

TOWN OF WELLESLEY



MASSACHUSETTS

**2017 ANNUAL TOWN MEETING**  
ARTICLE 31 MOTION 1 AND 2

NEW ZBL Section XIVH Large Scale Solar Overlay District

This is to certify that the following action was taken under Article 31 at the sixth session of the 2017 Annual Town Meeting held on April 24, 2017, in pursuance of a Warrant dated January 24, 2017

**MOTION 1** Michael D’Ortenzio, Precinct B, member of the Sustainable Energy Committee offered the following motion, which was

**VOTED, unanimously, 2/3 required,** that the Town vote to amend the Zoning Bylaw to allow for the installation of large-scale ground-mounted solar photovoltaic installations within the Town of Wellesley by amending Section IA. Definitions and by adding a new Section XIVH. Large Scale Solar Overlay District to read substantially as follows:

**1. Amend Section IA, Definitions, of the Zoning Bylaw by adding the following term and definition:**

Large-Scale Ground-Mounted Solar Photovoltaic Installation - A solar photovoltaic system that is structurally mounted on the ground (i.e. not roof-mounted) and has a minimum output of electric power production in Direct Current (i.e. Rated Nameplate Capacity) of 250 kW DC.

**2. Amend the Zoning Bylaw by adding the following new Section XIVH:**

SECTION XIVH. LARGE-SCALE SOLAR OVERLAY DISTRICT

A. Purpose

The purpose of this bylaw is to establish an overlay zoning district which allows for the creation of Large-Scale Ground-Mounted Solar Photovoltaic Installations by providing standards for the placement, design, construction, operation, monitoring, modification and removal of such installations that address public safety, minimize impacts on scenic, natural and historic resources, and to provide

adequate financial assurance for the eventual decommissioning of such installations.

B. **Applicability**

The district shall be shown on the Zoning Map of the Town of Wellesley, Massachusetts and shall be considered as overlaying other existing zoning districts. This overlay zoning district shall not prohibit the development of uses or property consistent with the applicable underlying/base zoning district.

C. **Use Regulations**

In the Large-Scale Solar Overlay District, the following specified uses may be allowed, as prescribed; such uses may be allowed in conjunction with other uses of the property:

1. **Permitted Uses**

- a. Large-Scale Ground-Mounted Solar Photovoltaic Installation; such use shall be subject to the following requirements:

i. **Setback/Yard Requirements:**

Front yard: The front yard depth shall be at least 25 feet; provided, however, that where the lot abuts a lot located in the Conservation District or Single Residence District zoning district, the front yard shall not be less than 50 feet.

Side yard: Each side yard shall have a depth at least 25 feet; provided, however, that where the lot abuts a lot located in the Conservation District or Single Residence District zoning district, the side yard shall not be less than 50 feet.

Rear yard: The rear yard depth shall be at least 25 feet; provided, however, that where the lot abuts a lot located in the Conservation District or Single Residence District zoning district, the rear yard shall not be less than 50 feet.

ii. **Accessory Structures:**

All appurtenant structures to large-scale ground-mounted solar photovoltaic installations shall be subject to reasonable regulations concerning the bulk and height of structures, lot area, setbacks, open space, parking and building coverage requirements. All such appurtenant structures, including but not limited to, equipment shelters, storage facilities, transformers, and substations, shall be

architecturally compatible with each other. Whenever reasonable, structures should be shaded from view by vegetation and/or joined or clustered to avoid adverse visual impacts.

iii. Lighting:

Lighting of solar photovoltaic installations 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 photovoltaic installation shall be directed downward and shall incorporate full cut-off fixtures to reduce light pollution.

iv. Signage:

Signs on large-scale ground-mounted solar photovoltaic installations shall comply with Section XXIIA, Signs, of the Zoning Bylaw, as required. At a minimum, signage shall be required identifying the owner of the facility and providing a 24-hour emergency contact phone number.

v. Utility Connections:

All utility connections from the solar photovoltaic installation must be placed underground. Electrical transformers for utility interconnections may be above ground if required by the utility provider.

vi. Emergency Services:

The large scale solar 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.

vii. 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 the large-scale ground-mounted solar photovoltaic installation or otherwise prescribed by applicable laws, regulations, and bylaws.

viii. Monitoring and Maintenance:

The large-scale ground-mounted solar photovoltaic installation owner or operator shall maintain the facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Site access shall be maintained to a level acceptable to the local Fire Chief and Emergency Medical Services. The owner or operator shall be responsible for the cost of maintaining the solar photovoltaic installation and any access road(s), unless accepted as a public way.

ix. Abandonment or Decommissioning

Any large-scale ground-mounted solar photovoltaic installation which has reached the end of its useful life or has been abandoned 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 Zoning Board of Appeals by certified mail of the proposed date of discontinued operations and plans for removal. Decommissioning shall consist of:

1. Physical removal of all large-scale ground-mounted solar photovoltaic installations, 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 re-vegetation of the site as necessary to minimize erosion. The Site Plan Review Authority may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.

D. Project Approval

For the purposes of Section XVIA, Project Approval, the construction of a Large-Scale Ground-Mounted Solar Photovoltaic Installation shall be considered to be a Major Construction Project, and therefore subject to Site Plan Review as specified in Section XVIA. Further, all material modifications to a Large-Scale Ground-Mounted Solar Photovoltaic Installation shall require approval by the Zoning Board of Appeals.

In addition to other requirements, applications for Site Plan Review for a Large-Scale Ground-Mounted Solar Photovoltaic Installation shall meet the following requirements; the Zoning Board of Appeals may waive any of these requirements as it deems appropriate:

1. General: All plans and maps shall be prepared, stamped and signed by a Professional Engineer licensed to practice in Massachusetts.
2. Required Documents: Pursuant to the site plan review process, the project proponent shall provide the following documents:
  - a. A site plan showing:
    - i. Property lines and physical features, including roads, for the project site;
    - ii. Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, screening vegetation or structures;
    - iii. 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
    - iv. 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;
    - v. Documentation of the major system components to be used, including the PV panels, mounting system, and inverter;
    - vi. Name, address, and contact information for proposed system installer;
    - vii. Name, address, phone number and signature of the project proponent, as well as all co-proponents or property owners, if any; and
    - viii. The name, contact information and signature of any agents representing the project proponent.
  - b. Documentation of actual or prospective access and control of the project sufficient to allow for construction and operation of the proposed solar photovoltaic installation.

- c. An operation and maintenance plan, which shall include measures for maintaining safe access to the installation, stormwater controls, as well as general procedures for operational maintenance of the installation.
- d. Proof of liability insurance.
- e. A public outreach plan, including a project development timeline, which indicates how the project proponent will inform abutters and the community.
- f. For interconnected customer-owned generators, evidence that the Wellesley Municipal Light Plant has been informed of the owner or operator's intent to install the facility; off-grid systems are exempt from this requirement.

**MOTION 2.** Michael D'Ortenzio, Precinct B, Sustainable Energy Committee, offered the following motion, which was

**VOTED, unanimously, 2/3 required,** That the Town vote to amend the Zoning Map of the Town of Wellesley, Massachusetts, as follows:

- By adding the Large-Scale Solar Overlay District and corresponding identification to the Zoning Map's legend; and
- By overlaying the new Large-Scale Solar Overlay District, as shown on the attached Exhibit 1-B, on the parcel located at the Route 9 and 128 Cloverleaf on Worcester Street (Assessor's Parcel ID# 4-6), totaling approximately 235,028 square feet, the boundaries of which are shown on the attached Exhibit 1-A

**Map Attached**

Dated: October 6, 2017

Attest:

Kathleen F. Nagle  
Town Clerk

# EXHIBIT 1-B

## Current Zoning



## Proposed Zoning

