**Solar Article Revisions PB Voted: 1.31.24**

 **SB Voted: 2.07.24**

To see if the Town will vote to revise the Norwell Town Code, Division 3, Zoning Bylaw, Chapter 201 Zoning, Part 4 Special Regulations, Article 22, Solar Photovoltaic Overlay District (SPOD) as follows:

1. To amend §201-22.4.G (6) by deleting the following sentence:

The access way to a solar field in a residential district shall be designed to eliminate any view of the

Field from an adjacent way.

 and substituting the following:

The access way to a solar field in a residential district shall be designed and installed so as to limit the view of the solar field from the adjacent way that provides access, including from an adjacent way that is designated as a Scenic Road under the Town’s bylaws, to the extent feasible. This provision shall not be a means to deny use relief, only to regulate how the use is carried out.

2. To amend §201-22.5.E by deleting same and inserting the following:

E. Minimum Area Required

Special Permit solar electric installations shall be subject to the same requirements of §201-9.2 Lot area, §201-9-5, Lot shape, §201-9.3, Lot Frontage and Width that apply to all other uses; however, the special permit granting authority shall have the discretion to waive one or more of these requirements, provided that the special permit granting authority finds, in its discretion, that the applicant has mitigated the visibility of the solar field from nearby ways and nearby residential uses, to the extent feasible as provided for under §201-22.4.G(6).

3. To amend §201-22.6.C. Control of Vegetation (2) by deleting said subsection which provides as follows:

Herbicides or pesticides shall not be used to control vegetation or animals at a Ground-Mounted Solar Electric installation, unless approved by the Norwell Conservation Commission for removal of invasive species.

4. To amend §201-22.6.H(1) by deleting the struck language set forth below:

1. Prior to approval from the Board of Appeals, the operator shall provide a copy of the project summary, electrical schematic, and site plan to the Fire Chief, and if requested, assist in the development of an emergency response plan, ~~and provide and pay for any requested training~~.

5. To amend §201-22.8.B.Decommisioning by Town by adding the following language **highlighted in bold**:

If the owner or operator of a Ground-Mounted Solar Electric Installation fails to remove the installation as required, the Town may, after full compliance with applicable state and federal requirements, enter the property and physically remove the installation and stabilize the site, at the owner’s expense, drawing upon the financial surety provided or the impose the lien allowed **under G.L. c.40, §58, (i.e., to treat the costs incurred and the surety as liens under G.L. c.40, §58).**

and

6. To authorize the Town Clerk to make clerical, editorial, numerical, or other adjustments to the language adopted under this article in order to effectuate its purposes.

or to take any other action relative thereto.

Petition of the Planning Board

1.31.2024 PB Voted the Petition

2.01.2024 Sent to Select Board

2.07.2024 Select Board vote to refer to PB for a public hearing

2.15.2024 Legal Notice Posted and Mailed

 First Legal Ad

 Second Legal Ad

 PB Public Hearing

 PB Public Hearing Closed

 AB Vote

 PB Report to ATM

5.6.2024 Annual Town Meeting