ARTICLE VI-B SOLAR COLLECTION SYSTEMS

A. Authority, Purpose and Goals – This article 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 generations resources in appropriate locations, while protecting the public's health, safety and welfare. The Town intends to facilitate the State and National goals of developing clean, safe, renewable energy resources in accordance with the enumerated policies of NH RSA 374-G and 362-F that include national security and economic and environmental safety. This article establishes guidelines for the siting of solar collection systems and fulfills the following goals:

1. Preserve the authority of Cornish to regulate and to provide for reasonable opportunity for the siting of solar collection systems.

2. Allow Residential Solar and Roof Mount Solar collection systems as defined in this ordinance by right.

3. Reduce any adverse impact such solar collection systems may create, including, but not limited to, impacts on aesthetics, environmentally sensitive areas, historically significant locations, agriculturally significant locations, health and safety by injurious accidents to person and property, and prosperity through protection of property values.

4. Provide for minimal impact siting options through an assessment of locational options, technology, potential glare, and buffering options.

5. Provide for the removal of abandoned facilities that are no longer in operation.

B. Principle or Secondary Use – Solar collection systems may be considered either principal or secondary uses. An existing use or an existing structure on the lot shall not preclude the installation of a solar collection system on such lot. Solar collection systems may be located on leased parcels within lots. Solar collection systems that are constructed in accordance with the provision of this ordinance shall not be deemed to constitute the expansion of a nonconforming use or structure. Nor shall such facilities be deemed to be an accessory use.

C. Performance Requirements for Residential Solar Collection Systems

1. Setback and Height Requirements – Solar collection systems shall comply with the dimensional standards set forth in Article V of this ordinance.

2. Electrical Requirements –All systems not connected to the grid shall be inspected by a licensed Master Electrician at the applicant's cost and approved by the chief of the Cornish Fire Department.

D. Performance Requirements for Commercial Solar Collection Systems

1. Setback and Height Requirements – Solar collection systems shall comply with the dimensional standards set forth in Article V of this ordinance.

2. Electrical Requirements – Grid-tied systems shall file a copy of a final approved utility interconnection agreement with the town of Cornish prior to operation of the system. All systems not connected to the grid shall be inspected by a licensed Master Electrician at the applicant's cost and approved by the chief of the Cornish Fire Department.

3. Utilities – Unless specifically waived by the Zoning Board, all electrical lines associated with the system will be underground.

4. Stormwater
   a) Ground mounted systems that are required to secure a New Hampshire Department of Environmental Services Alteration of Terrain (AoT) Permit in accordance with NH RSA 485-A:17 shall secure such permit accordingly.
      i. The final Permit issued by NH DES shall be incorporated by reference into the final Town approval and shall be enforceable by the Town in accordance with this Zoning Ordinance.
      ii. No further local review of stormwater and erosion control shall be required where a project is required to secure the NH DES AoT Permit.
   b) Where ground mounted systems do not require a NH DES AoT Permit, the following shall apply:
      i. Ground mounted systems that require land clearing and grubbing of mature forested cover to accommodate more than 30% of the solar land coverage area, provided such area of clearing and grubbing is also larger than 1 acre for the proposed system shall include a management plan for stormwater that is directly related to the impact of the solar collection system.
      ii. Ground mounted systems where the solar land coverage area is larger than 1 acre and located on slopes of greater than 5% shall include a management plan for stormwater.
   c) Requirements for all Commercial Systems
      i. All ground mounted systems shall be constructed in accordance with Best Management Practices for erosion and sedimentation control during the pre-construction, construction, and post-construction restoration period.

ii. Post construction, for the purposes of enhancing natural stormwater management, site conditions, and plantings post-construction shall ensure that areas of soil compaction have been restored to more natural conditions. Plantings shall be native species and are recommended to be beneficial habitat to song birds, pollinators and/or foraging species in order to maintain a healthy surface and subsurface habitat that can attenuate stormwater.

5. Glare – Potential significant glare onto abutting structures and roadways estimating the interaction of sun to panel angle the interaction of the sun to panel angle, time of year, and visibility locations shall be calculated. Reasonable mitigation, including but not limited to, angle of panels, anti-reflective coatings, and additional specific screening may be required.

6. Lighting – On site lighting shall be minimal and limited to access and safety requirements only. All lighting shall be downcast and shielded from abutting properties.

7. Buffer – As deemed appropriate, buffering shall be incorporated into the local landscape so that effective screening is provided along public ways and from abutting views. The use of existing or created topography is encouraged to reduce visual impacts.

8. Fencing – If required by the local authority, commercial solar collection facilities shall be surrounded by a fence setback from the property lines in conformance with the district regulations for front, side, and rear yards.

9. Emergency Response – Access to and information regarding the site shall be provided to local emergency response organizations. Applicant shall conduct a site orientation tour upon request of local emergency response organization(s) at a mutually-agreed time.

10. Site Plan Review – All Commercial Solar Collection Systems shall be subject to Site Plan Review by the Planning Board.

11. Abandonment and Decommissioning – Solar Collection Systems shall be deemed to be abandoned if operations have discontinued for more than 6 months without written consent of the municipality. An abandoned system shall be removed and the site restored within 6 months of abandonment.