**Remove Solar Facilities from the Agricultural Zoning District. Have it in Industrial Zoning District only.**

**SOLAR DEFINITIONS**

**ACCESSORY SOLAR ENERGY SYSTEM**: An area of land or other area used for a solar energy system used to capture solar energy, convert it to electrical energy or thermal power and supply electrical or thermal power primarily for on- site use. Ground mounted or freestanding Solar Energy Systems with an output not capable of generating greater than 130% of the prior year’s Kilowatt hour (kWh) power consumption or 10kw, whichever is less, shall be considered Accessory Solar Energy Systems. Roof Mounted Solar Energy Systems on the roofs of buildings on-site used primarily for on-site use shall have no limit as to energy output. An accessory solar energy system consists of one (1) or more free- standing ground, or roof mounted solar arrays or modules, or solar related equipment and is intended to primarily reduce on-site consumption of utility power or fuels.

**GLARE:** The effect produced by light with an intensity sufficient to cause annoyance, discomfort, or loss in visual performance and visibility.

**SOLAR ARRAY:** A grouping of multiple solar modules with purpose of harvesting solar energy.

**SOLAR CELL:** The smallest basic solar electric device which generates electricity when exposed to light.

**SOLAR MODULE**: A grouping of solar cells with the purpose of harvesting solar energy.

**ACCESSORY SOLAR ENERGY SYSTEMS (ASES)**

**XXXX** ASES installers must certify they are listed as a certified installer on the PA Department of Environmental Protection’s (DEP) approved solar installer list or that they meet the criteria to be a DEP approved installer by meeting or exceeding one of the following requirements:

a. Is certified by the North American Board of Certified Energy Practitioners (NABCEP).

b. Has completed an Interstate Renewable Energy Council (IREC) Institute for Sustainable Power Quality (ISPQ) accredited PV training program or a PV manufacturer’s training program and successfully installed a minimum of three PV systems.

c. For residential applications, a registered home improvement contractor with the Attorney General’s office.

**XXXX** The owner of an ASES shall provide Franklin Township written confirmation that the public utility company to which the ASES will be connected has been informed of the customer’s intent to install a grid connected system and approved of such connection. Off-grid systems shall be exempt from this requirement.

**XXXX** The display of advertising is prohibited except for reasonable identification of the manufacturer of the system.

**XXXX** Solar Easements

a. Where a subdivision or land development involves the use of solar energy systems, solar easements may be provided. Said easements shall be in writing, and shall be subject to the same conveyance and instrument recording requirements as other easements.

b. Any such easements shall be appurtenant; shall run with the land benefited and burdened; and shall be defined and limited by conditions stated in the instrument of conveyance. Instruments creating solar easement shall include but not be limited to:

1. A description of the dimensions of the easement including vertical and horizontal angles measured in the degrees or the hours of the day, on specified dates, during which direct sunlight to a specified surface or structural design feature may not be obstructed;
2. Restrictions on the placement of vegetation, structures, and other objects which may impair or obstruct the passage of sunlight through the easement;
3. Enumerate terms and conditions, if any, under which the easement may be revised or terminated;
4. Explain the compensation for the owner of the real property subject to the solar easement for maintaining the easement and for the owner of the real property benefiting from the solar easement in the event of interference with the easement.

c. If required, an ASES owner and/or operator must obtain any solar easements necessary to guarantee unobstructed solar access by separate civil agreement(s) with adjacent property owner(s).

**XXXX** Prior to the issuance of a zoning permit, applicants must acknowledge in writing that the issuing of said permit for a solar energy system shall not and does not create in the property owner, its, his, her or their successors and assigns in title or, create in the property itself : (a) the right to remain free of shadows and/or obstructions to solar energy caused by development of adjoining or other property or the growth of any trees or vegetation on such property; or (b) the right to prohibit the development on or growth of any trees or vegetation on such property.

**SOLAR ENERGY FACILITY (SEF)**

**XXXX** SEF installers must certify they are listed as a certified installer on the PA Department of Environmental Protection’s (DEP) approved solar installer list or that they meet the criteria to be a DEP approved installer by meeting or exceeding one of the following requirements:

a. Is certified by the North American Board of Certified Energy Practitioners (NABCEP).

b. Has completed an Interstate Renewable Energy Council (IREC) Institute for Sustainable Power Quality (ISPQ) accredited PV training program or a PV manufacturer’s training program and successfully installed a minimum of three PV systems.

c. For residential applications, a registered home improvement contractor with the Attorney General’s office.

**XXXX** The owner of an SEF shall provide Franklin Township written confirmation that the public utility company to which the SEF will be connected has been informed of the customer’s intent to install a grid connected system and approved of such connection. Off-grid systems shall be exempt from this requirement.

**XXXX** A noise study will be performed and included in the application. The noise study will be performed by an independent noise study expert and paid for by the applicant. Noise from a SEF shall not exceed 45 dBA, as measured at the property line.

**XXXX** No trees or other landscaping otherwise required by the municipal ordinances or attached as a condition of approval of any plan, application, or permit may be removed for the installation or operation of a SEF.

1. An Operation and Maintenance Agreement is required.
2. A Maintenance Bond is required.

**XXXX** Prior to the issuance of a zoning permit, applicants must acknowledge in writing that the issuing of said permit for a solar energy system shall not and does not create in the property owner, its, his, her or their successors and assigns in title or, create in the property itself : (a) the right to remain free of shadows and/or obstructions to solar energy caused by development of adjoining or other property or the growth of any trees or vegetation on such property; or (b) the right to prohibit the development on or growth of any trees or vegetation on such property.

**XXXX** Solar Easements

a. Where a subdivision or land development proposes a SEF, solar easements may be provided. Said easements shall be in writing, and shall be subject to the same conveyance and instrument recording requirements as other easements.

b. Any such easements shall be appurtenant; shall run with the land benefited and burdened; and shall be defined and limited by conditions stated in the instrument of conveyance. Instruments creating solar easement shall include but not be limited to:

1. A description of the dimensions of the easement including vertical and horizontal angles measured in the degrees or the hours of the day, on specified dates, during which direct sunlight to a specified surface or structural design feature may not be obstructed;
2. Restrictions on the placement of vegetation, structures, and other objects which may impair or obstruct the passage of sunlight through the easement;
3. Enumerate terms and conditions, if any, under which the easement may be revised or terminated;
4. Explain the compensation for the owner of the real property subject to the solar easement for maintaining the easement and for the owner of the real property benefiting from the solar easement in the event of interference with the easement.

c. If necessary, a SEF owner and/or operator must obtain any solar easements necessary to guarantee unobstructed solar access by separate civil agreement(s) with adjacent property owner(s).

**XXXX** If a ground mounted SEF is removed, any earth disturbance resulting from the removal must be graded and reseeded.