

**GREENE TOWNSHIP SOLAR ENERGY SYSTEMS
ORDINANCE NO. 2 -2026**

**AN ORDINANCE OF THE TOWNSHIP OF GREENE, BEAVER COUNTY,
PENNSYLVANIA AMENDING THE ZONING ORDINANCE, CHAPTER 153,
SECTIONS 153.075-153.078 A-1 AGRICULTURAL DISTRICT, SECTIONS 153.090-
153.094 N-C NEIGHBORHOOD COMMERCIAL OVERLAY DISTRICT, SECTIONS
153.105-153.108 R-1 SUBURBAN RESIDENTIAL DISTRICT, SECTIONS 153.120-
153.123 R-2 GENERAL RESIDENTIAL DISTRICT, SECTIONS 153.135-153.138 C-1 LIGHT
COMMERCIAL DISTRICT, SECTIONS 153.150-153.153 C-2 HIGHWAY
COMMERCIAL DISTRICT AND SECTIONS 153.165-153.168 I INDUSTRIAL
DISTRICT, TO DEFINE AND PERMIT AS AN ACCESSORY USE, ACCESSORY
SOLAR ENERGY SYSTEMS (ASES), BY RIGHT IN ALL DISTRICTS AND TO
DEFINE AND PERMIT AS A PRINCIPAL USE, PRINCIPAL SOLAR ENERGY
SYSTEMS (PSES), BY RIGHT IN INDUSTRIAL AND A-1 ZONING DISTRICTS,
AND ESTABLISH STANDARDS AND CRITERIA FOR THE SAME.**

SECTION 1 - INTRODUCTION

WHEREAS, the Pennsylvania Municipalities Planning Code, act of July 31, 1968, as amended, 53 P.S. §§ 10101 *et seq.*, enables a municipality through its zoning ordinance to regulate the use of property and to promote the conservation of energy through access to and use of renewable energy resources; and

WHEREAS, Greene Township seeks to promote the general health, safety and welfare of the community by adopting and implementing an amendment to the Zoning Ordinance providing for access to and use of solar energy systems; and

WHEREAS, the purpose of this Ordinance is to set forth requirements for solar energy systems;

WHEREAS, the Township has, in accordance with the requirements of the MPC, submitted the proposed amendments to the Beaver County Planning Commission, which gave its recommendations regarding the proposed amendments by letter dated November 19, 2025.

WHEREAS, the Township has, in accordance with the requirements of the MPC, submitted the proposed amendments to its Planning Commission, which gave its recommendations regarding the proposed amendments by letter dated October 21, 2025.

WHEREAS, on January 5, 2026 the Township Board of Supervisors held a duly noticed, advertised, and posted public hearing to take public comment on the proposed zoning ordinance text amendments; and

WHEREAS, the Township Board of Supervisors, having received such public comment as may have been given at the Public Hearing, and having received the recommendations of the Township's Planning Commission and Beaver County Planning Commission, finds that enactment of the proposed zoning amendments will be beneficial to the health, safety, and welfare of the Township and consistent with the MPC.

NOW, THEREFORE, IT IS HEREBY ENACTED AND ORDAINED by the Board of Supervisors of Greene Township, Beaver County, Pennsylvania, as follows:

SECTION 2 - DEFINITIONS

ACCESSORY SOLAR ENERGY SYSTEM: An area of land or other area used for a solar collection 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. An accessory solar energy system consists of one (1) or more free-standing ground, roof, or building 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.

PRINCIPAL SOLAR ENERGY SYSTEM: An area of land or other area used for a solar collection system principally used to capture solar energy, convert it to electrical energy or thermal power and supply electrical or thermal power primarily for off-site use. Principal solar energy systems consist of one (1) or more free-standing ground, or roof mounted solar collector devices, solar related equipment and other accessory structures and buildings including light reflectors, concentrators, and heat exchangers, substations, electrical infrastructure, transmission lines and other appurtenant structures.

SOLAR EASEMENT: A solar easement means a right, expressed as an easement, restriction, covenant, or condition contained in any deed, contract, or other written instrument executed by or on behalf of any landowner for the purpose of assuring adequate access to direct sunlight for solar energy systems.

SOLAR ENERGY: Radiant energy (direct, diffuse and/or reflective) received from the sun.

SOLAR PANEL: That part or portion of a solar energy system containing one or more receptive cells or modules, the purpose of which is to convert solar energy for use in space heating or cooling, for water heating and/or for electricity.

SOLAR RELATED EQUIPMENT: Items including a solar photovoltaic cell, module, panel, or array, or solar hot air or water collector device panels, lines, pumps, batteries, mounting brackets, framing and possibly foundations or other structures used for or intended to be used for collection of solar energy.

1. **SOLAR ARRAY:** A grouping of multiple solar modules with purpose of harvesting solar energy.
2. **SOLAR CELL:** The smallest basic solar electric device which generates electricity when exposed to light.
3. **SOLAR MODULE:** A grouping of solar cells with the purpose of harvesting solar energy.

SECTION 3 - ACCESSORY SOLAR ENERGY SYSTEMS (ASES)

A. Regulations Applicable to All Accessory Solar Energy Systems:

1. ASES shall be permitted as a use by right in all zoning districts as an accessory use to any lawfully permitted principle or accessory use on the same parcel upon issuance of the ASES Solar Photovoltaic Permit specified in this Ordinance.

2. Exemptions:

a. ASES with an aggregate collection and/or focusing area of 100 square feet or less are exempt from this ordinance.

b. ASES constructed prior to the effective date of this Section shall not be required to meet the terms and conditions of this Ordinance. Any physical modification to existing ASES whether or not existing prior to the effective date of this Section that materially alters the ASES shall require approval under this Ordinance. Routine maintenance or like-kind replacements do not require a permit.

3. Exceptions:

a. ASES with an aggregate collection and/or focusing area > 21,780 square feet (.5 Acre) constructed as ground mounted systems supplying electrical energy or thermal power for on-site use to businesses, data centers, battery energy storage systems and similar power consumers shall comply with the SECTION 4 – Principal Solar Energy Systems (PSES) Regulations of this ordinance.

4. The ASES layout, design, installation, and ongoing maintenance shall conform to applicable industry standards and shall comply with the PA Uniform Construction Code (UCC), Act 45 of 1999, as amended, as enforced by Greene Township, and with all other applicable

fire and life safety requirements. The manufacturer specifications for the key components of the system shall be submitted as part of the application.

Upon completion of installation, the ASES shall be maintained in good working order in accordance with standards of the Greene Township codes under which the ASES was constructed. The subject use shall conform to and be maintained in accordance with the above-mentioned manufacturer specifications for the entire life of the use. Failure of the property owner to maintain the ASES in good working order is grounds for appropriate enforcement actions by Greene Township in accordance with applicable ordinances.

5. All on-site utility, transmission lines, and plumbing shall be placed underground to the extent feasible.

6. The owner of an ASES shall provide Greene 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, with the exception of ASES described in SECTION (3)(a.) above that are required to comply with SECTION 4 – Principal Solar Energy Systems (PSES) Regulations of this ordinance.

7. No signage or graphic content may be displayed on the solar photovoltaic system except the manufacturer's badge, safety information, and equipment specification information. Said information shall be depicted within an area no more than thirty-six (36) square inches in size.

8. Glare:

- a. All ASES shall be placed such that concentrated solar radiation or glare does not project onto nearby structures or roadways.
- b. The applicant has the burden of proving that any glare produced does not have significant adverse impact on neighboring or adjacent uses either through siting or mitigation.

9. 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:
 - i. 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.
 - ii. Restrictions on the placement of vegetation, structures, and other objects which may impair or obstruct the passage of sunlight through the easement.
 - iii. Enumerate terms and conditions, if any, under which the easement may be revised or terminated.
 - iv. 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).

10. 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 development of adjoining or other property or growth of any trees or

vegetation on such property.

11. Decommissioning:

- a. Each ASES and all solar related equipment shall be removed within twelve (12) months of the date when the use has been discontinued or abandoned by system owner and/or operator, or upon termination of the useful life of same.
- b. The ASES shall be presumed to be discontinued or abandoned if no electricity is generated by such solar collector for a period of twelve (12) continuous months.
- c. The ASES owner shall, at the request of the township/borough, provide information concerning the amount of energy generated by the ASES in the last 12 months.

12. Permit Requirements:

- a. Zoning /building permit applications shall document compliance with this Section and shall be accompanied by drawings showing the location of the system on the building or property, including property lines. Permits must be kept on the premises where the ASES is constructed.
- b. The zoning/building permit shall be revoked if the ASES, whether new or pre-existing, is moved or otherwise altered, either intentionally or by natural forces, in a manner which causes the ASES not to be in conformity with this Ordinance.
- c. The ASES must be properly maintained and be kept free from all hazards, including but not limited to faulty wiring, loose fastenings, being in an unsafe condition or detrimental to public health, safety or general welfare. In the event of a violation of any of the foregoing provisions, the Code Enforcement Officer shall give written notice specifying the violation to the owner of the ASES to comply or to remove the ASES within 60 days of receipt of notification.

B. Roof Mounted and Wall Mounted Accessory Solar Energy Systems:

1. A roof mounted or wall mounted ASES may be located on a principal or accessory building.
2. ASES mounted on roofs or walls of any building shall be subject to the maximum height regulations specified for principal and accessory buildings within each of the underlying Zoning Districts.
 - a. For a building system mounted on a sloped roof that faces the front yard of the parcel, the system must be installed at the same angle (parallel) as the roof on which it is installed with a maximum distance, measured perpendicular to the roof, of eighteen (18) inches between the roof and the highest edge or surface of the system.
 - b. For a building mounted system installed on a sloped roof, the highest point of the system shall not exceed the highest point of the roof to which it is attached and shall not exceed eighteen (18) inches between the roof and highest edge or surface of the system. The system mounting angle is not required to be parallel to the roof angle on side and rear yard facing surfaces.
3. Wall mounted ASES shall comply with the setbacks for principal and accessory structures in the underlying zoning districts.
4. For roof and wall mounted systems, the applicant shall provide evidence that the plans comply with the Uniform Construction Code (UCC), Act 45 of 1999, as amended and adopted building code of the township that the roof or wall is capable of safely supporting the load imposed on the structure.
5. Non-conformance:
 - a. If a building-mounted system is to be installed on any building or structure that is non-conforming because its height violates the height restrictions in the zoning district in which it is located, the building-mounted system shall be permitted so long as the building-mounted system does not extend above the peak or highest point of the roof to which it is mounted and so long as it complies with the other provisions of this Ordinance.

b. If a building-mounted system is to be installed on a building or structure on a non-conforming parcel that does not meet the minimum setbacks required and/or exceeds the lot coverage limits for the zoning district in which it is located, a building-mounted system shall be permitted so long as there is no expansion of any setback or lot coverage non-conformity and so long as it complies with the other provisions of this Ordinance.

C. Ground Mounted Accessory Solar Energy Systems:

1. Setbacks

a. The minimum yard setbacks from side and rear property lines shall be equivalent to the principal structure setback in the zoning district.

2. Height

a. Freestanding ground mounted ASES shall not exceed fifteen (15) feet.

3. Coverage

a. The following components of a ground mounted ASES shall be considered impervious coverage and calculated as part of the impervious coverage limitations for the underlying zoning district:

- i. Foundation systems, typically consisting of driven piles or monopoles or helical screws with or without small concrete collars.
- ii. All panels and other mechanical equipment of the system including any structure for batteries or storage cells.

4. Screening

a. Ground mounted ASES shall be screened from adjoining residential uses in all Zoning Districts and any adjacent property/parcel that is in a R1 or R2 zoning district. The screen shall consist of evergreen plant materials which provide a visual screen. Immediate replacement of dead evergreens is required. In lieu of a planting screen, a decorative six (6) feet tall fence may be used to provide a visual screen.

5. Appropriate safety/warning signage concerning voltage shall be placed at ground mounted electrical devices, equipment, and structures. All electrical control devices associated with the ASES shall be locked to prevent unauthorized access or entry.

6. Ground-mounted ASES shall not be placed within any legal easement or right-of-way location, nor should they be placed within any storm water conveyance system or in any other manner that would alter or impede storm water runoff from collecting in a constructed storm water conveyance system.

7. Non-conformance

- a. If a ground-mounted system is to be installed on a parcel containing a structure that is non-conforming because the required minimum setbacks are exceeded, the proposed system shall be permitted so long as the system does not encroach into the established setback for the parcel.
- b. If a ground-mounted system is to be installed on a parcel that is non-conforming because it violates zoning district requirements other than setbacks, then a variance must be obtained for the proposed installation.

SECTION 4 - PRINCIPAL SOLARENERGY SYSTEMS (PSES)

A. Regulations Applicable to All Principal Solar Energy Systems:

1. PSES shall be permitted as a use by right in the Industrial & A-1 Zoning Districts upon issuance of the PSES Solar Photovoltaic Permit specified in this Ordinance.

2. Exemptions

a. PSES constructed prior to the effective date of this Section shall not be required to meet the terms and conditions of this Ordinance. Any physical modification to an existing PSES, whether existing prior to the effective date of this Section that materially alters the PSES shall require approval under this Ordinance. Routine maintenance or like-kind replacements do not require a permit.

3. The PSES layout, design and installation shall conform to applicable industry standards, and shall comply with the PA Uniform Construction Code (UCC), Act 45 of 1999, as amended as enforced by Greene Township and with all other applicable fire and life safety requirements. The manufacturer specifications for the key components of the system shall be submitted as part of the application. The subject use shall conform to and be maintained in accordance with the above-mentioned manufacturer specifications for the entire life of the PSES use.

4. PSES installers must demonstrate 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.

5. All on-site transmission and plumbing lines shall be placed underground to the extent feasible.

6. The owner of a PSES shall provide to Greene Township written confirmation that the public utility company to which the PSES will be connected has been informed of the customer's intent to install a grid connected system and approved of such connection.

7. No portion of the PSES shall contain or be used to display advertising. The manufacturer's name and equipment information or indication of ownership shall be allowed on any equipment of the PSES provided they comply with the prevailing sign regulations in the zoning district.

8. Glare:

- a. All PSES shall be placed such that concentrated solar radiation or glare does not project onto nearby structures or roadways.
- b. The applicant has the burden of proving that any glare produced does not have significant adverse impact on neighboring or adjacent uses either through siting or mitigation.

9. Noise from a PSES shall be limited to a maximum instantaneous decibel level of fifty (50) dBA and fifty(50) dBC, as measured at the property line.

10. 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 PSES.

11. The PSES owner and/or operator shall maintain a phone number and identify a person responsible for the public to contact with inquiries and complaints throughout the life of the project and provide this number and name to Greene Township. The PSES owner and/or operator shall make reasonable efforts to respond to the public's inquiries and complaints.

12. The PSES owner and/or operator shall conduct/provide on-site solar energy/solar panel and associated solar related equipment safety training for local firefighters and emergency responders prior to commissioning, energizing, and/or activating the PSES.

13. Decommissioning:

a. The PSES owner is required to notify the Borough/Township immediately upon cessation or abandonment of the operation. The PSES shall be presumed to be discontinued or abandoned if no electricity is generated by such system for a period of twelve (12) continuous months.

b. The PSES owner shall then have twelve (12) months in which to dismantle and remove the PSES including all solar related equipment or appurtenances related thereto, including but not limited to buildings, cabling, electrical components, roads, foundations and other associated facilities from the property. If the owner fails to dismantle and/or remove the PSES within the established timeframes, the municipality may complete the decommissioning at the owner's expense.

c. At the time of issuance of the permit for the construction of the PSES, the owner shall provide financial security in the form and amount acceptable to Greene Township to secure the expense of dismantling and removing said PSES, re-grading as necessary and revegetation/seedling of any disturbed areas to provide erosion control. Specifically, owner shall post a bond for decommissioning in an amount necessary to cover the expense to dismantle and remove the PSES including all solar related equipment or appurtenances related thereto, including but not limited to buildings, cabling, electrical components, roads, foundations and other associated facilities from the property, as security if owner fails to comply with the above decommissioning requirements. In lieu of a bond, owner may deliver other security acceptable to Greene Township. The value of the bond shall be acceptable and approved by the Township.

14. Prior to the issuance of a zoning permit, PSES applicants must acknowledge in writing that the issuing of said permit 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.

15. **Roads** – Applicant(s) or User(s) are expected to avoid damaging public roads (owned by Greene Township and or the Commonwealth of Pennsylvania) and shall be responsible for mitigation of damages to same. At the discretion of the Greene Township Board of Supervisors, a Public Roads Damage Avoidance and Mitigation Plan may be required and shall be in accordance with the following standards:

A. Applicants or User shall execute the **Greene Township Excess Maintenance Agreement** with Greene Township prior to beginning the BESS project construction regardless of the current roadway condition or previous weight limit studies. The Township Engineer may act with or as the designated representative of Greene Township.

B. **Identification of Potential Roads Usage.** The applicant shall identify, with the approval of the Township Engineer, all state and local public roads to be used within Greene Township, to transport equipment, parts and material for construction, operation or maintenance of the

battery energy storage system and related components.

- C. **Documentation of Road Conditions.** Prior to construction, the Township Engineer shall document the current road conditions of the road identified for use, with all associated costs, including but not limited to township engineer fees, paid for by the applicant. Interim inspections and Roadway Condition Surveys may be taken during construction per the Excess Maintenance Agreement and acted upon by Greene Township. The engineer shall document road conditions again thirty (30) days after construction is complete or as weather permits.
- D. **Road Preparation and Damage.** Any road preparation or maintenance necessitated by the proposed battery energy storage system or damage caused by the applicant or its contractors during construction or decommissioning shall be promptly completed or repaired, as appropriate, at the applicant's expense. The township shall also be reimbursed for all costs it incurs, including but not limited to township engineering and solicitor fees.
- E. **Financial Assurance.** Financial Security, Liability, Remedies and Additional Security shall be subject to the terms of the Greene Township Excess Maintenance Agreement.
- F. The Township will provide normal roadway/asphalt maintenance and winter maintenance similar to its current activities prior to the installation of the facility. If the facility, as part of an Operations Plan and/or Emergency Operations Procedures, requires increased winter maintenance or any type of preemptive upgrades/repairs relating to the facility, the applicant shall first provide a detailed scope of work/timeline for review and approval by the Township. All associated costs of review, construction, permitting, etc. shall be paid for by the applicant.

16. Solar Easements

- a. Where a subdivision or land development proposes a PSES, 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:
 - i. 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;
 - ii. Restrictions on the placement of vegetation, structures, and other objects which may impair or obstruct the passage of sunlight through the easement;
 - iii. Enumerate terms and conditions, if any, under which the easement may be revised or terminated;
 - iv. 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 PSES 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).

17. Permit Requirements

- a. PSES shall comply with the Township subdivision and land development requirements. The installation of PSES shall be in compliance with all applicable permit requirements, codes, and regulations.
- b. During PSES construction and subsequent maintenance/repair/replacement of the PSES facility and components, the PSES owner shall comply with all roadway and bridge weight, height and width restrictions for hauling materials and equipment, including bonds and agreements where applicable as detailed in SECTION 4(A)(15) Roads above.

- c. Upon completion of the installation and energization of the project, the PSES owner and/or operator shall provide both the Township and local emergency responders with a complete set of as-built drawings of the PSES installation.
- d. The PSES owner and/or operator shall repair, maintain and replace the PSES and related solar equipment during the term of the permit in a manner consistent with industry standards as needed to keep the PSES in good repair and operating condition.

- 18. Change of Ownership.** In the event that the PSES Owner wants to transfer ownership to a New Owner, the Present PSES owner and the Proposed New PSES owner shall submit the following:
- a. Length of time the New PSES Owner has been in business.
 - b. The Proposed New Owner's Name, address, date of incorporation, contact person's name/title and contact information (cell phone and email address).
 - c. Whether the Proposed PSES Owner has any zoning ordinance violations on other PSES facility/projects and the nature of the violation.
 - d. Whether the Proposed PSES Owner has any type of regulatory violations (DEP, EPA, FEMA, Stormwater, Erosion and Sedimentation Control, etc.) on other PSES facility/projects and the nature of the violation.
 - e. Whether the proposed PSES Owner has any type of emergency incident that involved fire or emergency management type response on other PSES facility/projects and the nature of the incident.
 - f. Whether the proposed PSES Owner has any type of regulatory violation involving, sound, setbacks, buffer zone, roadway maintenance, operations, maintenance, reporting, local codes on other PSES facility/projects and the nature of the violation.
 - g. Permit fees, Application Fees, insurance certificates, proposed decommissioning bond value, decommission bond, operation/maintenance Manual/Plan, Emergency Response Plan, Emergency Contacts, and proposed entrance signs.
 - h. In the event that the owner transfer of the PSES facility does occur, and it is later determined that the New PSES Owner has provided some but not all of the information outlined above, or provides erroneous information, then the Zoning permit shall be revoked.
 - i. Further, the Township and the Zoning Hearing Board reserve the right to enforce this provision. Additionally, the cost of review and of prosecution of this matter by legal means shall be paid by the New PSES Owner or former owner. The owner of the PSES, landowner of the subject property and/or applicant of the PSES shall provide written notification to the Township at least thirty (30) days prior to any change in ownership of the applicant/owner/landowner. At the time of any Change of Ownership, current owner must not be in violation of this Ordinance. The phrase "change in ownership of Principal Solar Energy System" includes any kind of assignment, sale, lease, transfer or other conveyance of ownership or operating control of the applicant/owner/landowner, the PSES, or any portion thereof. The successor owner/operator of the PSES shall assume in writing all of the obligations of the Permit, including but not limited to, site plan approval, decommissioning plan, decommissioning bond/surety, excess maintenance agreement and all requirements under this Ordinance. The successor owner must notify all applicable county, state and federal bodies of said change in ownership as required by law and copy the Township on said notice. If the successor owner/operator fully complies with this section, then the Permit shall remain in effect. If the successor owner/operator fails to comply with this section, then it may be determined by the Supervisors of the Township at a public meeting that the Permit is void. A permit that is deemed void by the Township Supervisors OR any modification of a PSES that alters or changes the essential character or operation of the PSES in a way not intended at the time the Permit was granted, shall require a new Permit. The owner, applicant or authorized representative shall apply for an amended Permit prior to any modification of the PSES. Finally, despite transfer of ownership, the original owner or operator of the PSES shall remain liable for compliance with all conditions, restrictions, and obligations contained in the Permit, provisions of this Ordinance and applicable county,

state and federal laws. Township reserves the right to object to any Change in Ownership as described herein.

19. **Land Development-** Installation of a PSES shall constitute land development under Greene Townships Subdivision and Land Development Ordinance.

20. **Mitigation for Disruption of Historic Resources and Properties** – Historic resources, structures and properties, such as but not limited to cellar holes, farmsteads, marked graves, water wells, memorials and monumentation shall be excluded from the areas proposed to be developed for Tier 2 BESS. A written assessment of the project’s effects on each identified historic resource or property and ways to avoid, minimize or mitigate any adverse effects shall be submitted as part of the application. A suitable buffer area shall be established on all sides of each historic resource and a proper access path as determined by the Greene Township Board of Supervisors shall be established, with all associated costs paid for by the applicant. Access easements to historic resources/properties may be required and specified by the Greene Township Board of Supervisors and/or Beaver County, Commonwealth of Pennsylvania and federal agencies.

B. Ground Mounted Principal Solar Energy Systems:

I. Minimum lot size:

a. The PSES shall meet the lot size requirements of the underlying zoning district.

2. Setbacks:

a. The PSES shall comply with minimum front, side and rear lot line setbacks of one-hundred (100) feet from the lot line and roadway.

b. The PSES shall be located a minimum of two hundred (200) feet from adjacent R1 and R2 districts, and/or non-affiliated residential structures in the underlying A-1 and I zoning districts.

3. Height:

a. Ground mounted PSES shall not exceed 15 feet in height

4. Impervious Coverage:

a. The following components of a PSES shall be considered impervious coverage and calculated as part of the impervious coverage limitations for the underlying zoning district:

i. Foundation systems, typically consisting of driven piles or monopoles or helical screws with or without small concrete collars.

ii. All panels and other mechanical equipment of PSES including any structure for batteries or storage cells.

iii. Paved access roads servicing the PSES.

b. The applicant shall submit a Stormwater Management Plan that demonstrates compliance with the municipal stormwater management regulations. All panels shall be considered as a connected impervious surfaces and may not be considered as disconnected areas.

c. PSES owners are encouraged to use low maintenance and low growing vegetative surfaces under the system as a best management practice for storm water management.

5. Screening Requirements and Landowner Options:

a. **Option 1:** Ground mounted PSES shall be screened from adjoining residential uses in the underlying A1 and I Zoning Districts and R1 and R2 Zoning Districts. The screen shall consist of three (3) rows of evergreen trees on fifteen foot (15') staggered centers which provide a visual screen. Evergreens shall be a minimum of four foot (4') tall when planted. Tree species selected shall be expected to reach a minimum height of twenty (20) feet at maturity.

Immediate replacement of dead trees shall be required throughout the life of the PSES.

b. **Option 2:** Ground mounted PSES shall be screened from adjoining residential uses in the underlying A1 and I Zoning Districts and R1 and R2 Zoning Districts. The screen shall consist of three (3) rows of (65%) evergreen trees and (25%) deciduous trees on fifteen foot (15') staggered centers which provide a visual screen. Evergreens shall be a minimum of four foot (4') tall and deciduous trees shall be a minimum of five to six foot tall (5'-6') when planted. Additional evergreen shrubs consisting of ten (10%) of the mix shall be planted to fill in and provide screening near the bases of the deciduous trees. Tree species selected shall be expected to reach a minimum height of twenty (20) feet at maturity. Immediate replacement of dead trees shall be required throughout the life of the PSES.

a. **Existing Native Forest:** Where existing mature forest exists, a one hundred fifty (150) foot deep buffer screen of trees between the PSES and the property line shall be considered an acceptable buffer screen from adjoining residential uses in the underlying A1 and I Zoning Districts and R1 and R2 Zoning Districts. Such designated land shall remain in substantially its natural condition without alteration, including prohibition of commercial forestry or tree cutting not related to the maintenance of the installation, until such time as the installation is decommissioned; except in response to a natural occurrence, invasive species or disease that impacts the trees and requires cutting to preserve the health of the forest. If trees are required to be cut in response to a natural occurrence, invasive species or disease, such areas shall be required to be replanted utilizing Options 1 or 2 to maintain the required screening effect of (5)(a) or (5)(b) .

6. Ground-mounted PSES shall not be placed within any legal easement or right-of-way location or be placed within any storm water conveyance system or in any other manner that would alter or impede storm water runoff from collecting in a constructed storm water conveyance system.

7. Security:

a. All ground-mounted PSES shall be completely enclosed by a minimum seven (7) foot high fence with a self-locking gate. Security fencing shall be erected surrounding the PSES and located on the interior side of the PSES visual screening requirements.

b. A clearly visible warning sign shall be placed at the base of all pad-mounted transformers and substations and on the fence on the surrounding the PSES informing individuals of potential voltage hazards.

8. Access:

a. At a minimum, a 25' wide paved access road must be provided from a state or township roadway into the site.

b. At a minimum, a 20' wide gravel access drive with 5' grassed shoulders shall be provided through or around the solar arrays to the pad mounted equipment to allow access for maintenance vehicles and emergency management vehicles including fire apparatus and emergency vehicles. (This does not refer to access drives between the solar racks)

9. The ground mounted PSES shall not be artificially lighted except to the extent required for safety or applicable federal, state, or local authority.

10. If a ground mounted PSES is removed, any earth disturbance resulting from the removal must be graded and reseeded. Reseeded/reclaimed areas shall be considered successfully released to the landowner when 70% coverage is achieved as inspected by the Beaver County Conservation District, township engineer or other accredited third party.

C. Roof and Wall Mounted Principal Solar Energy Systems:

1. For roof and wall mounted systems, the applicant shall provide evidence that the plans comply with the Uniform Construction Code (UCC), Act 45 of 1999, as amended, as enforced by Greene Township and adopted building code of the township and evidence that the roof or wall can safely support the load imposed on the structure.

2. PSES mounted on the roof or wall of any building shall be subject to the maximum height regulations of the underlying zoning district.

SECTION 5- MISCELLANEOUS

1. SEVERABILITY:

If any chapter, section, subsection, paragraph, sentence or phrase of this ordinance is for any reason declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of the ordinance as a whole or any section or part thereof other than the section or part thereof so declared to be invalid.

2. REPEALER:

Any ordinance, chapter, section, subsection, paragraph, sentence or phrase of any ordinance conflicting with the provisions of this ordinance shall and the same is hereby repealed to the extent of such conflict.

ORDAINED and **ENACTED** by the Board of Supervisors for Greene Township this 5th day of January, 2026. This Ordinance shall be effective immediately.

ATTEST:

TOWNSHIP OF GREENE

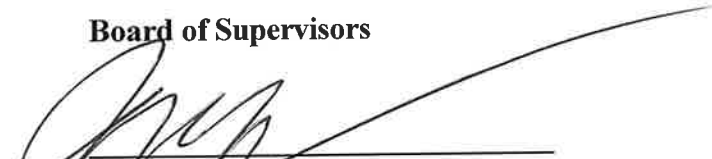


Township Secretary

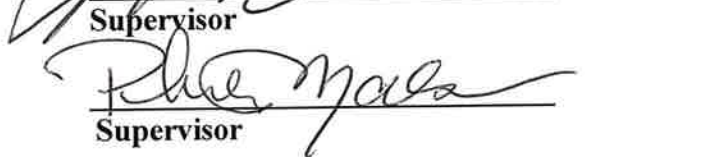
BY: 

Chairperson, Greene Township

Board of Supervisors



Supervisor



Supervisor