

SOLAR FARM LAW

RECOMMENDATIONS TO UPDATE §290-32(H)

BY LAFAYETTE ADVISORY CONSERVATION COMMISSION

PURPOSE

- Recommend updates to current law, particularly with respect to the Town's new (2021) Comprehensive Plan

2021 COMPREHENSIVE PLAN

- **Action Item 2-1**: Consider regulatory techniques & land use controls to manage future development in order to preserve Town's public vistas and critical environmental and farm areas
- **Action Item 4-1**: Revise Town code to include provisions that promote the use of green energy and green infrastructure in developments throughout the Town

THE BALANCE

- Solar Farms:
 - Preserve our limited energy sources (fossil fuels)
 - Reduce air, water, & land pollution
 - Preserve our farmlands
- Solar Farms can negatively impact our town (if not adequately mitigated):
 - Open spaces, vistas
 - Noise
 - Soil erosion

AFFECTED PARTIES

- Consider protection of interests between:
 - Community
 - Property owner (lessee)
 - Solar Farm developer (lessor)

BASIS OF RECOMMENDATIONS

- Based on other Town's laws
 - Provides for fairness
- Added specificity & Town authority
 - Increases clarity
 - Increases Town's guidance to applicants

RECOMMENDATIONS

- Visual impacts
 - Increase setbacks
 - Specify significant public vistas
 - Specify prime farmland
 - Specify VIA process & increase Planning Boards approvals
 - Require use of anti-reflection coatings
 - Prohibit two solar farms be closer than 1 mile

RECOMMENDATIONS

- Noise impacts
 - Typically inaudible offsite
 - Inverters & transformers in center of farm
 - No night time operation
 - Increase setbacks
 - Current noise law is adequate to address anomalies

RECOMMENDATIONS

- Soil Erosion Impacts
 - Require PE certification of SWPPP
 - Specify acceptable infiltration rate
 - Prohibit topsoil stripping and removal from property

RECOMMENDATIONS

- Decommissioning Issues
 - Require plan submitted for Town approval
 - Require bonding amount be updated every 5 years, with Town approval
 - Require Town approval of decommissioning before bond release
 - Require bond for life of project
 - Can require corporate guarantee