

## **21.50 Renewable or Alternative Energy Research and Development Facilities, or Manufacturing Facilities Overlay District (RDMOD)**

*(Adopted: Article 3., November 19, 2018 Special Town Meeting)*

### **21.50.1 Purpose and Intent**

21.50.1.1 The purpose of this Section 21.50, RDMOD, is to create a zoning overlay district that allows certain permitted uses involving renewable and alternative energy, to provide standards for the placement, design, construction, operation, monitoring, modification, and maintenance of such installations, to establish the process and procedures for review and approval of an installation, to address public safety, minimize impacts on scenic, natural and historic resources, and provide adequate financial assurance for the installation, operation, and maintenance of all Renewable or Alternative Energy Research and Development Facilities, or Manufacturing Facilities.

21.50.1.2 All development in the RDMOD shall be per “As of Right Siting”.

21.50.1.3 The requirements set forth in this Section 21.50 shall establish the set of standards that apply to the construction, operation, and maintenance of Renewable or Alternative Energy Research and Development Facilities, or Manufacturing Facilities in the RDMOD and the process and procedures for Site Plan review and approval of an application for such facilities in the RDMOD.

21.50.1.4 If an applicant does not receive Renewable or Alternative Energy Research and Development Facilities, or Manufacturing Facilities Site Plan Review approval or such approval lapses, then all requirements of the underlying district shall apply to the land and this alternative set of standards for the construction, operation, and maintenance Renewable or Alternative Energy Research and Development Facilities, or Manufacturing Facilities of GMSP Installations shall not apply.

21.50.1.5 The Planning Board is the Site Plan Review Authority (SPRA) for all applications for Facilities in the RDMOD defined in this article of the Bylaws.

21.50.1.6 An application for Renewable or Alternative Energy Research and Development Facilities, or Manufacturing Facilities shall follow all Planning Board processes and procedures for a Site Plan Review as defined by The Town of Rochester Bylaws Section 22.10 Site Plan Review, unless either listed as an exception or modified by this article.

## 21.50.2 Applicability

21.50.2.1 Section 21.50 shall apply to proposal(s) for Site Plan Review and approval of Renewable or Alternative Energy Research and Development Facilities, or Manufacturing Facilities in the RDMOD, after the effective date of this Section 21.50.

21.50.2.2 Location of RDMOD: The RDMOD shall be comprised of The Town of Rochester Industrial Zone in its entirety. The RDMOD is shown on a map entitled "Town of Rochester, Zoning Map", which map is hereby incorporated by reference in and made part of this Zoning Bylaw.

### 21.50.3 Definitions

21.50.3.1 As-of-Right Siting: As-of-Right Siting shall mean that development may proceed without the need for a special permit, variance, amendment, waiver, or other discretionary approval from Site Plan Review.

21.50.3.2 Site Plan Review Authority (SPRA): The Rochester Planning Board is the SPRA for Renewable or Alternative Energy Research and Development Facilities, or Manufacturing Facilities.

21.50.3.3 Renewable or Alternative Energy Research and Development Facilities, or Manufacturing Facilities Site Plan Review: A review and approval by the Site Plan Review Authority ("SPRA") to determine conformance with the Town's Zoning Bylaw.

21.50.3.4 Research and Development Facilities: Facilities used primarily for research, development, and/or testing of innovative information, concepts, methods, processes, materials or products. This can include the design, development, and testing of biological, chemical, electrical, magnetic, mechanical, and/or optical components in advance of product manufacturing. The accessory development, fabrication, and light manufacturing of prototypes, or specialized machinery and devices integral to research or testing may be associated with these uses.

21.50.3.5 Manufacturing facilities: Those used primarily for heavy or light industry or the manufacture or assembly of a product including processing, blending, fabrication, assembly, treatment and packaging.

## 21.50.4 Compliance with Laws, Bylaws and Regulations

21.50.4.1 Renewable or Alternative Energy Research and Development Facilities, or Manufacturing Facilities Site Plan Review: Prior to obtaining a building permit, construction, installation or modification of Renewable or Alternative Energy Research and Development Facilities, or Manufacturing Facilities Installations shall undergo Site Plan Review by the SPRA pursuant to Section 22.10 of The Town of Rochester Bylaws, with the exception of those changes as described within this Section 21.50.

21.50.4.2 In accordance with Section 22(c) of the Massachusetts Green Communities Act, Renewable or Alternative Energy Research and Development Facilities, or Manufacturing Facilities Site Plan Review shall be expedited and no decision shall be rendered more than one (1) year after the date of filing of a complete application, as determined by the SPRA.

## 21.50.5 Application and Plan Requirements

21.50.5.1 Subject to submittal requirements detailed in the Planning Board's "Site Plan Review Application," a completed application for Renewable or Alternative Energy Research and Development Facilities, or Manufacturing Facilities Site Plan Review shall be filed with the SPRA. Along with receipt of an application, the SPRA may engage, at the applicant's cost, professional and technical consultants, including legal counsel, to assist the SPRA with its review of the application, in accordance with the requirements of G.L. c.44, §530. The SPRA may direct the applicant to deposit funds with the SPRA for such review at the time the application is determined to be complete, and may direct the applicant to add additional funds as needed upon

notice. Failure to comply with this section shall be valid grounds for denying the application. Upon approval of the application, any excess amount attributable to the application processing by the SPRA, including any interest accrued, shall be refunded to the applicant.

#### 21.50.5.2 Site Plan Review

The applicant shall follow the Site Plan Review policies and procedures as defined by Section 22.10 of these Zoning Bylaws and the Site Plan Review Application, except as may be modified by this Section 21.50.

### 21.50.6 Allowed Renewable or Alternative Energy Activities in the RDMOD:

#### 21.50.6.1 Renewable Energy

1. Solar-photovoltaic (PV) and thermal
2. Biomass power conversion or thermal technologies, including R&D related to, or the manufacture of wood pellets
3. Ultra-low emissions high efficiency wood pellet boilers and furnaces
4. Low impact Hydro-electric and kinetic
5. Ocean thermal, wave or tidal
6. Geothermal
7. Landfill gas
8. Fuel Cells that use Renewable Energy
9. Advanced biofuels

#### Alternative Energy

1. Combined Heat and Power
2. Electric and Hydrogen powered vehicles and associated technologies, including advanced batteries and recharging stations