

TOWN OF WEYMOUTH

IN COUNCIL

ORDER NO. 15 106

SEPTEMBER 3, 2015

INTRODUCED: MAYOR

**AMENDMENT TO THE ZONING ORDINANCE SOLAR PHOTOVOLTAIC
INSTALLATIONS**

Upon request of her Honor, Mayor Kay, the Town of Weymouth, through Town Council, hereby amends the Weymouth Zoning Ordinances, by inserting the following:

Add 120-106.3. Solar Energy Facilities

A. Purpose. The purpose is to protect the health and safety of occupants, individuals on abutting property and the general public; and to reduce adverse environmental effects by regulating the siting of Solar Installations.

B. Definitions. As used in this section, the following terms shall have the meanings indicated:

LARGE -SCALE GROUND- MOUNTED SOLAR PHOTOVOLTAIC INSTALLATIONS – 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 and whose primary function is as a commercial venture.

SMALL GROUND-MOUNTED OR ROOF-MOUNTED SOLAR ARRAYS – A solar installation with the primary function of providing solar to an existing structure on the same property.

C. Solar installations, as defined in 120-106.3, shall be permitted in the following districts as noted below, unless specifically prohibited:

(1) Small Ground-Mounted or Roof-Mounted Solar Arrays shall be considered an accessory use and permitted by-right as follows:

a. Roof-Mounted Solar Arrays will be permitted by right in all districts.

b. Small Ground-Mounted Solar Arrays will be permitted by right in all districts with the exception of the Highway Transitional (HT) district. Installation may not exceed 10' in height and must not substantially increase the amount of impervious surfaces on site. Screening by berms, shrubs, trees or fencing shall be implemented to visually shield abutters from the small ground-mounted installations and will subject to review by the Inspector of Buildings.

(2) Large-Scale Ground-Mounted Solar Photovoltaic Installations will be permitted by-right in the PIP District but will require Site Plan Review under Article XXVA.

D. Plan Requirements. When seeking Site Plan Approval, the following documents will be required in addition to the appropriate application.

- (1) A site plan showing:
 - a. Property lines and physical features, including roads, for the project site;
 - b. Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, screening vegetation or structures.

- c. Blueprints or drawings of the solar photovoltaic installation 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;
- d. One or three line electrical diagram detailing the solar photovoltaic installation, associated components, and electrical interconnection methods, with all National Electrical Code compliant disconnects and overcurrent devices;
- e. Documentation of the major system components to be used, including the PV panels, mounting system, and inverter;
- f. Name, address, and contact information for proposed system installer as well as the responsible licensed electrician. Installation personnel will be subject to all requirements, including master/apprentice ratios, as set forth in MGL 141. Adherence to these regulations will be monitored and enforced by the Inspector of Buildings;
- g. Name, address, phone number and signature of the project proponent, as well as all co-proponents or property owners, if any.

(2) Documentation of actual or prospective access and control of the project site.

(3) At the discretion of the Office of Planning and Community Development and/or the Building Department, a traffic impact assessment may be required for any large-scale ground-mounted installation to ensure that the project does not adversely impact sight lines or pose any danger to drivers from resulting reflections or glare.

(4) An operation and maintenance plan.

(5) 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);

E. Emergency Services

The large scale photovoltaic installation owner or operator shall provide a copy of the project summary, electrical schematic, and site plan to the local fire chief. Upon request the owner or operator shall cooperate with local emergency services in developing an emergency response plan. All means of shutting down the solar photovoltaic installation shall be clearly marked. The owner or operator shall identify a responsible person for public inquiries throughout the life of the installation. As per the Massachusetts Comprehensive Fire Safety Code (527 CMR), signage will be required for all solar installations detailing specific electrical details of the installation as well as shut off instructions.

F. Abandonment or Decommissioning

(1) Any large-scale ground-mounted solar photovoltaic installation which has reached the end of its useful life or has been abandoned as defined below 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 Building Inspector by certified mail of the proposed date of discontinued operations and plans for removal. Decommissioning shall consist of:

(a) Physical removal of all structures, equipment, security barriers and transmission lines from the site.

(b) Disposal of all solid and hazardous waste in accordance with the local, state and federal waste disposal regulations.

(c) Stabilization or re-vegetation of the site as necessary to minimize erosion.

(2) Absent notice of a proposed date of decommissioning or written notice of extenuating circumstances, the installation shall be considered abandoned when it fails to operate for more than one year without the written consent of the Building Inspector. If the owner or operator fails to

remove the installation in accordance with the guidelines set forth in this ordinance within 150 days of abandonment or the proposed date of decommissioning, the town may enter the property and physically remove the installation.

G. Financial Surety

Prior to commencing operation of the solar energy facility, the applicant shall provide a form of surety, either through escrow account, bond or otherwise, in an amount determined by the Planning Board to cover 125% of the cost of removal and site restoration. The applicant shall submit a fully inclusive estimate of the costs associated with removal, which shall be subject to review and approval by a qualified engineer retained by the Planning Board at the applicant's expense. The amount shall be increased annually to cover inflation, based on increases in the Consumer Price Index. The amount of the surety shall be reviewed every two years to determine whether it is still adequate or whether it shall be increased to satisfy increased cost estimates. Such surety shall not be required for municipal facilities owned and operated by the Town

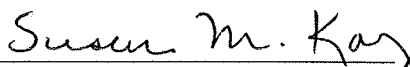
Passed in Council – - October 19, 2015

Presented to Mayor – October 20, 2015

A True Copy. Attest:

Approved 10/20/15
Date


Kathleen A. Deree, Town Clerk


Mayor

YEAS: Conlon, DiFazio, Hackett, Harrington, Haugh, Lacey
Mathews, McDonald, Molisse, O'Connor, Smart,

NAYS: Conlon, DiFazio, Hackett, Harrington, Haugh, Lacey
Mathews, McDonald, Molisse, O'Connor, Smart