

not be visible, year-round, from the public right-of-way (street), or to adjacent properties.

§ 325-41. Solar energy systems.

- A. Definitions. Tier 1 and Tier 2 solar energy systems are defined under "solar energy system" in Article XVII, Definitions, of this chapter.
- B. Requirements for Tier 1 solar energy systems.
- (1) Permitting requirements.
 - (a) All Tier 1 solar energy systems generating no more than 25 kW or requiring no more than 1,350 square feet of surface area, whichever is greater, shall be permitted in all zoning districts except the Historic District Overlay (HDO) with the issuance of a building permit from the Code Enforcement Officer, provided the standards of this Subsection B are met.
 - (b) Within the HDO, small-scale solar energy systems that are roof- or building-mounted or building-integrated shall require Planning Board review pursuant to § 325-21.
 - (c) Ground-mounted Tier 1 solar energy systems, as defined in this chapter, requiring more than 1,351 square feet of surface area for installation in any zoning district shall require site plan review.
 - (2) Roof- or building-mounted Tier 1 solar energy systems.
 - (a) Solar panels facing the front yard must be mounted at the same angle as the roof's surface, with a maximum distance of 18 inches between the roof and highest edge of the system.
 - (b) Within the HDO, roof- or building-mounted systems shall not be visible from the front yard.
 - (c) Within the HDO, roof- or building-mounted and building-integrated systems shall be permitted where it can be demonstrated that the solar energy system will not detract from a building's architectural integrity and is as unobtrusive as possible. Solar energy systems and related equipment may not hide significant architectural features from street view, result in the loss of these features or become a major feature of the design because they are large in scale.
 - (3) Ground-mounted Tier 1 solar energy systems.
 - (a) Ground-mounted solar energy systems shall meet the following setbacks:
 - [1] Shall not be located in the front yard.
 - [2] Side setback: 10 feet from side property lines.
 - [3] Rear setback: 10 feet from rear property lines.
 - [4] Corner lot side yard: on the side fronting a public right-of-way, the setback shall be the same as the front yard setback for the principal building.
 - (b) Ground-mounted solar energy systems shall be screened from the view of the

public right-of-way and shall not obstruct or otherwise impede the scenic views from existing buildings on neighboring properties. Screening shall be comprised of berms, fencing or landscaping that retains its ability to provide screening in the winter, such as evergreen or fir trees.

C. Requirements for Tier 2 solar energy systems.

(1) Applicability and permitting.

(a) This subsection applies to the siting of Tier 2 solar energy system installations that may be installed as a principal use on a lot as permitted in certain zoning districts in Schedule A,³⁹ or may be an accessory or secondary use to another principal use for on-site and off-site consumption.

(b) Tier 2 solar energy systems shall require site plan review (see Article XII).

(2) Roof- or building-mounted large-scale solar energy systems.

(a) Tier 2 roof-mounted solar energy systems shall be mounted parallel to the roof or with minimal tilt.

(3) Tier 2 ground-mounted solar energy systems shall meet the following setbacks:

(a) Front yard: 100 feet.

(b) Side yard directly abutting a residential lot: 100 feet.

(c) Side yard abutting a nonresidential lot: 50 feet.

(d) Rear yard abutting a residential lot: 100 feet.

(e) Rear yard abutting a nonresidential lot: 50 feet.

(4) Impervious surface calculation. Solar energy systems shall be included in calculations for impervious cover as defined in Article XVII, Definitions, and as regulated in Schedule B: Lot Dimensional Standards, of this chapter for the zoning district in which they are located.⁴⁰

(5) Site plan review additional information. In addition to the information required for site plan review in Article XII, the following information shall be required:

(a) Blueprints or drawings of the solar energy system showing the proposed layout of the system, any potential shading from nearby structures, the distance between the proposed solar collector and all property lines and existing on-site buildings and structures, and the tallest finished height of the solar collector.

(b) Documentation of the major system components to be used, including the panels, mounting system and inverter.

(c) Name, address and contact information for proposed system installer.

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

39. Editor's Note: Schedule A is included as an attachment to this chapter.

40. Editor's Note: Schedule B is included as an attachment to this chapter.

sufficient to allow for construction and operation of the proposed solar energy system.

- (e) An operation and maintenance plan that shall include measures for maintaining safe access to the installation, stormwater controls and general procedures for operational maintenance of the installation.
 - (f) Proof of liability insurance.
 - (g) Utility notification. No grid-intertied photovoltaic system shall be installed until evidence has been given to the Planning Board that the owner has submitted notification to the utility company of the customer's intent to install an interconnected customer-owned generator.
 - (h) A decommissioning plan. To ensure the proper removal of a large-scale ground-mounted solar energy production facility, a decommissioning plan shall include the requirements of Subsection C(6) below and specify that after the large-scale solar energy production facility can no longer be used, it shall be removed by the applicant or any subsequent owner. The plan shall demonstrate how the removal of all infrastructure and remediation of soil and vegetation shall be conducted to return the parcel to its original state prior to construction. The plan shall also include an expected time line for execution. Removal of the large-scale solar energy production facility must be completed in accordance with the decommissioning plan.
 - (i) Financial surety. Applicant shall provide a cost estimate detailing the projected cost of executing the decommissioning plan prepared by a professional engineer or contractor, as well as the manner in which the surety will be held pending the final decommissioning and removal.
- (6) Additional development standards.
- (a) Lighting. Lighting of a large-scale ground-mounted solar energy facility 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 reasonably shielded from abutting properties. Where feasible, lighting of the solar energy system shall be directed downward and shall incorporate full cut-off fixtures to reduce light pollution.
 - (b) Signage. Signs on a large-scale ground-mounted solar energy facility shall comply with the signage requirements of this chapter and shall be required to identify the owner and provide a twenty-four-hour emergency contact phone number. Solar energy systems shall not be used for displaying any advertising, except for reasonable identification of the manufacturer or operator of the solar energy system.
 - (c) Utility connections. Reasonable efforts, as determined by the Planning Board, shall be made to place all utility connections from the solar energy installation underground, depending on appropriate soil conditions, shape and topography of the site and any requirements of the utility provider. Electrical transformers for utility interconnections may be above ground if required by the utility provider.

- (d) Emergency services. The large-scale ground-mounted solar facility owner or operator shall provide a copy of the project summary, electrical schematic and site plan to the Village 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 energy system shall be clearly marked. The owner or operator shall identify a responsible person for public inquiries throughout the life of the installation.
 - (e) 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 a large-scale ground-mounted solar energy facility or otherwise prescribed in the Village Code and other applicable laws, regulations and ordinances.
- (7) Abandonment or decommissioning.
- (a) Removal requirements. Any large-scale ground-mounted solar production facility that has reached the end of its useful life or has been abandoned shall be decommissioned within 12 months after the date of discontinued operations. Decommissioning shall include the following activities:
 - [1] Physical removal of all solar energy systems, structures, equipment, security barriers and transmission lines from the site.
 - [2] Disposal of all solid and hazardous waste in accordance with local, state and federal waste disposal regulations.
 - [3] Stabilization or revegetation of the site as necessary to minimize erosion. The Code Enforcement Officer may allow the owner or operator to leave landscaping or designated below-grade foundations to minimize erosion and disruption to vegetation.
 - (b) Abandonment. Absent notice of a proposed date of decommissioning or written notice of extenuating circumstances, the large-scale ground-mounted solar energy system shall be considered abandoned when it fails to operate for more than one year without the written consent of the Planning Board. If the owner or operator of the solar energy system fails to remove the installation in accordance with the requirements of this section within 180 days of abandonment or the proposed date of decommissioning, the Village retains the right, after the receipt of an appropriate court order, to enter and remove an abandoned, hazardous or decommissioned large-scale ground-mounted solar energy system at the cost of the landowner.
 - (c) As a condition of site plan approval, the applicant and landowner shall agree to allow entry to remove an abandoned or decommissioned installation.

§ 325-42. Townhouses in R-SF District.

To maintain the lower density character of a single-family residential neighborhood, there shall be no more than two townhouse-style dwelling units attached by a common wall on each lot and otherwise meeting the definition of "townhouse" as provided in Article XVII of this chapter.