

Discussion points for November 6, 2023

3.2 RENEWABLE ENERGY FACILITIES

A. Facilities Regulated by the Public Utilities Commission

1. Development associated with a solar photovoltaic or a wind system that receives a Certificate of Public Good from the Vermont Public Utilities Commission is exempt from these bylaws (see Section 4.3).

B. Facilities Not Regulated by the Public Utilities Commission

1. Wind turbines less than 100 feet in height, with a blade diameter no greater than 20 feet and set back at least 150% of their height from lot lines and rights-of-way are exempt from these bylaws (see Section 4.3).
2. Solar photovoltaic or thermal panels that are located on a roof of a complying structure, and meet the maximum height requirements of the district in which they are located, are exempt from these bylaws (see Section 4.3)
3. Ground-mounted solar photovoltaic systems that generate 50 kW or less and meet the minimum setback requirements and the maximum height requirements of the district in which they are located are exempt from these bylaws (see Section 4.3)
4. Wind turbines 100 feet or more in height, with a blade diameter of more than 20 feet, and ground-mounted solar photovoltaic systems that generate more than 50 kW (consider lowering to more than 15 kW? or more than 25 kW?), are subject to conditional use review by the Development Review Board and the issuance of a zoning permit, and shall meet the following requirements:
 - a. A ground-mounted solar facility must meet minimum district setback requirements from property lines and rights-of-way, unless waived by the Development Review Board under Section 7.16 and shall meet the minimum height requirements for the district in which it is located.
 - b. A ground-mounted wind energy facility shall not exceed a total height of 125 feet, or a maximum height of 40 feet above obstructions (e.g., structures, tree canopies) within 300 feet of the tower, whichever is greater, as measured vertically from the base of the tower at ground level to the top of the rotor blade at its highest point. The facility shall be set back from all property lines at least a distance that is equivalent to the height of the tower plus the district setback requirement unless waived by the Development Review Board under Section 7.16. Setbacks shall be measured from the base of the tower, not guy wires. A minimum clearance of 15 feet is required between the ground and the rotor blade tip at its lowest point. Supporting guy wires must be located at least 10 feet from all property lines.
 - c. A ground-mounted lattice tower wind energy facility shall provide full-perimeter fencing or barrier.
 - d. A wind facility shall not cause shadow flicker on any occupied building located in the vicinity of the property, unless the affected property owner gives written consent, as submitted with the application.
 - e. A solar installation shall not cast unreasonable glare onto adjoining properties.

- f. The installer must certify in writing that the facility as installed meets manufacturer's specifications and accepted industry safety and performance standards, as established by the National Electrical Code, Institute of Electrical and Electronic Engineers, Underwriters Laboratories, American National Standards Institute, or similar testing and certification facilities. The applicant shall forward a copy of system specifications to the Chester Town Fire Department (note: Chester Fire Chief Matt Wilson would welcome this information).
- g. Facility lighting or use of the facility for display or advertising purposes is prohibited.

Additions to:

4.3 Limitations and Exemptions

4.3.B.30 Solar photovoltaic or thermal panels that are located on a roof of a complying structure and meet the maximum height requirements of the district in which they are located.

4.3.B.31 Ground-mounted solar photovoltaic systems that generate 50 kW or less (consider lowering to 15 kW or less? or 25 kW or less?) and meet the minimum setback requirements and the maximum height requirements of the district in which they are located.