



Building Permit Application

Solar Energy: Tier 1, Tier 2, or Tier 3

PLEASE READ ALL OF THE FOLLOWING INSTRUCTIONS

The work covered under this application may not be commenced before the issuance of a building permit.
This application must be completely filled out and submitted to the Code Enforcement Officer.

SURVEY:

- Applicant must attach a survey (preferred) or a detailed sketch (to scale) showing the location of all buildings and structures on the parcel, location and size of all proposed new construction, distances from lot lines, placement of the well and septic system. (See attached sample).

PLANS:

- This application must be accompanied by a "detailed set of plans drawn to scale" showing proposed construction including a complete set of specification. Plans and Specifications shall describe the nature of the work to be performed. The materials and equipment to be used and installed. Also, details of structural, mechanical, electrical and plumbing installations with computations included.
 - The following must have plans and specifications including a New York State Architect or Engineers Seal.
 - Construction of 1500 square feet or more
 - Construction costing \$20,000 or more
 - Commercial/Industrial construction

PERMIT LOCATION:

- Upon approval of this permit, the "permit poster" must be posted on site in a visible area assessable to the Code Enforcement Officer.
 - During the inspection points (shown on back of permit poster) the CEO will initial the inspection performed.

CERTIFICATE OF OCCUPANCY/COMPLIANCE:

- No building shall be occupied in whole or part for any purpose until a Certificate of Occupancy has been issued by the Code Enforcement Officer.

PERMIT LENGTH:

- This permit shall be effective for a period of one year from the date of issue. Upon request, two six month extensions may be given at a cost of \$75.00 per extension for residential application. For commercial applications the extension fee is 10 per cent of the building permit fee. However, if the permit expires then the "original full amount" must be paid.

AMENDMENTS DURING CONSTRUCTION:

- Amendments to the application or to the plans and specifications accompanying the same may be filed at any time prior to the completion of the work; subject to the approval of the Code Enforcement Officer.

Application shall be made by the owner, agent, architect, engineer, or builder employed in connection with the proposed work. If application is made by a person other than owner, it shall be accompanied by an affidavit of the owner that the application and proposed work is authorized by the owner and that the owner authorizes the applicant to permit the CEO to enter premises without a search warrant.

PLEASE BE CERTAIN OF THE ZONING REGULATIONS THAT ARE IN EFFECT FOR THE AREA YOU ARE PLANNING TO BUILD IN.
CONTRACTOR OR OWNER MUST CALL FOR INSPECTIONS AS NEEDED. A MINIMUM OF 24 HR. NOTICE IS NEEDED.

NOTE: IT IS THE RESPONSIBILITY OF THE OWNER OR CONTRACTOR TO CONTACT UNDERGROUND UTILITIES BEFORE ANY TYPE OF EXCAVATING. DIG SAFELY 1-800-962-7962

Solar Energy System: The components and subsystems required to convert solar energy into electric suitable for use. The term includes, but is not limited to, Solar Panels and Solar Energy Equipment. The area of a Solar Energy System includes all the land inside the perimeter of the Solar Energy System, which extends to any interconnection equipment. A Solar Energy System is classified as a Tier 1, Tier 2, or Tier 3 Solar Energy System as follows:

- A. Tier 1 Solar Energy Systems include the following:
 - a. Roof-Mounted Solar Energy Systems
 - b. Building-Integrated Solar Energy Systems
- B. Tier 2 Solar Energy Systems include Ground-Mounted Solar Energy Systems with system capacity up to 25 kW AC and that generate no more than 110% of the electricity consumed on the site over the previous 12 months
- C. Tier 3 Solar Energy Systems are systems that are not included in the list for Tier 1 and Tier 2 Solar Energy Systems.

Solar Panel: A photovoltaic device capable of collecting and converting solar energy into electricity.

Storage Battery: A device that stores energy and makes it available in an electrical form.

GENERAL REQUIREMENTS

- A. A Building permit shall be required for installation of all Solar Energy Systems.
- B. The Planning Board is encouraged to condition their approval developments on sites adjacent to Solar Energy Systems so as to protect their access to sufficient to remain economically feasible over time.
- C. Issuance of permits and approvals by the Planning Board shall include review pursuant to the State Environmental Quality Review Act [ECL Article 8 and its implementing regulations at 6 NYCRR Part 617 ("SEQRA")]

PERMITTING REQUIREMENTS FOR TIER 1 SOLAR ENERGY SYSTEMS

All Tier 1 Solar Energy Systems shall be permitted in all zoning districts and shall be exempt from site plan review under the local zoning code or other land use regulation, subject to the following conditions for each type of Solar Energy Systems:

A. Roof-Mounted Solar Energy Systems

- 1) Roof-Mounted Solar Energy Systems shall incorporate, when feasible, the following design requirements:
 - a. Solar Panels on pitched roofs shall be mounted with a maximum distance of 8 inches between the roof surface and the highest edge of the system.
 - b. Solar Panels on pitched roofs shall be installed parallel to the roof surface on which they are mounted or attached.
 - c. Solar Panels on pitched roofs shall not extend higher than the highest point of the roof on which they are mounted or attached.
 - d. Solar Panels on flat roofs shall not extend above the top of the surroundings parapet, or more than 24 inches above the flat surface of the roof, whichever is higher.
- 2) Safety: In order to ensure firefighter and other emergency responders' safety, except in the case where solar panels are installed on an accessory structure less than 1,000 sq. ft in area there shall be a minimum perimeter area around the edge of the roof and 18-inch pathways to provide space on the roof for walking around solar collectors and panels.

- 3) Glare: All Solar Panels shall have anti-reflective coating(s).
 - 4) All Roof-Mounted Solar Energy Systems shall be subject to the maximum height regulations specified for principal and accessory buildings within the underlying zoning district.
- B. Building-Integrated Solar Energy Systems shall be shown on the plans submitted for the building permit application for the building containing the system.

PERMITTING REQUIREMENTS FOR TIER 2 SOLAR ENERGY SYSTEMS

All Tier 2 Solar Energy Systems shall be permitted in all zoning districts as accessory structures and shall be subject to site plan review under the local zoning code or other land use regulations, subject to the following conditions:

- A. Glare: All Solar Panels shall have anti-reflective coating(s).
- B. Setbacks: Tier 2 Solar Energy Systems shall be subject to the setback regulations specified for the accessory structures within the underlying zoning district. All Ground-Mounted Solar Energy Systems shall only be installed in the side or rear yards in residential districts.
- C. Height: Tier 2 Solar Energy Systems shall be subject to the height limitations specified for accessory structures within the underlying zoning district.
- D. Screening and Visibility.
 - 1) All Tier 2 Solar Energy Systems shall have views minimized from adjacent properties to the extent reasonably practicable.
 - 2) Solar Energy Equipment shall be located in a manner to reasonably avoid and/or minimize blockage of views from surrounding properties and shading of property to the north, while still providing adequate solar access.
- E. Lot Size: Tier 2 Solar Energy Systems shall comply with the existing lot size requirement specified for accessory structures within the underlying zoning district.

PERMITTING REQUIREMENTS FOR TIER 3 SOLAR ENERGY SYSTEMS

All Tier 3 Solar Energy Systems are permitted through the issuance of a special use permit within the agricultural and industrial zoning districts, and subject to site plan application requirements set forth in this Section.

- A. Applications for the installation of Tier 3 Solar Energy Systems shall be:
 - 1) Reviewed by the Planning Board for completeness. Applicants shall be advised within 30 business days of the completeness of their application or any deficiencies that must be addressed prior to substantive review.
 - 2) Subject to a public hearing to hear all comments for and against the application. The Planning Board of the Town of Volney shall have a notice printed in a newspaper of general circulation in the Town at least 5 days in advance of such hearing. Applicants shall have delivered the notice by first class mail to adjoining landowners or landowners within 200 feet of the property at least 10 days prior to such a hearing. Proof of mailing shall be provided to the Planning Board at the public hearing.
 - 3) Referred to the Oswego County Department of Community Development, Tourism, & Planning pursuant to General Municipal Law Section 239-m if required.
 - 4) Upon closing of the public hearing, the Planning Board shall take action on the application within 62 days of the public hearing, which can include approval, approval with conditions, or denial. The 62-day period may be extended upon consent by both the Planning Board and applicant.
- B. Underground Requirements. All on-site utility lines shall be placed underground to the extent feasible and as permitted by the serving utility, with the exception of the main service connection at the utility company right-of-way and any new interconnection equipment, including without limitation any poles, with new easements and right-of-way.
- C. Vehicular Paths. Vehicular paths within the site shall be designed to minimize the extent of impervious materials and soil compaction.

D. Signage.

- 1) No signage or graphic content shall be displayed on the Solar Energy Systems except the manufacture's name, equipment specification information, safety information, and 24-hour emergency contact information. Said information shall be depicted within an area no more than 8 square feet.
- 2) As required by National Electric Code (NEC), disconnect and other emergency shutoff information shall be clearly displayed on a light reflective surface. A clearly visible warning sign concerning voltage shall be placed at the base of all pad-mounted transformers and substations.

E. Glare. All Solar Panels shall have anti-reflective coating(s).

F. Lighting. Lighting of the Solar Energy Systems shall be limited to what is minimally required for safety and operational purposes and shall be reasonably shielded and downcast from abutting properties.

G. Tree-cutting. Removal of existing trees larger than 6 inches in diameter should be minimized to the extent possible.

H. Decommissioning.

- 1) Solar Energy Systems that have been abandoned and/or not producing electricity for a period of 1 year shall be removed at the Owner and/or Operations expense, which at the Owner's option may come from any security made with the Town as set forth in Section 10(b) herein.
- 2) A decommissioning plan (see Appendix 4) signed by the owner and/or operator of the Solar Energy System shall be submitted by the applicant, addressing the following:
 1. The cost of removing the Solar Energy System.
 2. The time required to decommission and remove the Solar Energy System any ancillary structures.
 3. The time required to repair any damage caused to the property by the installation and removal of the Solar Energy System.
- 3) Security.
 1. The deposit, executions, or filing with the Town Clerk of cash, bond, or other form of security reasonably acceptable to the Town Attorney and/or Engineer, shall be in an amount sufficient to ensure the good faith performance of the terms and conditions of the permit issued pursuant hereto and to provide for the removal and restorations of the site subsequent to removal. The amount of the bond or security shall be 125 % of the cost of removal of the Tier 3 Solar Energy System and restoration of the property with an escalator of 2% annually for the life of the Solar Energy System. The decommissioning amount shall be reduced by the amount of the estimated salvage value of the Solar Energy System.
 2. In the event of default upon performance of such conditions, after proper notice and expiration of any cure periods, the cash deposit, bond, or security shall be forfeited to the Town, which shall be entitled to maintain an action thereon. The cash deposit, bond, or security shall remain in full force and effect until restoration of the property as set forth in the decommissioning plan is completed.

In the event of default or abandonment of the Solar Energy System, the system shall be decommissioned as set forth in Section 10(b) and 10(c) herein

Site Plan Application. For any Solar Energy System requiring a Special Use Permit, site plan approval shall be required. Any site plan application shall include the following information:

- 1) Copies of the Special Use Permit application and the application fees shall be paid at the time of submission.
- 2) A survey prepared by a licensed surveyor or engineer showing property lines and physical features, including roads, for the project site.
- 3) Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, and screening vegetation or structures.
- 4) State Environmental Quality Review Act (SEQRA) Environmental Assessment Form (EAF).
- 5) The proposed intent and capacity of energy generation as well as a justification for the height need of any Solar Energy System and justification for any clearing required.
- 6) A one- or three-line electrical diagram detailing the Solar Energy System layout, solar collector installation, associated components, and electrical interconnection methods, with all National Electrical Code compliant disconnects and over current devices.
- 7) A preliminary equipment specification sheet that documents all proposed solar panels, significant components, mounting systems, and inverters that are to be installed. A final equipment specification sheet shall be submitted prior to the issuance of building permit.
- 8) Name, address, and contact information of proposed or potential system installer and the owner and/or operator of the Solar Energy System. Such information of the final system installer shall be submitted prior to the issuance of the building permit.
- 9) Name, address, phone number, and signature of the project applicant, as well as all the property owners, demonstrating their consent to the application and the use of the property for the Solar Energy System.
- 10) Zoning district designation for the parcel(s) of land comprising the project site.
- 11) Property Operation and Maintenance Plan. Such plan shall describe continuing photovoltaic maintenance and property upkeep, such as mowing and trimming.
- 12) Erosion and sediment control and storm water management plans prepared to New York State Department of Environmental Conservation standards, if applicable, and to such standards as may be established by the Planning Board.
- 13) The Zoning Board of Appeals of the Planning Board have the right to hire a consultant at the applicant's expense.
- 14) Prior to the issuance of the building permit or final approval by the Planning Board, but not required as part of the application, engineering documents must be signed and sealed by a New York State (NYS) Licensed Professional Engineer or NYS Registered Architect.

PERMIT TIME FRAME AND ABANDONMENT

- A. The Special Use Permit and site plan approval for a Solar Energy System shall be valid for a period of 12 months, provided that a building permit is issued for construction [or] construction is commenced. In the event construction is not completed in accordance with the final site plan, as may have been amended and approved, as required by the Planning Board, within 12 months after approval, the applicant or the Town may extend the time to complete construction for 180 days. If the owner and/or operator fails to perform substantial construction after 18 months, the approvals shall expire.
- B. Upon cessation of electricity generation of a Solar Energy System on a continuous basis for 12 months, the Town may notify and instruct the owner and/or operator of the Solar Energy System to implement the decommissioning plan. The decommissioning plan must be completed within 360 days of notification.
- C. If the owner and/or operator fails to comply with decommissioning upon any abandonment, the Town may, at its discretion, utilize the bond and/or security for the removal of the Solar Energy System and restoration of the site in accordance with the decommissioning plan.

ENFORCEMENT

Any violation of this Solar Energy Law shall be subject to the same enforcement requirements, including the civil and criminal penalties, provided for in the zoning or land use regulations of the Town of Volney.

It is not intended by this local law to repeal, except as herein stated, abrogate or impair existing conditions previously made or permits previously issued relating to the use of buildings or premises or to impair or interfere with any easements, covenants or agreements existing between parties. Except as otherwise provided herein, whenever this local law imposes a greater regulation upon the use of buildings or premises than is required by existing provisions of law, ordinance, regulations or permits, or by such easements, covenants or agreements, the provisions of this local law shall control.

PENALTIES

Any person who violates any provision of this Local Law shall be guilty of an offense and shall upon conviction be subject to a fine of not less than one hundred (\$100.00) dollars or more than five hundred (\$500.00) dollars for the first offense. The penalty for second or subsequent offenses shall not be less than five hundred (\$500.00) dollars or more than one thousand (\$1,000.00) dollars or imprisonment for a period of fifteen (15) days or both such fine and imprisonment. Each day such violation is permitted to continue after notification of violation shall constitute a separate offense and shall be punishable as such.

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.

APPENDIX 1 Lot Size Requirements

The following table displays the size requirements of the lot for Ground-Mounted Solar Energy Systems to be permitted.

Zoning District	Tier 3 Solar Energy System
Residential 1	≥ 2 acres
Residential 2	-
Commercial	≥ 5 acres
Industrial	N/A
Agricultural	≥ 5 acres

Key:

-: Not Allowed

N/A: Not Applicable

APPENDIX 2 Parcel Line Setbacks

The following table provides parcel line setback requirements for Ground-Mounted Solar Energy Systems. Fencing, access roads and landscaping may occur within the setback.

Tier 3 Ground-Mounted			
Zoning District	Front	Side	Rear
Residential 1	100'	100'	100'
Residential 2	-	-	-
Commercial	30'	15'	25'
Industrial	30'	15'	25'
Agricultural	30"	15"	25"

Key:

-: Not Allowed

APPENDIX 3
Height Requirements

The following table displays height requirements for each type of Solar Energy Systems. The height of systems will be measured from the highest natural grade below each solar panel.

Zoning District	Tier 1 Roof-Mounted	Tier 2	Tier 3
Residential 1	2' above roof	10'	15'
Residential 2	2' above roof	10'	-
Commercial	4' above roof	15'	20'
Industrial	4' above roof	15'	20'
Agricultural	2' above roof	15'	20'

Key:

-: Not Allowed



APPLICATION FOR SOLAR PERMIT Tier I, Tier II or Tier III

(This upper section for office use only)

DATE SUBMITTED: _____ PERMIT # _____

TAX MAP # _____

DATE APPROVED: _____ APPROVED BY: _____

DATE DENIED: _____ REASON: _____

FEE: \$ _____ ZONING DIST: _____

Non- Building Permit FEE: \$ _____

Application is hereby made to the Code Enforcement Officer for the issuance of a building permit pursuant to all applicable codes, ordinances, and laws regulating the government erection, construction, enlargement, addition, alteration, repair, replacement, improvement, removal, demolition, conversion and change in the nature of the occupancy of any building or structure within the boundaries of the Town of Volney, at the below listed location.

ADDRESS OF PROPERTY: _____

PROPERTY OWNER: _____ PHONE: _____

MAILING ADDRESS: _____

NATURE OF WORK:

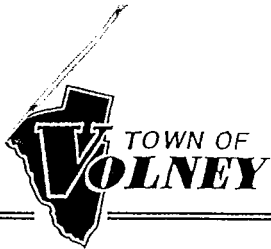
ESTIMATED VALUE OF ALL WORK, MATERIALS AND LABOR FOR PROPOSED PROJECT:

\$ _____

The below signed applicant has read the instructions for application for the building permit and the instructions contained therein, and to the best of his/her knowledge the information given and accompanying this application for a building permit is accurate and true. The applicant agrees to comply with all applicable laws, ordinances and regulations, that all statements contained on this application are true to the best of his/her knowledge and belief and that the work will be performed in the manner set forth in the application and in plans and specification filed therewith.

PRINT NAME & DATE

SIGNATURE OF APPLICANT



CONTRACTOR INFORMATION FORM

(MUST BE FILLED OUT)

TYPE OF CONTRACTOR: _____

CONTRACTOR NAME: _____

CONTRACTOR ADDRESS: _____

CONTRACTOR PHONE #: _____

CONTACT PERSON: _____

PROOF OF WORKERS COMPENSATION CERTIFICATE: **MUST FAX OR BRING IN WITH APPLICATION**

PROOF OF LIABILITY POLICY: **MUST FAX OR BRING IN WITH APPLICATION**

POLICY EXPIRATION DATE: _____

INSTALLER'S LICENSE CERTIFICATE: _____

NAME OF ELECTRICAL CONTRACTOR: _____

NAME OF ELECTRICAL INSPECTION AGENCY: _____

NAME OF PLUMBING CONTRACTOR: _____

ALL SHEETS TO PACKET MUST BE "COMPLETED IN FULL" BEFORE PERMIT CAN BE ISSUED.

FAILURE TO DO SO MAY CAUSE A DELAY IN THE ISSUANCE OF THE PERMIT.



Please KEEP this page for "informational" purposes

Do Not Submit with Permit Application

ELECTRICAL INSPECTION INSTRUCTIONS

An inspection by a "Certified Electrical Inspector" must be completed prior to the installation of insulation and gypsum wallboard or covered by any building material. Below is a list of approved agencies providing this service.

- **MEC ELECTRIC – 342-1322**
- **MARK GREER – 564-7127**
- **ROBERT GROFF, JR. – 1-800-487-0535**
- **CHRIS EMMONS – 806-5281**
- **LARRY KINNE – 633-0027**
- **N.Y. BOARD OF FIRE UNDERWRITERS - 463-8552**
- **TIM BIRMHINGHAM: 964-1276**
- **RICHARD ZYJEWSKI - SYRACUSE 635-2373**

Inspection results "must be submitted" to the Code Enforcement Officer before a Certificate of Occupancy can be issued.

SEPTIC SYSTEM INSTRUCTIONS

Requirements are per New York State Department of Health Waste Treatment Handbook – Individual household systems.

A deep hole and percolation test must be performed. This must be done by a "New York State registered Engineer, Architect, Land Surveyor or other approved individual. Below is a partial list of individuals providing this service.

- | | |
|--------------------------------------|-----------------|
| ◦ RUSSELL GETMAN | 564-5790 |
| ◦ JOSEPH MASTROIANNI | 278-0261 |
| ◦ BRENDAN McELLIGOTT | 426-0978 |
| ◦ DOUG LEHR | 451-3333 |
| ◦ ROBERT WOOD L.S. & P.E. | 342-0093 |
| ◦ JOHN ERKAN, P.E. | 342-4852 |
| ◦ JAMES BURKE | 506-5242 |
| ◦ PETE REILMAN | 685-1964 |
| ◦ RICHARD SCHOECK | 675-3690 |

Test results along with system design plans (Approved by the Oswego Co. Health Dept.) must be submitted before construction on the system begins. Final Inspection of the system must be done before the system is back-filled, by either the engineer who designed the system or the Building Inspector.

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