

after being considered abandoned, the town may remove the system and restore the property and charge its costs against the bond.

C. Special Use Permit Standards.

- 1) Height and Setback. Large-Scale Solar Energy Systems shall adhere to the height and setback requirements of the underlying zoning district. [DW14]
- 2) Lot Size. Large-Scale Energy Systems shall be located on lots with a minimum lot size of [[Insert Size Requirement]]. [DW15]
- 3) Lot Coverage. A Large-Scale Solar Energy System that is ground-mounted shall not exceed [[Insert Lot Coverage Percentage]] [DW16][DW17] of the lot on which it is installed. The surface area covered by Solar Panels shall be included in total lot coverage.
- 4) All Large-Scale Solar Energy Systems shall be enclosed by fencing, the height to be determined by the Planning Board, to prevent unauthorized access. Warning signs with the owner's contact information shall be placed on the entrance and perimeter of the fencing.

The type and height [DW18] of fencing shall be determined by the Planning Board. The fencing and the system may be further screened by any landscaping needed to avoid adverse aesthetic impacts.

- 5) Any application under this Section shall meet any substantive provisions contained in local site plan requirements in the zoning code that, in the judgment of the of the Planning Board, are applicable to the system being proposed. If none of the site plan requirements are applicable, the Planning Board may waive the requirement for site plan review.
- 6) The Planning Board may impose conditions on its approval of any special use permit under this Section in order to enforce the standards referred to in this Section or in order to discharge its obligations under the State Environmental Quality Review Act (SEQRA).

7. Abandonment and Decommissioning

Solar Energy Systems are considered abandoned after [[Insert Time Period]] [DW19] without electrical energy generation and must be removed from the property. Applications for extensions are reviewed by the Planning Board for a period of [[Insert Time Period]] [DW20].

8. Enforcement

Any violation of this Solar Energy Law shall be subject to the same civil and criminal penalties provided for in the Zoning Code of Town of Northumberland.

9. Severability

The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision or phrase of the aforementioned sections as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision or phrase, which shall remain in full force and effect.