



Town of Hamden

Planning and Zoning Department

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Town Planner

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To Whom It May Concern:

On behalf of the Department of Planning and Zoning for the Town of Hamden, I am writing to clarify certain policies and procedures that the Town of Hamden uses to permit solar projects.

The purpose of this memo is to review the zoning requirements that directly affect solar energy systems in Hamden as well as address any gaps. More importantly, this memo provides guidance to property owners submitting applications to the Town of Hamden for the installation of solar systems. The objective of these clarifications is to maintain the purpose and intent of the Town's regulations, while accommodating the need for solar access to the greatest extent possible. Hamden Zoning Regulations can be found on the Department's website or here:

http://hamden.com/filestorage/7089/7093/7091/7121/7242/Zoning_Regulations_Effective_08-17-17_Produced_08-07-17.pdf

With regard to the SolSmart application criteria PZD-1 and PZD-2, please note the following clarifications for the town's pending SolSmart application. I have attached a list of relevant definitions to this letter.

PERMITTING

Building-mounted solar systems in all Zones are exempt from requiring a zoning permit and are approved administratively by the Zoning Department.

Ground-mounted solar systems no greater than 6 feet high are exempt from requiring a zoning permit and are approved administratively by the Zoning Department. The minimum size to be considered a structure is over 6 feet according to the definition of a Structure in the Zoning Regulations.

Ground-mounted solar systems greater than 6 feet high are treated as accessory structures and therefore subject to setback and height requirements. Applicants must submit a zoning permit application to show that applicable setback and height requirements have been met. Please see below for accessory structure requirements:

- All R Zones "Residential": Section 220 Table 2.4 and Table 2.5
- All T Zones "Transect": Section 370 Table 3.4 Setbacks- Outbuildings
- Zone M "Manufacturing": Section 380.1 Table 3.5

Solar fields involving municipal land or property owned by utilities require Special Permits. Solar fields atop buildings also require a Special Permit. All non-residential uses shall require Special Permit review and approval by the Commission. Standards and procedures for Special Permits can be found in Section 718 of the Zoning Regulations.

PROCESS AND TIMELINE

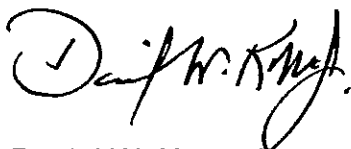
In general, Zoning permits take less than a week and are reviewed by Department staff. Special Permits take about 2.5 months and are reviewed by the Planning and Zoning Commission.. All applications must be complete upon submittal. These timelines are approximations and are not guaranteed.

GAPS and PROCEDURES

Although "solar energy systems" are not included as an allowable accessory use in the zoning regulations, this letter serves as clarification that solar energy systems are allowed by-right in all major zones, given they meet the relevant criteria noted above, for Administrative Approval. Solar energy systems that do not meet the above criteria for Administrative Approval are permitted, subject to additional review and possible public hearing. Decisions on future solar permit applications shall reflect the process outlined above and the spirit of this process, free from staff discretion. The Planning and Zoning Department is committed to promoting future growth of solar energy and supporting appropriate solar by-right uses in future opportunities to amend the zoning code.

Please contact the Department of Planning and Zoning for any additional clarifications.

Sincerely,



Daniel W. Kops, Jr.
Town Planner

DWK:tbm

Attachment: List of Relevant Definitions

ATTACHMENT

LIST OF RELEVANT DEFINITIONS:

Outbuilding: An accessory building, usually located toward the rear of the same lot as a principal building, and sometimes connected to the principal building by a back building.

Array: Any number of electrically connected photovoltaic (PV) modules providing a single electrical output.

Building-Mounted System: A solar photovoltaic system attached to any part or type of roof on a building or structure that has an occupancy permit on file with the town and that is either the principal structure or an accessory structure on a recorded property. This system also includes any solar-based architectural elements.

Ground-Mounted System: A solar photovoltaic system mounted on a structure, pole or series of poles constructed specifically to support the photovoltaic system and not attached to any other structure.

Kilowatt (kW): A unit of electrical power equal to 1,000 Watts, which constitutes the basic unit of electrical demand. A watt is a metric measurement of power (not energy) and is the rate (not the duration) at which electricity is used. 1,000 kW is equal to 1 megawatt (MW).

Module: A module is the smallest protected assembly of interconnected PV cells.

Photovoltaic (PV): A semiconductor based device that converts light directly into electricity.

Solar Photovoltaic (PV) System: A solar collection system consisting of one or more building- and/or ground-mounted systems, solar photovoltaic cells, panels or arrays and solar related equipment that rely upon solar radiation as an energy source for collection, inversion, storage and distribution of solar energy for electricity generation

Solar fields: a building- or ground-mounted solar system that is of utility-scale. There is no approximate kW, however, systems of significant size will be considered a "solar field" and a Special Permit will be required.

Structure: Anything constructed, formed or erected. A walled and roofed building that is principally above ground, a manufactured home, a gas or liquid storage tank, or other man-made facility or infrastructure, for occupancy, ornamentation or visual communication, whether installed on, above, or below the surface of land or water. Except as otherwise indicated structure shall be deemed to include buildings, swimming pools, tennis courts, signs, fences and walls more than 6 feet high other than retaining walls.

Major Zones: R-1, R-2, R-3, R-4, R-5, M, T-2, T-3 & T-3.5, T-4, T-5