



## SOLAR ENERGY SYSTEMS;OVERLAY DISTRICT

Town of Pompey,NY

January 2021



## STATEMENT OF PURPOSE

- To take advantage of safe, abundant, renewable and nonpolluting energy resources
- To decrease the cost of electricity to residents of Pompey
- To increase employment and business development within Pompey
- To mitigate impacts of Solar Energy Systems on environmental resources(agricultural lands, forests,viewsheds and other protected resources)
- To create synergy between solar energy and the Town's Comprehensive Plan

## KEY DEFINITIONS

### Solar Energy System:

Tier 1 Solar Energy System (up to 25kW or 50kW for active farms)

- Roof-Mounted
- Building Integrated

Tier 2 Solar Energy System (up to 25kW or 50kW for active farms)

- Ground Mounted

Tier 3 Solar Energy System

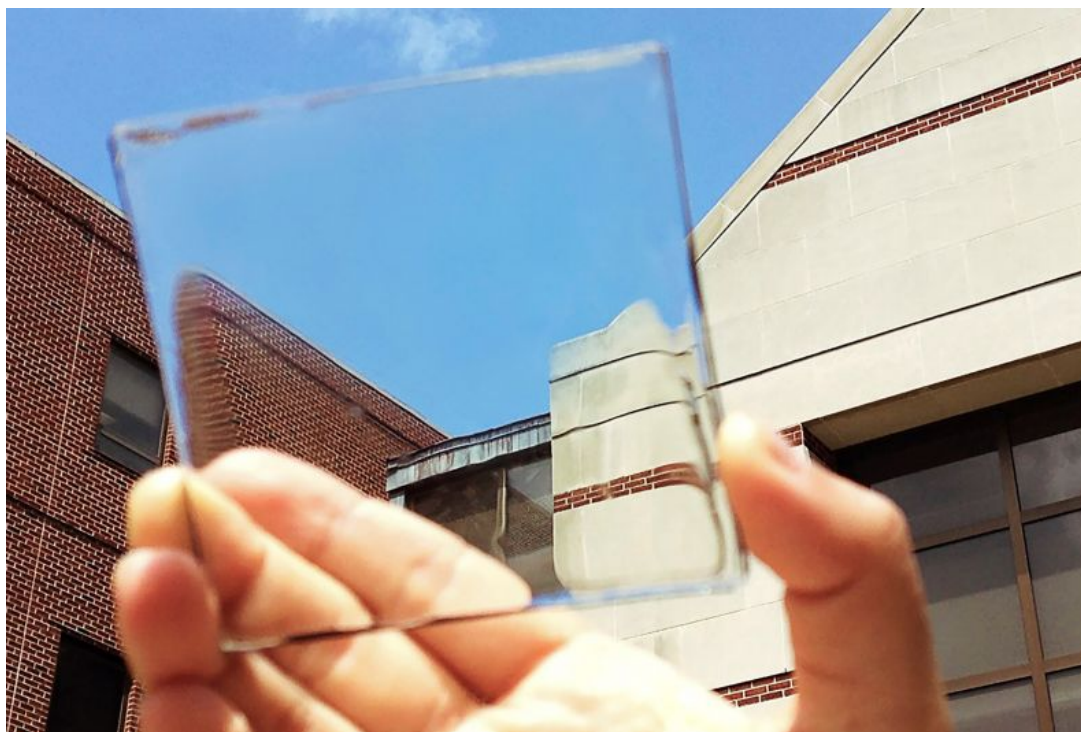
- Systems which are not Tier 1 or Tier 2 systems

# Tier 1 –Roof Mounted Examples





# Tier 1 –Building Integrated Examples





# Tier 2-Ground Mount Examples





# Tier 3-Solar Farm Examples





## Tier 3- Solar Farm Examples (Cont'd)





## GENERAL REQUIREMENTS

- Building Permit
- Protect solar access
- SEQRA for Tier 3 systems
- Ground mounted systems prohibited in R,R-40,HC and HR (unless variance received from ZBA). Prohibited in 100 year flood plain, historic and/or culturally significant resources,within 100 ft of a freshwater wetland, adjacent to or within airport control zone
- Qualified Solar Installer
- Excess power(Tier 1 and Tier 2 systems) sold via net metering arrangement (including remote net metering)
- Appropriate inspections(including electrical) and by public utility of concern(for grid-tied systems)
- Underground for majority of utility services. Camouflaged conduit for roof mount systems
- Neutral paint colors to the extent practical
- Marking of equipment for emergency responders

## TIER 1 PERMITTING REQUIREMENTS

- Allowed in all zoning districts
- No site plan review
- Building Permit
- Mounted parallel to roof surface and maximum of 8 inches off a pitched roof
- For flat roofs, maximum of 36 inches above flat roof surface or surrounding parapet, whichever is greater
- Minimize glare to maximum extent possible
- Height limitations based on principal and accessory structure requirements for zoning district
- Building integrated systems to be shown on plans submitted for Building Permit



## TIER 2 PERMITTING REQUIREMENTS

- Allowed in all zoning districts except R, R-40, HC and HR
- No site plan review
- Building Permit
- Minimize glare to maximum extent possible
- Installed in side(unless side yard abuts highway) or rear yards only
- Setbacks:
  - Double the required setback of zoning district in Commercial, Industrial or Farm district; or
  - Double the required setback for accessory structures in zoning district when located in Residential or Hamlet(assumes area variance by ZBA)
- Height limitations same as those for accessory structures in underlying zoning district

## TIER 2 PERMITTING REQUIREMENTS(Cont'd)

### -Screening and Visibility:

- Minimize view from adjacent properties and roadway
- Reasonably avoid and/or minimize blockage of views and shading of adjacent properties while still providing solar access
- Adequate screening using architectural features, earthen berms or landscaping(continuous hedge at least 25% higher than array within 2 years of planting. Screening shall harmonize with surrounding area.
- Lot size shall comply with existing lot size requirements for accessory structures
- Max landscape coverage-50% all buildings, structures including Tier 2 solar array
- Decommissioning should system be deemed unsafe by Codes Enforcement



### TIER 3 PERMITTING REQUIREMENTS

- Allowed in all zoning districts except R, R-40, HC and HR
- Permitted through approval of Solar Energy System Overlay District by Town Board
- Applicant must submit concept site plan to Planning Board for review and recommendation to Town Board on overlay zoning
- Town Board shall hold public hearing for overlay zoning approval
- If Overlay zoning is approved, Planning Board shall perform site plan review, including holding public hearing prior to site plan approval
- “Glint & Glare” study will be required for any system greater than 1 MW

### TIER 3 ADDITIONAL REQUIREMENTS

#### -Signage

- No signage
- Clearly visible electrical warning signage on disconnects, transformers and substations

#### -Glare

- Minimize glare to the maximum extent practical

#### -Lighting

- Limited to that minimally required for safety and operation

#### -Tree-Cutting

- Minimal removal of existing trees/vegetation or offset with planting elsewhere on the property



### TIER 3 ADDITIONAL REQUIREMENTS(Cont'd)

- Decommissioning
  - Not producing for one year or abandoned must be removed at Owner's expense
  - Decommissioning Plan required
  - Security 125% of the cost of removal of the Tier 3 Solar Energy System
- Site Plan Approval
- Lot must be at least 10 acres in size
- Setbacks
  - 100 ft front setback
  - 100 ft from abutting lot in Commercial, Industrial or Farm district
  - 200 ft if property is located in Residential or Hamlet District(would require variance from ZBA).

### TIER 3 ADDITIONAL REQUIREMENTS(Cont'd)

- Height not to exceed 20 feet including Solar Energy System at max tilt angle
- Maximum landscape coverage of all buildings, structures and paved roads shall not exceed 50%
- Fencing: 8 feet in height with lockable gate to prevent unauthorized entry
- Screening & Visibility
  - Applicant will conduct a visual assessment of visual impact on public roadways and adjacent properties. Minimum of a line-of-site profile analysis shall be provided. A digital view-shed report may be required.
  - Applicant shall submit a screening and landscape plan to screen and/or mitigate adverse aesthetic impacts on public roads and adjacent properties to the extent feasible.

### TIER 3 ADDITIONAL REQUIREMENTS(Cont'd)

- For projects located on lands zoned Farm, Tier 3 system shall not exceed 50% of area of Prime Farmland, Unique Farmland or Farmland of Statewide importance as defined in the applicable state/federal laws/regulations.
- Tier 3 systems located in Agricultural Districts shall also be constructed in accordance with NYS Ag and Markets to maximum extent practicable.
- Notice of ownership change to Codes Enforcement Officer within 30 days
- Safety: Solar Energy Systems shall not present unreasonable safety risks as determined by Town Planning Board.



### TIER 3 ADDITIONAL REQUIREMENTS(Cont'd)

- Abandonment:
  - Special Permit and Site Plan approval valid for 12 months.Provision for extension. If substantial construction not completed after 24 months, approvals expire.
  - If Solar Energy System fails to provide electricity for 12 months, Decommissioning Plan shall be implemented. If Owner/operator fails to comply, Town may, at it's discretion, utilize the bond or security to remove the system and restore the site in accordance with the Decommissioning Plan
- Taxation: Town shall require all applicants to enter into a PILOT agreement for all Tier 3 Solar Energy Systems.



## Where would Tier 3(Solar Farms) likely be located in Pompey?

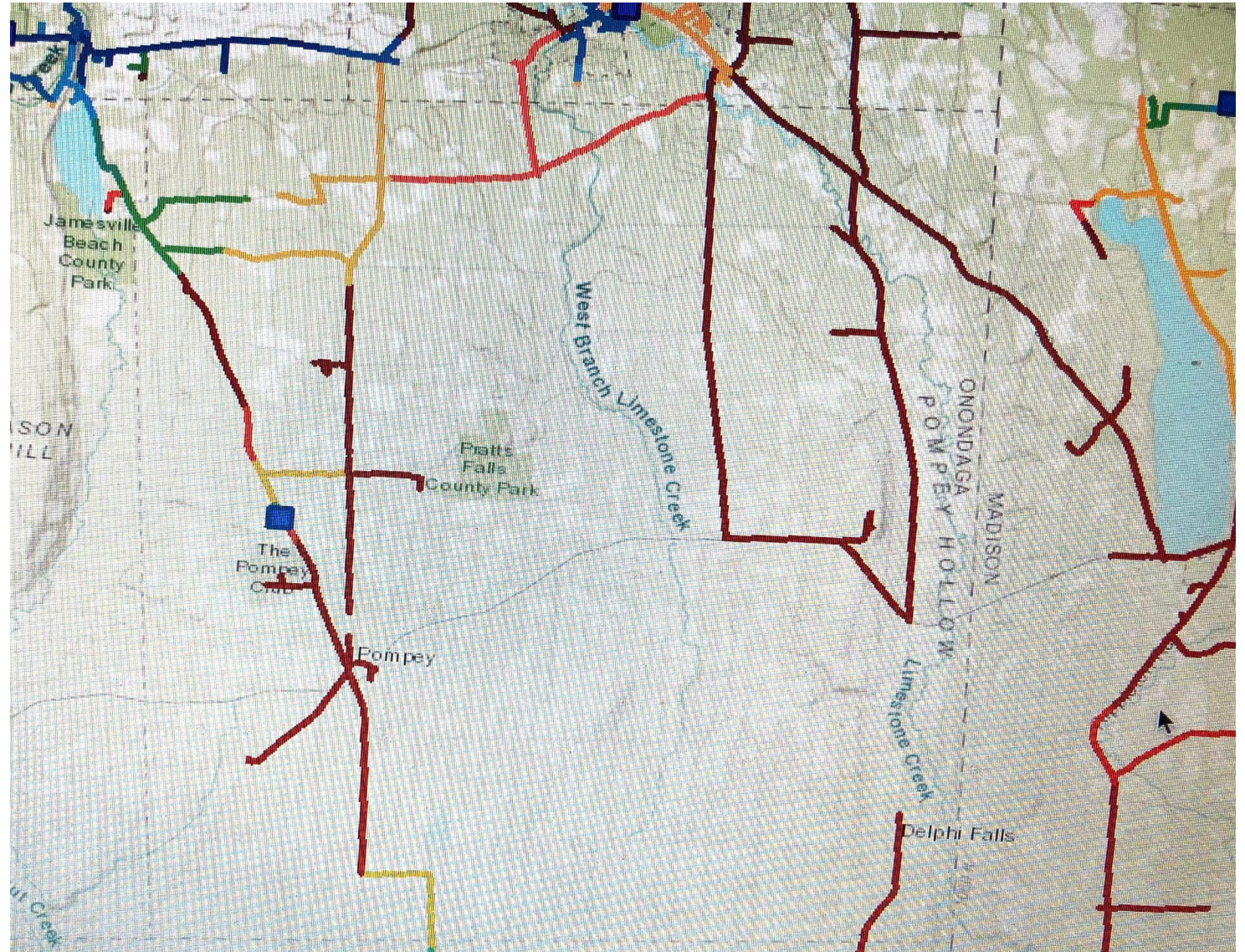
Hosting Capacity is based on current Substation Capacity

Lower Hosting Capacity in the south and east of Pompey

More Hosting Capacity in the north and west portions of Pompey

Note that 4 substations feeding Town of Pompey are:

- Southwood
- Duguid
- Pompey
- Delphi



QUESTIONS?