



**TOWN OF LITTLETON
COMMERCIAL SOLAR PV INSTALLATION
SPECIAL PERMIT CHECKLIST**

Littleton Town Offices
37 Shattuck Street
Room 303
Littleton, MA 01460
(978) 540-2425

Project Address _____

Applicant _____

Application Date _____

Date Public Hearing Opens _____

Project Description: _____

PLANNING BOARD ACTION

APPROVED

APPROVED WITH CONDITIONS

DISAPPROVED

By vote of the Littleton Planning Board

_____ Date: _____

Special Permit Decision Filed with Town Clerk _____

COMMERCIAL SOLAR PHOTOVOLTAIC INSTALLATION: A solar photovoltaic system that is mounted on the ground, roof, or structure; and generates electric power onto the Littleton Electric Light Department's (LELD) distribution system for sale to LELD or others.

M.G.L. c.40A, §3, ninth par. states as follows:

No zoning ordinance or by-law shall prohibit or unreasonably regulate the installation of solar energy systems or the building of structures that facilitate the collection of solar energy, except where necessary to protect the public health, safety, or welfare.

M.G.L. c.40A, §1A defines "solar energy system" as:

A device or structural design feature, a substantial purpose of which is to provide daylight for interior lighting or provide for the collection, storage and distribution of solar energy for space heating or cooling, electricity generating, or water heating.

ARTICLE XXVI, Section 173-180 through 173-184

Parcel is located in Zoning District _____

Lot Size: _____ (3-acre minimum)

Application Materials:

Application form signed by the property owner

Plans and drawings

Specifications

Fees

Any additional information required _____

Zoning Requirements:

a. Setback

b. Yard

c. Buffer

d. Screening

Security Fence Setback

Site Plan Review Required **SEE SEPARATE SITE PLAN REVIEW CHECKLIST**

Visual Impact:

Architecturally Compatible

Shaded from View

Clustered Structures

Landscaping

Natural Features

Fencing

Lighting:

Directed Downward

Full Cut-off Fixtures

Utility Connections:

Underground

Littleton Electric Requirements:

- Qualifying Facility Power Purchase Rate
- Standards of Interconnecting Distributed Generation

Natural Vegetation:

- Clearing of Natural Vegetation Limited

Maintenance Requirements:

- Maintenance Details Provided

Discontinuance Procedure:

- Discontinuance Procedure Outlined

Determinations:

- Not detrimental to the neighborhood
- Not detrimental to the Town
- Environmental features are protected
- Adequate surface water drainage
- Harmony with general purpose and intent of bylaw

Performance Bond:

- Bond Estimate
- Bond Posted

Findings:

- Promote public health, safety, convenience and welfare
- Appropriate use of land
- Not injurious, noxious, offensive or detrimental to the neighborhood

Section 173-7 Criteria: (required for all Special Permits)

- No significant nuisance, hazard or congestion
- No substantial harm to neighborhood
- No derogation from the intent of the zoning bylaw

NOTES from the Town Counsel: When applying Article XXVI, the Planning Board should note that

M.G.L. c.40A, §3, ninth par. limits the powers it typically wields as a special permit granting authority. A special permit usually can be denied if the applicable standards are not satisfied. But in the case of a solar energy system a denial would result in a prohibition, and therefore violate M.G.L. c.40, §3, ninth par., unless the denial could be deemed “necessary to protect the public health, safety or welfare.”

Furthermore, the Planning Board usually can attach conditions to a special permit. This remains true in the case of a solar energy system, although the Planning Board needs to engage in the added consideration of whether a set of conditions rises to the level of “unreasonably regulating” or perhaps even prohibiting, the protected use.

Accordingly, the Planning Board needs to exercise some care to ensure that Article XXVI is applied in a manner consistent with M.G.L. §3, ninth par.

POLICY ON TRAFFIC & PEDESTRIAN MITIGATION

Calculated Fee (\$100 per parking space) _____

Fee Paid

Fee Waived

DRAWING REQUIREMENT: §173-17: Littleton Zoning Bylaw

Boundary Lines
Adjacent streets and ways shown
Topography, existing and proposed
Structures, existing and proposed
Walkways
Principal drives
Service entries
Parking
Landscaping
Screening
Park or recreation areas
Utilities:
a. Water
b. Electricity
c. Gas
d. Telephone

Sanitary sewerage

Storm drainage

Seal of registered Architect, Landscape Architect, or Professional Engineer

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DESIGN REQUIREMENTS §173-18

Internal Circulation safe
Egress safe
Access via minor streets minimized
Visibility of parking areas minimized
Lighting avoids glare
Major topography change, tree removal minimized
Adequate access to each structure for emergency equipment
Utilities adequate
Drainage adequate

Screened from abutting residential uses, public ways (§173-32, C.3) for 8 or more cars

§ 173-33: Loading Requirements

No need for trucks to back onto or off a public way

No need for trucks to park on a public way while loading, unloading, or waiting to do so

§ 173-34: Sign Regulation administered by Board of Selectmen, not included in Site Plan Review.

§ 173-43: Landscaping and Screening

Outdoor sales display, commercial outdoor recreation screened

Industrial “A” buffer provided

Corner vision clear

Exterior lighting complies

SPECIAL REGULATIONS

§ 173-52: Motor Vehicle Services

Requirements met, if applicable

§ 173-53: Accessory Uses

Floor and Land area requirements met, if applicable

173-61: Aquifer and Water Resource District

Aquifer District applicable

Water Resource District applicable

Regulations met, if applicable (See separate checklist)

173-72: Wetlands and Flood Plain Regulations

Wetlands and flood plain regulations met, if applicable

173-78: Noise Regulations

Applicant informed of existence of requirements