UTILITY
A system of wires or conductors and supporting structures that functions in the transmission of electrical energy or communication services (both audio and video) between generating stations, substations, and transmission lines.

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in Article 3 elsewhere in this Bylaw.

- Medium-Scale Ground-Mounted Solar Photovoltaic Overlay Subdistrict - This district shall consist of the following land and parcels: All land and parcels within the boundaries of the Industrial Extensive (IE), Business (B), Business Industrial (BI), and Agricultural (A) Zoning Districts shown on the Zoning Map and as described in Article 3 elsewhere in this Bylaw.
- Small-Scale Ground-Mounted Solar Photovoltaic Overlay Subdistrict - This district shall consist of the following land and parcels: All land and parcels within the boundaries of the Industrial Extensive (IE), Business (B), Business Industrial (BI), Agricultural (A), and all Residential (RE, RT, RS, RU) Zoning Districts shown on the Zoning Map and as described in Article 3 elsewhere in this Bylaw.
- Solar Parking Canopy Solar Photovoltaic Overlay Subdistrict - This district shall consist of the following land and parcels: All land and parcels within the boundaries of the Industrial Extensive (IE), Business (B), Business Industrial (BI), and Agricultural (A) Zoning Districts shown on the Zoning Map and as described in Article 3 elsewhere in this Bylaw.
- Roof-Mounted Solar Photovoltaic Overlay Subdistrict - This district shall consist of the following land and parcels: All land and parcels within the boundaries of the Industrial Extensive (IE), Business (B), Business Industrial (BI), Agricultural (A), and all Residential (RE, RT, RS, RU) Zoning Districts shown on the Zoning Map and as described in Article 3 elsewhere in this Bylaw.
- Municipal Solar Photovoltaic Overlay Subdistrict - This district shall consist of the following land and parcels: All municipally-owned land and parcels, buildings and structures within the boundaries of the Industrial Extensive (IE), Business (B), Business Industrial (BI), Agricultural (A), and all Residential (RE, RT, RS, RU) Zoning Districts shown on the Zoning Map and as described in Article 3 elsewhere in this Bylaw.

§ 300-19.5 Scope of authority.

The Solar Photovoltaic Facilities Overlay District (PVOD) shall be considered as overlying other use districts established by this Bylaw. Within the ~~PVOD~~, the requirements of the underlying district continue to apply except as may be specifically superseded herein.

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A. Allowed uses in the underlying zoning district(s). The following uses are allowed by right:

- (1) All uses permissible and as regulated within the underlying district, including uses requiring site plan approval.

(2) A Large-Scale Ground-Mounted Solar Photovoltaic Array in the IE Zone; Medium-Scale Ground-Mounted Solar Photovoltaic Array in the IE, B, BI, A; Parking Canopy Solar Photovoltaic Array in Industrial Extensive (IE) or Agricultural (A) Zone; or all sizes of Ground-Mounted, Parking Canopy, and Roof-Mounted of Municipal installations in the Industrial Extensive (IE), Agricultural (A), Business (B) or Business Industrial (BI), any Residential zone (RE, RT, RS, RU).

(3) A Small-Scale Ground-Mounted Solar Photovoltaic Array in the Industrial Extensive (IE), Agricultural (A), Business (B) or Business Industrial (BI), or any Residential zone (RE, RT, RS, RU).

(4) Parking Canopy Solar Photovoltaic Array in any Residential zone (RE, RT, RS, RU).

B. The following uses are allowed by special permit: A Parking Canopy Solar Photovoltaic Array in Business (B) or Business Industrial (BI) zone.

C. Special permit allowed uses in the underlying zoning district. All uses permitted by special permit in the underlying district at that location may be allowed upon the issuance of a special permit by the designated special permit granting authority under such conditions as the Board may require.

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D. Roof-Mounted Solar Energy Systems of any size shall be permitted as a by-right accessory use in all use districts. The installation of Roof-Mounted Solar Energy Systems shall not be considered a change, extension or alteration that requires a finding by the Zoning Board of Appeals per M.G.L. c.40A s.6 if the Roof-Mounted Solar Energy System meets the following requirements:

(1) comply with the regulations provided in this section; and

(2) are located on properties with nonconforming uses or structures; and

(3) does not increase the nonconformity of such nonconforming uses or structures except with respect to the dimensions of the Roof-Mounted Solar Energy System in question.

E. Municipal Solar Energy Systems: Notwithstanding the Solar Energy Use Provisions above, Solar Energy Systems, whether ground-mounted, parking canopy, or roof-mounted of any scale, may be installed as of right on municipally-owned or leased property in all zoning districts. Ground-mounted Solar Energy Systems on municipally-owned or leased land require site plan review. The same dimensional, design and general requirements that apply to privately installed and operated Solar Energy Systems shall apply to Solar Energy Systems installed on municipally-owned property.

F. Where Solar Energy Systems would be installed in a Historic District, the system shall require approval by the Historic District Commission.

<u>Sub-district Name</u>	<u>Allowable Districts</u>	<u>Permitting Process</u>	<u>Dimensional Requirements</u>
<u>Large Scale Ground Mounted</u>	<u>IE</u>	<u>By-right with SPA</u>	<u>As Noted</u>
<u>Medium Scale Ground Mounted</u>	<u>IE, B, BI, A</u>	<u>By-right with SPA</u>	<u>As Noted</u>
<u>Small Scale Ground Mounted</u>	<u>IE, B, BI, RE, RT, RS, RU, A</u>	<u>By-right</u>	<u>Underlying Zoning District</u>
<u>Solar Parking Canopy</u>	<u>IE, A</u>	<u>By-right with SPA</u>	<u>As Noted</u>
	<u>B, BI</u>	<u>PB-SP</u>	
	<u>R</u>	<u>By-right</u>	<u>Underlying Zoning District</u>
<u>Roof-Mounted (all sizes)</u>	<u>IE, B, BI, RE, RT, RS, RU, A</u>	<u>By-right</u>	<u>As Noted</u>
<u>Municipal (all sizes of Ground-Mounted, Parking Canopy, and Roof-Mounted)</u>	<u>IE, B, BI, RE, RT, RS, RU, A</u>	<u>By-right with SPA</u>	<u>As Noted</u>

§ 300-19.6 Siting of Solar Energy Systems

The establishment of Large-Scale Ground-Mounted Solar Photovoltaic Array, Medium-Scale Ground-Mounted Solar Photovoltaic Array, and Parking Canopy Solar Photovoltaic Array shall be allowed by right in the Industrial-Extensive Zone and subject to site plan approval in accordance with § 300-14.12 and a building permit, provided that the following minimum requirements are met. Parking Canopy Solar Photovoltaic Arrays shall be allowed by special permit in Business and Business Industrial zones and are subject the site plan approval and the following requirements.

- A. Site control. The project proponent shall submit documentation of actual access and control of the project site sufficient to allow for construction and operation of the proposed solar photovoltaic installation.
- B. Operation and maintenance plan. The project proponent shall submit a plan for the operation and maintenance of the Large-Scale Ground-Mounted, Medium-Scale Ground-Mounted SES or Solar Parking Canopy, which shall include measures for maintaining safe

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access to the installation, stormwater controls, as well as general procedures for operational maintenance of the installation.

- C. Utility notification. ~~No Ground-Mounted Solar Photovoltaic Array~~, shall be constructed until written confirmation has been given to the Planning Board that the utility company that operates the electrical grid where the installation is to be located has been informed of the solar photovoltaic installation owner's or operator's intent to install an interconnected customer-owned generator and its acceptance of the owner's or operator's request to connect to the grid. Off-grid systems shall be exempt from this requirement.

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§ 300-19.7 **Dimension, density, and parking requirements.**

- A. For ~~Large-Scale Ground-Mounted Solar Photovoltaic Arrays~~, front, side and rear setbacks shall be as follows:

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- (1) Minimum lot area: 40,000 square feet.
- (2) Minimum front setback: 50 feet.*
- (3) Minimum side setback: 100 feet.*
- (4) Minimum rear setback: 50 feet.*
- (5) Maximum lot coverage: 90%.
- (6) Lot width, lot depth, perfect square: none required.
- (7) Height. Height shall be determined by each individual panel measured to the grade level beneath that panel and shall not exceed 18 feet from the preexisting natural grade.
- (8) Parking requirement. No additional parking is required for this use as long as there is no full-time on-site system operator required following installation of the large-scale solar photovoltaic installation.

- B. ~~For Medium-Scale Ground-Mounted Solar Photovoltaic Arrays, front, sides, and rear setbacks shall be as follows:~~

- (1) ~~Minimum lot area: 20,000 square feet.~~
- (2) ~~Minimum front setback: 25 feet.*~~
- (3) ~~Minimum side setback: 20 feet.*~~

(4) Minimum rear setback: 20 feet.*

(5) Maximum lot coverage: 90%.

(6) Lot width, lot depth, perfect square: none required.

(7) Height: Height shall be determined by each individual panel measured to the grade level beneath the panel and shall not exceed 18 feet from the preexisting natural grade.

C. Small-Scale Ground-Mounted Solar Photovoltaic Arrays shall be constructed in accordance with the bulk and dimensional requirements applicable to accessory structures in the underlying district as defined in elsewhere in the Zoning Bylaw.

D. Parking Canopy Solar Photovoltaic Arrays shall be allowed where parking is permitted and shall be constructed in accordance with the bulk and dimensional requirements applicable to parking in the underlying district as defined in elsewhere in the Zoning Bylaw, except as otherwise provided herein:

(1) Setbacks: Parking Canopy Solar Photovoltaic Array of any size in any zone shall meet setback requirements for accessory structures in underlying zone.*

(2) If parking canopy abuts a Residential Use additional setbacks may be required at the discretion of the Planning Board.*

(3) Height: Height shall be determined by each individual panel measures to the grade level beneath the panel and shall meet height requirements in the underlying zone. Minimum height should be 14' at the lowest point to allow for vehicles to pass below.

E. *Setbacks for Ground-Mounted Solar Photovoltaic Arrays or Municipal Solar Energy Systems may be increased or reduced if, in the opinion of the Planning Board based on evidence submitted by applicant, existing and/or proposed screening will be adequate to minimize visual impact (as described in § 300-19.10D). Under no circumstance will setbacks be reduced to less than the dimensional requirements for the zoning district. A special permit may be granted by the Planning Board for by-right ground mounted systems for reduced setbacks.

F. For Roof-Mounted Solar Energy Systems or Municipal Solar Energy Systems dimensional requirements shall be as follows:

(1) Minimum lot area: None.

(2) Setbacks: Roof-Mounted Solar Energy Systems shall comply with existing setbacks.

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Setbacks from the roofline shall comply with safety requirements in the State Building, Electrical, and Fire Codes.

(3) Height: Roof-Mounted Solar Energy Systems shall be exempt from underlying height requirements, not to exceed 4 feet. Where the pitch of the roof is 15 degrees or greater, Roof-Mounted Solar Energy Systems shall be mounted parallel to the roof surface.

§ 300-19.8 Appurtenant structures.

All appurtenant structures to Ground-Mounted Solar Photovoltaic Arrays, including, but not limited to, equipment shelters, storage facilities, batteries or other electric storage, transformers and substations, should be screened from view from abutting properties and public ways by vegetation and/or joined or clustered, as determined by the Planning Board, to avoid adverse visual impacts on abutting properties or public ways.

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§ 300-19.9 Design standards.

A. Lighting. Lighting of Solar Energy Systems shall be consistent with local, state and federal law. Lighting of other parts of the installation, such as appurtenant structures, shall be limited to that required for safety and operational purposes, and shall be shielded from abutting properties. Lighting of the solar photovoltaic installation shall be directed downward and shall incorporate full cut-off fixtures to reduce light pollution.

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B. Signage. Signs on Solar Energy Systems shall comply with the sign bylaw (Article 13), except that one additional sign no more than one square foot in area shall be required to identify the owner and provide a twenty-four-hour emergency contact information. Solar photovoltaic installations shall not be used for displaying any advertising except for identification of the manufacturer or operator of the solar photovoltaic installation.

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C. Utility connections. All utility connections from the Solar Energy Systems shall be underground; provided, however, that the Planning Board may waive this requirement as part of its site plan approval based on soil conditions, shape, and topography of the site and/or any requirements of the utility provider. Electrical transformers for utility interconnections may be above ground if required by the utility provider.

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§ 300-19.10 Safety and environmental standards for all ground mounted and parking canopy facilities.

A. Emergency services. The Solar Energy System owner or operator shall provide a copy of the project summary, electrical schematic, and site plan to the Fire Chief. The owner or operator shall coordinate and train local emergency services and develop an emergency response plan that includes a twenty-four-hour per day, seven days a week contact. The means to shut down the Solar Energy Systems will be clearly marked. The owner or

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operator shall identify a responsible person for public inquiries throughout the life of the installation.

- B. Land clearing, soil erosion and habitat impacts. Clearing of natural vegetation shall be limited to what is necessary for the construction, operation and maintenance of the Solar Energy Systems, or otherwise prescribed by applicable laws, regulations, and bylaws. Herbicides shall only be applied by properly licensed personnel. Mowing, grazing, or using geotextile materials underneath the solar arrays may be permissible alternatives and require Planning Board approval as part of the site plan review.
- C. Impact on agricultural and environmentally sensitive land. The Solar Energy Systems shall be designed to minimize stormwater, temperature and other environmental impacts to agricultural and environmentally sensitive land, including abutting parcels, and to be compatible with continued agricultural use of the land whenever possible.
- D. Visual impact. Structures shall be shielded from view by vegetation and/or joined and clustered to minimize adverse visual impacts. Landscaping, natural features, opaque fencing and other suitable methods shall be utilized. Solar Energy Systems permitted under this Bylaw are bound by the buffer requirements found in Article 6 of this Bylaw for parcels that adjoin residential districts. Additionally, a screening plan shall be submitted ensuring that the solar arrays and any appurtenant structures do not create a glare concern for adjacent residences and are screened from roads and from adjacent lots by a minimum twenty-five-foot-wide buffer strip and shall contain a screen of plantings not less than five feet in width and six feet in height at the time of operation of the facility or such greater height as required by the Planning Board depending on the location of the site. The Planning Board may alter or waive this requirement if such screening would have a detrimental impact on the operation and performance of the array, or would prove to be ineffective for the site. A diversity of plant species shall be used, with a preference for species native to New England. Use of invasive plants, as identified by the most recent copy of the "Massachusetts Prohibited Plant List" maintained by the Massachusetts Department of Agricultural Resources, is prohibited.
- E. Noise. Noise generated by Solar Energy Systems and associated equipment and machinery shall conform to applicable state noise regulations, including the DEP's Division of Air Quality noise regulations, 310 CMR 7.10.
- F. Security. Installation of fencing and or other access control measures shall be employed to limit access to the Solar Energy Systems to facility personnel and emergency responders. Outdoor access control measures shall be compatible with the character of the area in which they are installed and shall be approved by the Planning Board as part of the site plan

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review. In the application, the applicant shall provide a description of all access control measures planned for the proposed installation.

§ 300-19.11 **Monitoring and maintenance for all ground mounted and parking canopy facilities.**

- A. Solar Energy System conditions. The Solar Energy System owner or operator shall maintain the facility in very good condition. Maintenance shall include, but not be limited to, painting, structural repairs, trash removal, pest control, and integrity of security measures. Site access shall be maintained to a level acceptable to the Town Public Safety Officials. The owner or operator shall be responsible for the cost of maintaining the Solar Energy Systems and any access road(s), unless accepted as a public way.
- B. Modifications. Any modifications to a Solar Energy System made after issuance of the required building permit shall require approval by the Planning Board in accordance with § 300-14.12.
- C. Removal requirements.

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(1) Any Ground-Mounted Solar Photovoltaic Array, which has reached the end of its useful life or has been abandoned consistent with Subsection **D** of this Section shall be removed. The owner or operator shall physically remove the installation no more than 150 days after the date of discontinued operations. The owner or operator shall notify the Planning Board and Building Commissioner by certified mail of the proposed date of discontinued operations and plans for removal.

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(2) Decommissioning shall consist of:

- (a) Physical removal of all ground-mounted solar photovoltaic installations, 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 and revegetation of the site as necessary to minimize erosion. The Planning Board may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation. Otherwise, the site shall be brought back to its original condition or better with new trees planted.

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D. Abandonment. Absent notice of a proposed date of decommissioning or written notice of extenuating circumstances, the Solar Energy System shall be considered abandoned when it fails to operate for more than six months without the written consent of the Planning Board. If the owner or operator of the solar photovoltaic installation fails to remove the installation

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in accordance with the requirements of this section within 150 days of abandonment or the proposed date of decommissioning, the Town may take appropriate enforcement action, including pursuing all available civil or criminal penalties.

E. Failure to comply with regulation. If an applicant fails to comply with the requirements of this regulation the Town may elect to enforce the regulation by revoking the license granted to the applicant, by entering the property and removing the installation, which expenses shall be paid by the applicant or landowner within 30 days of notice by the Town. If such expenses are not paid in full, the Town may impose a lien. In addition, the applicant or landowner shall be liable jointly and severably for all expenses the Town incurs in obtaining judicial enforcement of this Article.

§ 300-19.12 Contents of application for large and medium scale ground mounted and parking canopy facilities.

A. Prior to the issuance of a building permit for a Solar Energy System, plans for the proposed facilities shall be submitted to the Planning Board for site plan review. In addition to the requirements of § 300-14.12 for site plan approval, applications for a Solar Energy System, shall also include:

- (1) A site plan showing:
 - (a) Property lines and physical features, including access roads for the project site.
 - (b) A locus map showing the site in relationship to the properties, easements, and roadways in reasonable proximity thereto, including buildings, structures driveway openings, off-street parking and all public or private ways.
 - (c) Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, screening vegetation and structures.
 - (d) Elevations and/or photo simulations of the proposed facility from the nearest public way and possibly other locations at the discretion of the Planning Board.
 - (e) Drawings of the Solar Energy System, signed by a professional engineer licensed to practice in the Commonwealth of Massachusetts showing the proposed layout of the system and any potential shading from nearby structures.
 - (f) One- or three-line electrical diagram detailing the Solar Energy System, associated components, and electrical interconnection methods, with all National Electrical Code compliant disconnects and overcurrent devices.

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- (g) A stormwater runoff evaluation that includes water and temperature impacts to receptors and a stormwater management plan to mitigate impacts.
- (h) An erosion and sedimentation control plan.
- (i) Documentation of the major system components to be used, including the panels, mounting system, and inverter.
- (j) Name, address, and contact information for proposed system installer.
- (k) Name, address, telephone number and signature of the project proponent, as well as all co-proponents and/or property owners, if any.
- (l) The name, contact information and signature of any agents representing the project proponent.
- (2) Documentation of actual or prospective access and control of the project site.
- (3) An operation and maintenance plan.
- (4) Documentation of the major system components to be used, including the electric generating photovoltaic panels, mounting system, inverter, etc. shall be provided [including applicable material safety data sheets (MSDS)].
- (5) A list of any hazardous materials proposed to be located on the site in excess of household quantities and a plan to prevent their release to the environment, as appropriate, [including applicable material safety data sheets (MSDS)].
- (6) A decommissioning plan in compliance with § 300-19.11C.
- (7) Zoning district designation for the parcel(s) of land comprising the project site [submission of a copy of a Zoning Map with the parcel(s) identified is suitable for this purpose].
- (8) Proof of liability insurance.
- (9) Description of financial surety as required by § 200-19.11E.
- (10) Photometric plan for any required site lighting with specific cutsheet details.
- (11) A rendering or photo simulation showing the proposed project at completion.

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(12) Locations of wetlands and priority habitat areas defined by the Natural Heritage and Endangered Species Program (NHESP); the applicant shall provide evidence of compliance with these regulations.

(13) Plans showing provision of water, including that needed for fire protection.

(14) Plans showing existing trees of six inches' caliper or larger.

B. The Planning Board may waive documentary requirements as it deems appropriate. All waiver requests must be written on the site plan.

§ 300-19.13 Review of application.

A. Notice of application to Planning Board shall be filed by the applicant with the Town Clerk, who shall date stamp it and forward a copy of the notice to the Planning Board. Upon receipt of an application, the Town Planner shall review it for completeness and file a determination of completeness or a notice of missing items with the Town Clerk within 21 days of the date stamped on the notice by the Town Clerk unless an extension of time is agreed to in writing by the applicant. A copy of this notice shall also be sent to the applicant.

B. Following the procedures and review criteria of § 300-14.12 and the requirements of this Article, the Planning Board shall review the application and file its site plan decision with the Town Clerk within 120 days of a determination of completeness by the Town Planner. Failure by the Planning Board to take final action and file its decision with the Town Clerk within the allotted time, unless an extension of time is agreed to in writing by the applicant, shall be deemed to be approval of the site plan.

§ 300-19.14 As-built plans.

Engineer-stamped as-built plans shall be submitted to the Building Commissioner before a certificate of completion or occupancy may be issued.

§ 300-19.15 Changes in ownership.

The Building Commissioner and Planning Board shall be notified at least 30 days in advance of any proposed change in the owner or operator of a large ~~and medium~~, ground-mounted ~~and parking canopy~~ solar photovoltaic installation, which notice shall include the contact information of the proposed new owner/operator. A change in ownership shall require advance approval by the Planning Board. Such approval shall not be unreasonably withheld and shall be based principally on the experience and financial strength of the proposed new owner.

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§ 300-19.16 **Annual reporting.**

The owner or operator of the installation shall submit an annual report to the Building Commissioner, and the Planning Board which certifies compliance with the requirements of this Bylaw and their approved site plan, including control of vegetation, stormwater, noise standards, emergency response and adequacy of road access, by January 15 of each year.

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§ 300-19.17 **Severability.**

If any provision herein is determined to be unlawful, it shall be severed from this Article and all remaining provisions shall remain in force and effect.