

To: Durham Planning Board  
From: Judith Spang, Wiswall Road  
Date: September 12, 2018  
Re: Proposed Solar Ordinance

Dear Planning Board Chair and Members,

I am impressed with the time and effort you have devoted to this difficult issue. The potential disconnect between the desire to promote solar energy and desire to protect the scenic qualities of our town is daunting. I think you have done a masterful job.

I had several questions as I reviewed the proposed ordinance.

— In the Definitions section, Shared Solar Energy refers to serving houses and or/development situated on two or more separate lots. Is this term still used in the rest of the ordinance? If so, how about a system that serves two or more **commercial** buildings rather than houses?

— The ordinance does not clearly address the installation of underground electrical lines. Do they need to be outside the setback, too? Does this need to be made clearer?

— I'm wondering where a freestanding facility could be located in the very dense Church Hill, Professional Office and Courthouse zones? Since they would have a great impact on neighbors and views from roads, I think a Special

Exception should apply.... including for the fraternity buildings in the PO zone.

— The ordinance uses the terms “screened” and “buffered” interchangeably. In the Site Plan Regulations, which will be used to regulate in some instances, “buffer” means just a vegetated area between uses. It could be just a grassy area, so would not provide visual screening. The terminology needs to be specific.

— The appropriate configuration and location of solar equipment is very dependent upon the individual site. Are the existing Site Plan Review Regulations sufficiently specific to provide predictability for landowners? If not, Special Exception or Conditional Use should be applied in more zones.

— The term “Enterprise System” creates an image of a very large -scale system. But as defined, that is not necessarily the case. If the goal of this ordinance is to minimize the visual impact of the facility, the USE of the electricity is irrelevant: the facility of an Enterprise System should really be regulated according to its location, visibility from the road and appropriateness of scale to its surroundings, like any other solar installation in town. CU or SE would provide an opportunity for more public input on ones that have a larger potential impact.

—A large-scale Enterprise Systems less than 10 feet in height should not be required to be screened, if located appropriately. It is unreasonable to require hundreds of

feet of screening of such a system if it is located far enough from roadways and abutters ....I for instance, in a field. Perhaps a formula could be used that increases the allowable size of the installation as distance from the road increases.

I agree with David Hills that such a solar array has a certain beauty to it and bespeaks a community and landowner who cares about our environment. I would have no objection to seeing such an array **if properly sized and sited** on Gateways to the Town.

— Beth Olshansky has a good point, that a 100-foot setback for tall facilities does not provide enough of a buffer from roadways or other properties. I support her suggested graduated screening plan according to height. I also share her concern about the need for provisions addressing solar installations serving older houses located close to the roadway.

I hope these observations will be helpful. Again, thank you for your hard work.

Judith Spang, Durham