ARTICLE 27
To see if the Town will vote to amend several sections of the TOWN OF WESTPORT
ZONING BY-LAWS "ARTICLE 24 SOLAR ENERGY SYSTEMS" by deleting the strike
through text and inserting the bold underlined text as follows:

Item 1:

24.3.1 Purpose

The purpose of this section is to facilitate regulate the creation or expansion of
any Large-Scale Ground-Mounted Solar Photovoltaic Installations by providing
standards for the siting, placement, design, construction, operation, monitoring,
modification and removal of such installations that address public safety,
minimize impacts on environmental, scenic, natural and historic resources and to
provide adequate financial assurance for the eventual decommissioning of such
installations.

Item 2:

24.3.3 Special Permit

Large-scale ground-mounted solar photovoltaic installations are allowed by
special permit granted by the Planning Board in the Residence-Agriculture
District. The Planning Board’s authority to grant or deny a special permit is
discretionary and prior to the approval of any Large Scale Ground Mounted
Solar Photovoltaic Special Permit, the Planning Board shall consider
whether the proposal will achieve the objectives listed below and may require
conditions and safeguards deemed necessary to realize, within reason, these
performance standards:

1. Protects adjoining premises by providing adequate screening and
buffers between the property lines and the solar arrays.

2. Provides screening and buffers to protect scenic vistas and viewsheds
from residential uses, public streets and waterways (as described in
24.3.11.d).

Item 3:

24.3.5 Required Review and Permitting

All large-scale ground-mounted solar photovoltaic installations in the Business
and Unrestricted Zoning Districts shall require Site Plan Approval under Article
15 and a building permit issued by the Building Inspector. Low Impact
Development Site Plan Approval, under Zoning By-Law Article 20 by the
Planning Board shall also apply.
All large-scale ground-mounted solar photovoltaic installations in the Residential/Agricultural zoning district shall require a special permit under this Zoning By-Law and a building permit. Low Impact Development Site Plan Approval, under Zoning By-Law Article 20 by the Planning Board shall also apply, including to those installations requiring an Order of Conditions or Request for Determinations of Applicability issued by the Town of Westport Conservation Commission.

The applicant is encouraged to request a pre-application review at a regular meeting of the Board. At the pre-application review, the applicant may outline the proposed solar photovoltaic installation and seek preliminary, but not binding, feedback from the Board and other Town bodies and staff.

Item 4:

24.3.8 Dimensional, Use and Access requirements for Large Scale Systems (Lot Size, Frontage, Setbacks and Height)

<table>
<thead>
<tr>
<th></th>
<th>Residence/Agricultural District</th>
<th>Business District</th>
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</thead>
<tbody>
<tr>
<td>Minimum Lot Size</td>
<td>5 Acres</td>
<td>5 Acres</td>
</tr>
<tr>
<td>Minimum setbacks from property lines (1)</td>
<td>100 ft.</td>
<td>100 ft.</td>
</tr>
<tr>
<td>Minimum setbacks from street lines (1)</td>
<td>250 ft.</td>
<td>150 ft.</td>
</tr>
<tr>
<td>Minimum setback from wetlands resource areas (1)</td>
<td>100 ft.</td>
<td>100 ft.</td>
</tr>
<tr>
<td>Minimum protected open space (3)</td>
<td>25%</td>
<td>25%</td>
</tr>
<tr>
<td>Maximum height (2)</td>
<td>15 ft.</td>
<td>15 ft.</td>
</tr>
<tr>
<td>Maximum clearing areas (4)</td>
<td>16 Acres</td>
<td>16 Acres</td>
</tr>
</tbody>
</table>

1. Setbacks may be reduced if, in the opinion of the Planning Board based on evidence submitted by applicant, existing and/or proposed screening will be adequate to minimize visual impact (as described in 24.3.11.d). Under no circumstance will setbacks be reduced to less than the dimensional requirements for the zoning district.

Setbacks may be increased by up to 50% if, in the opinion of the Planning Board based on evidence submitted by the Board or abutters, existing and/or proposed screening will not be adequate to minimize visual impact (as described in 24.3.11.d).

Fencing and structures, including solar panels, shall meet the minimum setback requirements, and clearing or trimming of natural vegetation within the required setbacks shall be prohibited unless the Board finds that the trimming or clearing would not have a
detrimen tal impact on abutting properties. Drainage facilities shall meet the minimum setback requirements unless the Board finds that adequate screening can be provided and in the opinion of the Board, a reasonable alternative design is not feasible.

2. Height of Structures – No component of a Large-Scale Ground-Mounted Solar Photovoltaic Installation shall exceed 15 feet above existing grade (except for connection to the grid).

3. Protected Open Space – Shall include only areas left in their natural state.

4. Clearing Area – shall include all areas of the parcel being disturbed, the access drive shall also be included in this area. Clearing areas may be increased by up to 50% provided the Board finds that the visual impact (as described in 24.2.11.d) is not detrimental to the abutters or neighborhood.

5. Access Drive - Access to the facility shall be through actual minimum lot frontage of 50 feet on a street or through a 50 foot wide easement connecting the development lot to a public way. The physical traveled way for the construction and maintenance of the proposed solar facility shall be a minimum of 12' wide or such greater width as required by the Planning Board or Fire Department and shall have the lines, grades, surface conditions and drainage facilities, as the Planning Board deems necessary for the actual site conditions.

Item 5:

24.3.11

c. Land Clearing, Landscaping, Vegetation Maintenance

Clearing of natural vegetation shall be limited to what is necessary for construction, operation and maintenance of the installation. Article 20, Low Impact Development Site Plan Approval shall apply, including to those installations requiring an Order of Conditions or Request for Determinations of Applicability issued by the Town of Westport Conservation Commission.

Herbicides shall not be used on site. Mowing or grazing farm animals shall be used to control vegetation under the solar array panels. Geotextiles may be used to control erosion.

The design and construction shall include suitable organic material for all disturbed areas to prevent erosion and support pollinator-friendly habitat vegetation. In the case where topsoil is removed, a minimum of four inches of native topsoil, or compostable mulch mix,
is replaced to facilitate plant growth and adequate coverage to control stormwater runoff.

Item 6:

24.3.11

d. Visual Impact

Siting of Large Scale Solar Energy Systems within the Residence-Agricultural District applicants shall consider the residential and farming character of the District, the larger general purpose of the Westport Zoning By-law to promote land uses compatible with that existing character and the avoidance of visual impacts that large scale solar energy systems, by their commercial or industrial nature, would have on District vistas.

Existing topography, plantings and natural landscaped buffers shall be used to minimize the visual impacts of large scale solar energy systems from residential uses, public streets or waterways. Large scale solar energy system designs shall not be approved unless the system design provides screening and buffers to protect scenic vistas and viewsheds from residential uses, public streets and waterways.

Structures shall be reasonably shielded from view by vegetation and/or joined and clustered to minimize adverse visual impacts. Landscaping, natural features, opaque fencing and other suitable methods shall be utilized. A screening plan shall be submitted ensuring that the solar arrays and any appurtenant structures are screened from roads and from adjacent lots by a minimum twenty-five (25) foot wide and five (5) foot tall staggered and grouped planting of shrubs and small trees within the setbacks. The Planning Board may alter or waive this requirement if such screening would have a detrimental impact on the operation and performance of the array, or would prove to be ineffective for the site. Fences may be required for safety and/or visual screening purposes with appropriate safety signage (see 24.3.11.b).

When possible, a diversity of plant species shall be used, with a preference for species native to New England. Use of exotic plants, as identified by the most recent copy of the “Massachusetts Prohibited Plant List” maintained by the Massachusetts Department of Agricultural Resources, is prohibited.

Such plantings shall use native plants and a mix of deciduous and evergreen species and may be located within the setback area. Said vegetative screening shall reach a mature form to effectively screen the installation within five years of installation. Planting of the vegetative screen shall be completed prior to final inspection and approval of the solar energy installation. A landscape maintenance bond may be required for two (2) growing seasons.
Pre-application clearing may negate the application for Large Scale Systems at the Planning Board’s discretion.

PLANNING BOARD