

PROPOSED SOLAR
MODIFICATIONS TO SITE
PLAN REVIEW LAW DRAFT
FOR TOWN OF ENFIELD

SOLAR ENERGY SYSTEMS

Definitions.

ADD THESE DEFINATIONS TO SECTION 1.4:

M. MINOR OR ACCESSORY SOLAR COLLECTION SYSTEM - A solar photovoltaic cell, panel, or array, or solar hot air or water collector device, which relies upon solar radiation as an energy source for collection, inversion, storage, and distribution of solar energy for electricity generation or transfer of stored heat, secondary to the use of the premises for other lawful purposes, with the total surface area of all solar collectors on the lot not to exceed 4,000 square feet. (or 20,000 W?)

N. MAJOR SOLAR COLLECTION SYSTEM OR SOLAR FARM (OVER 20,000 W?)-An area of land or other area used for a solar collection system principally used to capture solar energy and convert it to electrical energy to transfer to the public electric grid in order to sell electricity to or receive a credit from a public utility entity, but also may be for on-site use. Solar farm facilities consist of one or more freestanding ground or roof-mounted solar collector devices, solar related equipment and other accessory structures and buildings, including light reflectors, concentrators, and heat exchangers, substations, electrical infrastructure, transmission lines and other appurtenant structures and facilities.

Add to section 2.1 – APPLICATION TO LAND AND PROJECTS

7. Solar Collectors and Installations for Major Systems or Solar Farms.

2. Height and setback restrictions.
 - (a) The maximum height for freestanding solar panels located on the ground or attached to a framework located on the ground shall not exceed 15 feet in height above ground.
 - (b) The minimum setback from property lines meets the requirements of the New York State Building Code.
 - (c) A landscaped buffer shall be provided around all equipment and solar collectors to provide screening from adjacent residential properties and roads.
3. Design standards.
 - (a) Removal of trees and other existing vegetation shall be minimized or offset with planting elsewhere on the property.
 - (b) Roadways within the site shall not be constructed of impervious materials and shall be designed to minimize the extent of roadways constructed and soil compaction.
 - (c) All on-site utility and transmission lines shall, to the extent feasible, be placed underground. (d) Solar collectors and other facilities shall be designed and located in order to prevent reflective glare toward any inhabited buildings on adjacent properties and roads.

- (e) All mechanical equipment, including any structure for batteries or storage cells, shall be enclosed by a minimum six-foot-high fence with a self-locking gate, and provided with landscape screening.
- (f) A solar farm to be connected to the utility grid shall provide a "proof of concept" letter from the utility company acknowledging the solar farm will be connected to the utility grid in order to sell electricity to the public utility.
- (g) Each solar system or farm shall be designed to minimize the total acreage of developed land.
- (h) Each solar system or farm, site and storm water management plan shall be reviewed by Tompkins County Soil and Water District prior to final site plan approval.

4. Signs.

- (a) A sign not to exceed 8 square feet shall be displayed on or near the main access point and shall list the facility name, owner and phone number.
- (b) A clearly visible warning sign concerning voltage must be placed at the base of all pad mounted transformers and substations.

5. Abandonment.

- (a) All applications for a solar farm shall be accompanied by a decommissioning plan to be implemented upon abandonment, or cessation of activity, or in conjunction with removal of the facility, prior to issuance of a building permit.
- (b) If the applicant begins but does not complete construction of the project within 18 months after receiving final site plan approval, this may be deemed abandonment of the project and require implementation of the decommissioning plan to the extent applicable.
- (c) The decommissioning plan must ensure the site will be restored to a useful, nonhazardous condition without delay, including, but not limited to, the following:
 - (1) Removal of aboveground and belowground equipment, structures and foundations.
 - (2) Restoration of the surface grade and soil after removal of equipment.
 - (3) Re-vegetation of restored soil areas with native seed mixes, excluding any invasive species.
 - (4) The plan shall include a time frame for the completion of site restoration work.
- (d) In the event the facility is not completed and functioning within 18 months of the issuance of the final site plan approval, the Town may notify the operator and/or the owner to complete construction and installation of the facility within 180 days. If the owner and/or operator fails to perform, the Town may notify the owner and/or operator to implement the decommissioning plan. The decommissioning plan must be completed within 180 days of notification by the Town.
- (e) Upon cessation of activity of a constructed facility for a period of one year, the Town may

notify the owner and/or operator of the facility to implement the decommissioning plan. Within 180 days of notice being served, the owner and/or operator can either restore operation equal to 80% of approved capacity, or implement the decommissioning plan.

- (f) If the owner and/or operator fails to fully implement the decommissioning plan within the 180-day time period, the Town may, at its discretion, provide for the restoration of the site in accordance with the decommissioning plan and may recover all expenses incurred for such activities from the defaulted owner and/or operator. The cost incurred by the Town shall be assessed against the property, shall become a lien and tax upon the property, and enforced and collected with interest by the same officer and in the same manner as other taxes.
- (g) The site developer shall purchase a bond equal to 20% of the project installation cost prior to permits being issued for any solar project. The bond shall be in place for the life of the facility and shall be used to fund the de-commissioning of the facility in the event it is abandoned.