

# Q&A on Warrant Article 28: Section 13.6 Solar Energy Systems

## Warrant Article 28

Lincoln residents will be asked to vote on amended language to the current Section 13.6 Solar Energy Systems.

### **What are the goals of the proposed amendment?**

The amendments are intended to:

- Bring the Zoning Bylaw up to date so that residents, businesses and the Town can take advantage of current government incentive programs and permit a variety of solar projects.
- Allow projects to be permitted that were not contemplated when the original bylaw was adopted, such as Canopy/Carport projects on parking lots and Town installations at the Lincoln School, the Public Safety Building, and the Transfer Station.
- Clarify existing language.

### **What are the changes?**

1. Definitions (Section 13.6.2): For clarity, the definition section adds definitions for Roof-Mounted Solar Energy Systems, Energy Storage Systems, and Carport/Canopy Photovoltaic Systems.
2. General Standards (Section 13.6.3): This section is amended to allow residents, businesses, and the Town to take advantage of current government incentive programs. Currently the Bylaw ONLY allows the Solar Energy System to provide power for consumption on the site. It does not allow the sale of energy directly to the grid or others with the benefits to the property, practices which are now a regular part of financing and incentive programs.
  - The amendment allows:
    - A solar energy system to provide energy for consumption on site: or
    - The sale of electricity to the local utility company: with benefits provided either through payments directly from the utility, from a 3<sup>rd</sup> party owner/provider of the Solar Energy System, or through the purchase of electricity at reduced prices from the owner/provider of the Solar Energy System, or some combination of the above.
3. Design Standards in Residential Districts, except for properties used for municipal purposes (Section 13.6.4):
  - Roof-Mounted and Building Integrated Systems of **any size** are permitted.
    - The words “**any size**” were added to encourage Roof-Mounted and Building-Integrated Solar Systems. If a Roof-Mounted or Building-Integrated System complies with the Bylaw, it is allowed by right and only needs a building permit from the Building Inspector.
  - Ground-Mounted and Carport/Canopy Solar Energy Systems are allowed but are restricted to 125% of the annual consumption on the property.
    - This language allows the permitting of Ground-Mounted and Carport/Canopy Systems with a system size restriction of 125% of expected annual consumption. This allows a homeowner to have a slightly bigger Solar Energy System than would be needed to operate the needs of the property as a policy to promote clean energy.

- If a property contains a Ground-Mounted and/or a Carport/Canopy Solar Energy System, then the maximum capacity of ALL Solar Energy Systems cannot exceed 125% of the annual consumption of the property. The 125% would include Ground, Carport and any Roof-Mounted or Building-Integrated Systems. This encourages Roof-Mounted and Building-Integrated systems and allows Ground-Mounted and Carport/Canopy up to the cap limit. If a homeowner has a Ground-Mounted System and wants to add a Roof-Mounted System, then the combined capacity of both systems is subject to the 125% cap.
  - Ground-Mounted and Canopy/Carport Solar Energy Systems will be treated as accessory structures and require Site Plan Review.
    - The setbacks will be those required for accessory structures: 20 feet from a side lot line and 50 feet from a front lot line unless the structure is greater than 20 feet and then the setback will be equal to the height of the structure. Treating these systems as accessory structures prevents Solar Farms from being sited on Open or Undeveloped Land as the Solar Panels would be the primary structure.
  - Canopy/Carport Solar Energy Systems shall have a max height of 17 feet. In a Residential Zone, the 17 feet must be justified to the Planning Board during site plan review.
4. Design Standards in Non-Residential Zones and Municipal Properties in any Zoning District (Section 13.6.5):
- Roof-Mounted and Building-Integrated systems of **any size** are permitted.
    - Any Roof-Mounted or Building-Integrated System that complies with the Bylaw can be installed by right with a building permit from the Building Inspector.
  - Ground-Mounted and/or Carport/Canopy systems of any size are permitted with Site Plan Approval.
    - The amended Bylaw will allow the Lincoln School project which will include Roof and Carport/Canopy systems. Other projects that were not allowed under the current bylaw such as Canopy/Carport Projects in parking lots at the RLF and Minuteman Tech, as well as a contemplated Ground-Mounted System at the Transfer Station, will now be allowed with site plan review. These large projects have the potential to exceed the electricity requirements of the buildings on the property.
5. Planning Board Waivers (New Section 13.6.6): The current Bylaw includes the ability for the Planning Board to waive requirements of each subsection. The amended Bylaw deletes the individual waiver sections and adds a general waiver section at the end to allow the Planning Board flexibility in reviewing and approving a project on a case by case basis.

## QUESTIONS:

1. Are properties like Drumlin Farm, the deCordova Museum, and Minuteman Tech commercial or residential properties?

These are examples of non-residential properties that may be located in a Residential District under the Dover Amendment. As such, they are permitted according to the rules of the Residential District. This will allow Roof-Mounted, Building-Integrated and Ground-Mounted and Canopy/Carport Systems up to 125% of the annual consumption of the property.

2. Can Solar be put on Agricultural Land?

Roof-Mounted and Building Integrated Systems would be allowed. Ground-Mounted or Canopy/Carport systems may be allowed ONLY IF there is a building in the land. The Solar Energy System structure must be accessory to a primary structure. There would also be a cap of 125% of the annual needs of the property.

3. Are there any limits on the size of Ground-Mounted or Canopy/Carport systems in Non-Residential Districts?

The decision not to impose a limitation based on 125% of the annual consumption in the commercial district allows for more flexibility to have a Canopy/Carport or Ground-Mounted system that exceeds that threshold within the commercial district, where space allows for such structures to be installed. The installation is still subject to site plan review.

4. Can Solar be put on Conservation Land?

Solar Energy Systems can only be put on Conservation Land if the conservation restriction allows it. A restriction that is silent as to solar uses may have other language that would preclude such a use or structure. Most conservation restrictions prohibit buildings or other permanent structures. If the conservation restriction would allow solar, the Bylaw would not preclude the application. It would, however, be subject to site plan approval.

5. What about putting a Canopy/Carport installation on a parking lot that accesses Conservation Land like Mount Misery?

The new waiver provision 13.6.6, allows the Planning Board to waive provisions of the Bylaw where it is consistent with the purposes of the Bylaw. The Planning Board could waive the 125% cap for properties in residential zones in a circumstance such as the Mount Misery location where a parking lot can support a solar canopy but there is no on-site energy consumption.