

August 5, 2022

Re: Solar Ordinance

Dear Members of the Durham Planning Board,

I regret I will be out of town for the August 10 Public Hearing on the Solar Ordinance.

First, I would like to state upfront how much I appreciate Councilor Jim Lawson offering his time and expertise (with his degree in electrical engineering and a focus on power distribution), in collaboration with the Durham Energy Committee to rework the earlier draft of the solar ordinance, which the Town Council had at the time deemed not ready for First Reading. As a dedicated public servant, Jim also has a keen ability to listen to feedback offered by the public and to seriously consider their observations.

Version 4.6, in my opinion, offers a much improved, balanced approach. This is made clear by the very Purpose Statement:

Purpose. The purpose of this ordinance is to:

- a. Encourage the implementation of solar energy systems in accordance with the recommendations stated in the Energy Chapter of the 2015 Durham Master Plan;
- b. promote environmental sustainability while respecting the rural character and scenic landscape of Durham and the use of productive agricultural lands; and
- c. comply with and support the State of New Hampshire's goal of developing clean, safe, renewable energy resources as provided for in the statutes referred to in 175-109.R.1 above.

I believe the current draft of the solar ordinance does just that. It creates many more opportunities for residential solar, creates clear-cut zones for commercial solar, and thoughtfully lays out guides that honor the characteristics of our districts. We have moved from "boilerplate" to an ordinance that represents Durham's unique characteristics and values.

One such example is the sensitivity and creative problem-solving used to address the unique situation of properties in which historic homes, built very close to the road, are also adjacent to fields. Item 4 b. (5) artfully addresses those specific circumstances, thus avoiding solar arrays being installed very close to the road in the middle of a scenic field.

Another example of this sensitivity and striving for balance is that commercial utility-scale systems are to be permitted only in the commercial zones, ORLI and MUDOR, and even then, by Conditional Use. This allows the Planning Board to look at each proposal and require conditions that might mitigate the visual impact of such systems on pastoral viewsheds such as those along Mast Road. The draft's sensitivity to these systems' potential visual impact is further demonstrated by its requirements for setbacks of at least 100 feet and buffering from other homes and the road.

When questioned about why the draft ordinance would not allow such large commercial systems at all in the Rural and Residence Coastal zones, where there is more undeveloped land, Jim Lawson offers two reasons: 1) to avoid the temptation to cut down our forests to install solar as a commercial enterprise, thus reducing the environmental benefits that our forests provide in terms of carbon sequestration, and 2) to preserve the aesthetic, pastoral nature of these more rural areas of town. Here again, I applaud the draft's sensitivity to Durham's unique characteristics and values.

The soon-to-be released 2022 IPCC (Intergovernmental Panel on Climate Change) Report, drafted by hundreds of top scientists from 195 countries and reviewed by thousands of additional experts, provides the most conclusive endorsement yet of ***"Nature as a climate solution."*** The 2022 report notes that ***"reducing the destruction of ecosystems, restoring them, and improving the management of working lands, like farms, are among the most effective options for mitigating carbon emissions."*** Cutting down forests to install large solar systems is not the answer to climate change. Thus, the ordinance is absolutely correct in protecting the existing farmland, fields, and forests that already provide a working ecosystem.

<https://www.conservation.org/priorities/stabilizing-our-climate-by-protecting-and-restoring-nature>

The IPCC report notes: ***"But even if the world stopped using fossil fuels completely, we would fail to avert a worst-case scenario if we did not also reverse the destruction of ecosystems such as forests that absorb and store carbon."***

In other words: No matter what else we do to address climate change, if we don't protect and restore our natural environment, we will fail to prevent catastrophic climate breakdown.

Please take these recommendations to heart.

Finally, I was extremely dismayed by Chair Rasmussen's statement to the Town Council on July 11 that the Solar Ordinance "should push our limits and make people uncomfortable." That statement seems to fly in the face of how most residents believe

town government should function. Given that our ordinances, and amendments to them, grow out of our Master Plan and our Master Plan is determined by the input of the citizens of Durham, I don't see how drafting an ordinance that "makes people uncomfortable" plays any part in a democratic society.

Given the overwhelming amount of work the PB has at hand and the enormous amount of time already put into this draft solar ordinance (which has been in the works now for several years), I urge the PB to approve this current draft and send it back to the Town Council for final approval.

Respectfully submitted,

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