6.1. All roads shall provide year-round accessibility to every lot in the manufactured home park for emergency and service vehicles.
6.2. All roads shall be a minimum of eighteen (18) feet wide and shall be constructed to accommodate two lanes of traffic.
6.3. All road surfaces shall be paved or, at the discretion of the Planning Board, constructed with gravel or crushed stone.
6.4. Any dead-end roads shall be no longer than 500 feet and terminate in a turn-around with a sufficient diameter to accommodate fire trucks and snow plows.

7. Recreation Area. A minimum area shall be set aside exclusively for recreational use by the residents, equal to a minimum of five percent (5%) of the total property area.

8. Screening and Landscaping. Undisturbed natural vegetation, fencing or a landscaped area along exterior lot lines shall provide visual screening of the manufactured home park from adjacent residential properties.

9. Separation Distances. No manufactured home shall be located closer than forty (40) feet from any other manufactured home.

10. Utilities. Utilities shall be placed underground wherever possible, and shall be screened where above-ground placement is necessary. All lighting shall be designed (Dark Sky compliant) and arranged so as to minimize glare and reflection on adjacent properties. Emergency access to above-ground utility structures shall be provided at all times.

Section 5.09 Solar Energy Facilities

1. Purpose. This section aims to promote the accommodation of solar energy systems and equipment and the provision for adequate sunlight and convenience of access necessary therefore, and to balance the potential impact on neighbors when solar collectors may be installed near their property while preserving the rights of property owners to install solar energy systems without excess regulation. In particular, this legislation is intended to apply to free standing; ground or pole mounted and roof mounted solar energy system installations based upon certain placement. This legislation is not intended to override agricultural exemptions that are currently in place.

2. Applicability
2.1. The requirements of this section shall apply to all solar energy systems installed or modified after the effective date of this ordinance, excluding general maintenance and repair.

2.2. Solar energy system installations for which a valid building permit has been issued or, if no building permit is presently required, for which installation has commenced before the effective date of this local law shall not be required to meet the requirements herein.

2.3. All solar energy systems shall be designed, erected, and installed in accordance with all applicable codes, regulations and industry standards as referenced in the New York State Uniform Fire Prevention and Building Code Act and the Town Code.

2.4. Nothing contained in this provision shall be construed to prohibit "Collective Solar" installations or the sale of excess power through a "net billing" or "net metering" arrangement in accordance with New York State Public Service Law §66-j or similar New York State or federal law or regulation.

2.5. All solar energy systems shall be designed, erected, and installed in a manner so as to prevent undue glare from failing on adjoining properties or creating traffic safety issues.

2.6. All solar collection systems shall require a building permit. Minor solar systems, as defined in Section 11.03, are exempt from site plan and special use permit requirements but must meet setback dimensions identified in Section 4.02.

3. Major Solar Systems

3.1. A Major Solar System may be permitted when authorized by site plan review and special permit from the Planning Board subject to the following terms and conditions.

3.1.1. Height and setback restrictions:

3.1.1.1. The maximum height for freestanding solar panels located on the ground or attached to a framework located on the ground shall not exceed twenty (20) feet in height above the ground.

3.1.1.2. The minimum setback from property lines shall be twenty-five (25) feet, unless adjacent to residential neighbor. The setback when adjacent to residential neighbors shall be 100 feet.

3.1.1.3. Fencing shall be provided around all equipment and solar collectors to provide screening from adjacent residential properties and roads. Fencing shall not be topped with barbed wire. When fencing will enclose the perimeter of the site or facility, wildlife friendly fencing that allows the passage of small mammals and reptiles and is designed to minimize wildlife injury and death due to entanglement or strangulation shall be used on sites having a solar facility footprint greater than 5 acres. Exceptions can be made by the Planning Board for sites that have limited surrounding wildlife habitat and/or are designed to accommodate small livestock grazing.

3.1.2. Design standards:

3.1.2.1. Removal of trees and other existing vegetation should be minimized or offset with planting elsewhere on the property to achieve no net loss.

3.1.2.2. Removal of any prime agricultural soil from the subject parcel is prohibited.

3.1.2.3. Proposed major solar collection systems shall minimize the displacement of prime soils that are in active agricultural production. The site plan shall depict the location and extent of prime soils, prime soils if drained, soils of statewide importance, and indicate whether the parcel(s) is/are receiving an agricultural valuation. The site plan shall also depict the

location and extent of current agricultural uses on the land (e.g., rotational crops, hay land, unimproved pasture, support lands, and fallow lands) the location of diversions and ditches, and areas where tile drainage has been installed. Prime soils, prime if drained, and soils of statewide importance that are in agricultural production are a valuable and finite resource. The site plan should include a cross section of any subsurface foundations that will be used for the solar array. In the event the array utilizes at-grade ballast footers, the underlayment should include a bed of crushed stone atop monofilament woven geotextile fabric so that the stone can be readily removed from the site when the facility is decommissioned. A plan for clearing and/or grading the site and Stormwater Pollution Prevention Plan (SWPPP) for the site must be included. The lease area shall be designed to be compatible with agricultural operations i.e., small livestock grazing, apiary, etc.

3.1.2.4. Roadways within the site shall be built along field edges and along elevation contours where practical, constructed at grade and have a maximum width of 16 feet. Roadways shall not be constructed of impervious materials and shall be designed to minimize the extent of roadways constructed and soil compaction.

3.1.2.5. All on-site utility and transmission lines shall, to the extent feasible, be placed underground. Any above ground transmission lines that are used to accommodate the facility shall require utility poles that are tall enough and installed at widths able to accommodate farm machinery and equipment. The installation of guy wires to utility poles is discouraged.

3.1.2.6. Solar collectors and other facilities shall be designed and located in order to minimize reflective glare and/or glint toward any inhabited buildings on adjacent properties and roads.

3.1.2.7. 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.

3.1.2.8. Major systems or solar farms shall be constructed in a fashion so as to not obstruct solar access to adjacent properties.

3.1.2.9. Any exterior lighting installed within the facility shall be downcast and dark sky compliant with recessed bulbs and full cut off shields.

3.1.2.10. For adjoining solar arrays, the number of features installed for the facility should be consolidated and kept to a minimum, such as the use of shared access roads, fencing and appropriate screening.

3.1.3. Signs:

3.1.3.1. A sign not to exceed twelve (12) square feet shall be displayed on or near the main access point and shall list the facility name, owner and phone number.

3.1.3.2. A clearly visible warning sign concerning voltage must be placed at the base of all pad- mounted transformers and substations not to exceed four (4) square feet.

3.1.4. Safety:

3.1.4.1. The owner/operator shall provide evidence that a copy of the site plan application has been submitted to the Fire Chief of the local fire department. All means of shutting down the photovoltaic solar energy system shall be clearly marked on the site plan and building permit applications.

3.2. If a piece of equipment meets the definition of oil-filled operational equipment at 40 CFR part 112.2 (e.g. transformers, capacitors and electrical switches), it shall comply with the secondary containment procedures of that regulation.

3.3. Decommissioning. Prior to removal of a Major Solar Collection System, a demolition permit for removal activities shall be obtained from the Town of Rossie.

3.3.1. Decommissioning Bond:

3.3.1.1. Prior to issuance of a building permit for a Major Solar Collection System, the owner or operator of the Solar Energy System shall post a surety in an amount and form acceptable to the Town for the purposes of removal in the event the Major Solar Collection System is abandoned. The amount of the surety required under this section shall be 125% of the projected cost (not including salvage value) of removal of the Solar Energy System and restoration of the property with an escalator of 2% annually for the life of the Solar Energy System. Acceptable forms shall include, in order of preference: cash; irrevocable letter of credit; or a bond that cannot expire; or a combination thereof. Such surety will be used to guarantee removal of the Major Solar Collection System should the system be abandoned. In such case, the Town Building Inspector/Code Enforcement Officer shall then provide written notice to the owner or operator to remove the Major Solar Collection System, and the owner or operator shall have one (1) year from written notice to remove the Solar Energy System including any associated accessory structures and/or equipment, and restore the site to a condition approved by the Planning Board. If the owner, operator applicant or lessee fails to remove any associated structures or restore the site to the condition approved by the Board, all costs of the Town incurred to enforce or comply with this condition shall be paid using the surety provided by the applicant.

3.3.2. Decommissioning Plan. An application for a Major Solar Collection System shall include a Decommissioning Plan. Removal of a Major Solar Collection System must be completed in accordance with the Decommissioning Plan. The Decommissioning Plan shall:

3.3.2.1. Specify that after the Major Solar Collection System will no longer be used, it shall be removed by the owner and/or operator or any subsequent owner/operator and shall include a signed statement from the applicant acknowledging such responsibility. The application shall disclose the lease start date, length of the original lease, and number of options and time frames if the lease is renewed.

3.3.2.2. Within thirty days of changing ownership, notice shall be provided to the Town of Rossie with the name and contact information of the new owner.

3.3.2.3. Demonstrate how the removal of all infrastructures (including but not limited to aboveground and below ground equipment, structures and foundations) and the remediation of soil and vegetation shall be conducted to return the parcel to its original state prior to construction. In areas where agricultural production will resume, re-vegetation shall include native plants and seed mixes and exclude any invasive species. The reclamation of land when the Major Solar Collection System is decommissioned shall include the removal of rock, construction materials and debris to a depth of four (4) feet, the decompaction of soils to a depth of 18 to 24 inches, regrading and reseeding the site to its original condition prior to the project construction.

3.3.2.4. Include photographs or archival color images of the property for the proposed Major Solar Collection System. Such information must, in aggregate, adequately portray the entire property for the purpose of future reference when soil and vegetation remediation of the property occurs.

3.3.2.5. State that disposal of all solid and hazardous waste shall be in accordance with local, state and federal waste disposal regulations.

3.3.2.6. Provide an expected timeline for decommissioning within the 365 period set forth below.

3.3.2.7. Provide a cost estimate detailing the projected cost to execute the Decommissioning Plan, subject to 3rd party verification at the developer's expense.

3.4. Abandonment and Removal:

3.4.1. A Major Solar Collection System shall be deemed to be abandoned after it has ceased operating for a continuous one (1) year period.

3.4.2. Upon cessation of operations of a Major Solar Collection System for a period of one (1) 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.

3.4.3. In the event that construction of the Major Solar Collection System has been started but is not completed and functioning within eighteen (18) months of the issuance of the final Site Plan, the Town may notify the operator and/or the owner to complete construction and installation of the facility within 365 days. If the owner and/or operator fail to perform, the Town may require the owner and/or operator to implement the Decommissioning Plan. The decommissioning plan must be completed within 180 days of notification by the Town to implement the Decommissioning Plan.

3.4.4. Applications for extensions of the time periods set forth in this subsection of no greater than 180 days shall be reviewed by the Town Board.

3.4.5. Upon recommendation of the Building Inspector/Code Enforcement Officer, the Town Board may waive or defer the requirement that a Major Solar Collection System be removed if it determines that retention of such facility is in the best interest of the Town.

3.4.6. If the owner and/or operator fails to fully implement the Decommissioning Plan within the prescribed time period and restore the site as required, the Town may use

the financial surety posted by the owner and/or operator to decommission the site, or it may proceed with decommissioning at its own expense and recover all expenses incurred for such activities from the defaulted owner and/or operator. Any costs incurred by the Town shall be assessed against the property, shall become a lien and tax upon said property, shall be added to and become a part of the taxes to be levied and assessed thereon, and enforced and collected with interest by the same officer and in the same manner as other taxes.

4. Requirements

4.1. The following shall be provided to the Town:

4.1.1. Verification of utility notification. Any foreseeable infrastructure upgrades shall be documented and submitted. Off-grid systems are exempt from this requirement.

4.1.2. Name, address, and contact information of the applicant, property owner(s), and agent submitting the project. In the event ownership of the facility changes hands, or if the lease is terminated, notification shall be sent to the Town within thirty days of the transfer or termination date. The notice shall include the name and contact information of the new owner(s). The new owner shall then by bound by the terms of the original agreement.

4.2. If the property of the proposed project is to be leased, legal consent between all parties, specifying the use(s) of the land for the duration of the project, including easements and other agreements, shall be submitted.

4.3. Site Plan: Site plan approval is required.

4.4. Blueprints signed by a Professional Engineer or Registered Architect of the solar installation showing the layout of the system.

4.5. Property Operation and Maintenance Plan: A property operation and maintenance plan is required, describing continuing photovoltaic maintenance and property upkeep, such as mowing, trimming, etc. Any such plan shall propose that the property maintain a neat and orderly appearance consistent with surrounding properties. The property shall always be maintained in a manner consistent with all properties within the Town of Rossie.

4.6. If the array will be sited on farmland located in an Agricultural District, an Agricultural Data Statement shall be completed.

4.7. Cybersecurity. To minimize cybersecurity threats to the electrical grid, the applicant shall submit evidence that malware prevention, detection and mitigation software or programming has been installed where electronic information exchanges take place between the solar array and the utility's distribution control system.

5. Fees

5.1. The fees for a Special Permit and Site Plan Review for a Solar Energy System shall be set from time to time by Town Board resolution.

5.2. The Applicant for either state or local siting approval shall deliver to the Town Board, along with its application if local approval is sought, and concurrent with the filing of an Article 10 or 94c Application, if applicable, an amount equal to one percent (1%) of the estimated cost of the project (the "Initial Deposit"). This sum shall be held by the Town in a non-interest-bearing account, and these funds shall be available to the Town to pay consultants and attorneys engaged the Town to assist in application review if a local permit is sought, and to pay consultants and attorneys engaged by the Town to assist in review of an Article 10 Application should awarded intervenor funds be insufficient to fully participate in the Article 10 Process or should intervenor funds be otherwise exhausted. Following the grant or denial of the state or local application, the Town shall return to the Applicant any excess remaining in escrow. If the escrow account has been depleted prior to grant or denial of the application, the Applicant shall deposit such funds necessary for the Town to pay any outstanding fees to said consultants.

6. PILOT Program
   6.1. If the applicant seeks an exemption for the project from taxation under Real Property Tax Law §487, the Town will require a PILOT Agreement pursuant to §487(9)(a) and (b), unless negotiated by the St. Lawrence County IDA on behalf of the Town. Said PILOT Agreement will be for fifteen (15) years.
   6.2. The Town will notify the developer within sixty (60) days of developer's application for a building permit of the Town's requirement of a PILOT Agreement.
   6.3. No building permit shall be issued without the Town notification of this PILOT requirement.

Section 5.10 Telecommunications Towers

1. Background and Purpose

Recent advances in wireless communications technology have resulted in a new generation of telecommunication services. These new services transmit electromagnetic waves of such a frequency and power that will likely require numerous antenna locations. These antennas may be located on buildings, water towers and other similar structures but will also frequently be located on new or enlarged towers. This requires that the Town of Rossie regulate these wireless communication system facilities in a different manner than conventional television and radio transmission towers which are able to transmit their signals at much greater distances.

The Federal Communications Commission has recently licensed a number of providers of wireless communication services and additional providers are expected to be licensed in the near future. These firms are expected to pursue antenna sites within the Town of Rossie and these efforts are expected to include requests to construct new communication towers and/or structures as well.

The intent of this proposed regulation is to provide for the establishment and/or expansion of wireless telecommunication services within the Town of Rossie while protecting neighborhoods and minimizing the adverse visual and operational effects of wireless telecommunications