

Article XXVI: Solar Collection Systems

A. Authority and Purpose

The Town of Sharon solar collection system ordinance is enacted in accordance with RSA 674:17(I)(j), and the purposes outlined in RSA 672:1-III-a as amended. The purpose of this ordinance is to accommodate solar energy collection systems and distributed generation resources in appropriate locations, while protecting the public's health, safety and welfare. The Town of Sharon intends to facilitate the State and National goals of developing clean, safe, renewable energy resources in accordance with the enumerated polices of NH RSA 362-F and 374-G that include national security and economic and environmental sustainability.

B. Definitions

Residential renewable energy system:

A residential renewable energy system is defined as a solar electric system designed to provide power for the principal use of the property on which the energy system is located. It shall not be used for the generation of power for the sale of energy to other users, although this provision shall not be interpreted to prohibit the sale of excess power generated to the local utility company or the storage of such excess energy by the installation of batteries or similar devices. Such systems of up to 30kW shall be allowed as a right, requiring only compliance with setbacks. A building permit and electrical inspection may be required to ensure compliance with electrical and building code provisions.

Shared Solar Energy System:

A solar energy system that serves a group of local energy users situated on one or more separate lots, which are not necessarily contiguous. These systems may be connected to privately owned distribution lines or utility owned distribution or transmission lines. Users are typically connected to the shared system through a group net metering agreement, power purchasing agreement, or other similar agreement or method.

All other solar:

Systems intended to provide power for non-residential use, or intended primarily to produce power for sale, shall be allowed in all zoning districts but are subject to a modified site plan review by the Planning Board and use permitted by a Conditional Use Permit.

C. Specific Solar System Requirements and Exemptions:

1. Any Solar Collection system must meet all setback and heights regulations of the Town of Sharon.
2. Any Solar Collection system must meet all State and Federal requirements.
3. The applicant must provide notice of the expected output (kW).
4. If connected to a utility, copies of the utility approval must be provided.
5. For a roof-mounted solar array no further review is required.
6. Freestanding solar array shall be allowed by Application for site plan review (detailed below) to the Planning Board.
7. Municipal Systems: All solar collection systems for municipal use are exempt from land use regulations pursuant to NH RSA 674:54.
8. Shared-Solar Energy System: Together with the requirements listed below, the application must include a certified copy of the agreement of all principals involved with the collaboration, detailing the intended management of the system, the ongoing financial requirements and the procedure regarding the change
9. Details of ownership or withdrawal of any principals.
10. **The acquisition of additional panels or the replacement of existing solar panels are subject to specific regulations as outlined in Section F (Add or Replace Panels) below.**

D. Application Requirements:

Application for site plan review shall be submitted to and processed by the Planning Board in the same manner as applications for subdivision approval. (See Section III, Sharon Land Subdivision Control Regulations.). A completed application shall consist of the following items unless a written request for waiver(s) is granted by the Board.

1. A completed application form, accompanied by:
 - a. Names and addresses of all abutters, as defined in Sharon's Zoning and Building Ordinance, Article XVII, Definitions,
 - b. A letter of authorization from the owner, if the applicant is not the owner,
 - c. Names and addresses of all holders of conservation, preservation or agricultural preservation restrictions,
 - d. Payment to cover filing and notification fees, and
 - e. Six (6) paper copies of the plan.
2. The plan shall have the following information:
 - a. Names & addresses of owner(s) of record; name & address of applicant, if different from owner; tax map and lot number(s).
 - b. Signature, license number, and/or seal of the preparer of the plan, and every engineer, architect, land surveyor, and soil scientist whose professional seal appears on the plan.
 - c. Lot lines for parent lot(s) with metes & bounds description showing dimensions to the hundredths of a foot, bearings to at least minutes, and curve data.
 - d. Approximate location of driveways and/or roads to abutting properties within 200' of the site.
 - e. Location of buildings and location of all applicable setbacks.
 - f. Natural Features/Environmental Conditions: including location of any rivers, streams, ponds, lakes, or other watercourses or bodies of water, wetlands and location of open space and wooded areas.
 - g. Location and height (in feet) of all buildings and any other structures on the site.
 - h. Location and type of existing easements and location of stone walls, architectural or historic features.

E. Standards for review and approval:

1. In reviewing the proposed project, the Planning Board shall take into consideration the basic objectives of the Zoning and Building Ordinance of the Town of Sharon. Special note shall be taken of the zone in which the proposed activity covered by the site plan is to take place, and the review of the site plan shall be in accord with the objective indicated by, and for that zone.
2. The project may be approved when, in the opinion of the Planning Board, the proposal fulfills the intent and criteria set forth herein.
3. The Planning Board may attach such conditions to the approval as it deems reasonable and necessary to assure that the proposed use will be consistent with the purpose and intent of these regulations.
4. No deviation from the plans so approved shall be permitted without the prior approval of the Planning Board. Any such deviation without approval shall serve automatically to revoke the Project Plan Approval and shall constitute a violation of these regulations.

F. Add or Replace Panels:

1. **An Application as detailed in Section C.1.-C4 and Section D. for adding or replacing some or all panels will be required.**
2. **For Roof Mounted Array, no further review is required.**

3. For Ground Mounted Array, the application as detailed in Section D.1 is required.

4. An application for revision of an existing ground mounted solar array requires an on-site review by one or more Planning Board members and upon the judgement of the Planning Board that there is no significant change or impact to the local setting, no public hearing will be required for approval.

G. Waivers:

The Board may waive any portion of these regulations if the Board finds, by majority vote, that:

1. Strict conformity would post an unnecessary hardship to the applicant and waiver would not be contrary to the spirit and intent of the regulations; or
2. Specific circumstances relative to the site plan, or conditions of the land in such location, indicate that the waiver will properly carry out the spirit and intent of the regulations.

H. Amendments:

These regulations may be amended from time to time by majority vote of the Planning Board following a duly noticed public hearing as specified in NH RSA 675:6.

Updated as of xxxxxxxx