

NEW HAMPSHIRE
SUSTAINABLE ENERGY
ASSOCIATION

September 26, 2018

From:

Madeleine Mineau
Executive Director
New Hampshire Sustainable Energy Association
54 Portsmouth Street, Concord, NH 03301

Re: Comments on Durham Solar Energy Systems Draft Ordinance

To: Durham Planning Board

NHSEA is pleased to see Durham taking on a leadership role in working towards the goal of providing sound solar zoning and siting guidance that will create a clear and efficient path towards development of solar energy systems. NHSEA is appreciative of the opportunity to provide comments the current draft of Durham's Solar Energy Systems Ordinance (the Draft).

We hope that local solar ordinance will provide clarity without being overly restrictive to provide adequate opportunity for property and business owners as well as non-owners to develop or benefit from local solar energy generation on buildings, ground mounted systems, or community solar systems.

Visual Impacts and Aesthetics

Restrictions on proposed solar energy systems based on perceived visual impacts and/or project aesthetics may create unintended barriers to what would otherwise be an efficient development of reasonable projects. Consideration of visual impacts and project aesthetics are perceived by some as important factors in maintaining cultural character of a community, but are simultaneously elusive and subjective concepts defined differently according to each individual's preferences and values. NHSEA is supportive of the use of a permitting matrix such as the one depicted on page 7 of the Draft and advise against further restricting of permitting based upon subjective aesthetic considerations. As noted in the Draft, buffers can be an appropriate method for addressing aesthetic considerations for certain free standing solar energy systems, however buffers should not necessarily be required regardless of size and location of the system (as required in 5d and 6b).

Classification

NHSEA is supportive of the existing definition of "Roof- or Building Mounted Solar Energy System," which includes carport-mounted solar energy systems, and advises against re-classifying carport-mounted systems as "free-standing systems." In classifying carports, the deciding factor should not be whether or not the carport is attached to a home, but whether or not the structure has been approved as a carport and is used for its intended purpose. Re-classification of detached carports may create unnecessary confusion and barriers to reasonable development of solar energy systems.

We encourage you to re-consider the definition of “enterprise system”. In some instances, small and unobtrusive solar systems may generate energy for off-site use. The NHSEA model solar ordinance recommends generation capacity of the system as size classification.

Setting Maximum Capacity Limits on Solar Energy Systems

In reference to 5b on page 13, restricting capacity of solar energy systems to the current capacity needed to serve the current estimated annual load is unduly restrictive. It is common for solar energy systems to be designed and built to allow for planned conversion of vehicles and heating systems and/or hot water, and other appliances to electric energy. Setting a maximum capacity limit to the current electricity load creates a barrier to further expansion of beneficial electrification as it relates to powering thermal, appliance, and transportation sectors with distributed renewable energy.

Siting Solar Energy Systems Closer to Property Lines than Principal Buildings

In reference to 5c on page 14, there may be some instances when the only viable option for a resident or business to partake in the benefits of solar energy systems will be for that system to be located closer to the front property line than the principal building closest to the street. As the Draft is currently written, individuals and businesses finding themselves in such circumstances will have no option for locating a solar energy system on their property. We encourage the Planning Board to not be overly restrictive on the placement of solar systems within the property and to consider creating a pathway for approval of systems located in a front or side yard.

Thank you for the opportunity to provide input on the Draft Solar Energy Systems Ordinance.

Sincerely,



Madeleine Mineau
Executive Director
NH Sustainable Energy Association