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**Town Planner's Review**  
**Wednesday, July 13, 2022**

VIII. **Solar Energy Systems Ordinance**. Proposed amendment to Zoning Ordinance initiated by Durham Town Council. The draft addresses numerous aspects of solar energy systems including rules and allowed locations for systems that are accessory to single family houses, systems accessory to multifamily and nonresidential uses, small and large utility-scale systems, and group net metering host systems.

➤ I recommend that the Planning Board set a public hearing for August 10 on the draft.

The proposed Solar Energy Systems ordinance was formally initiated by the Durham Town Council on May 9, 2022. It comes to the Planning Board to hold a public hearing and then prepare comments on the draft.

Several years ago, the Durham Energy Committee worked with the staff to write a new ordinance to address solar installations, both small arrays for single family use and large arrays for commercial use. An ordinance is needed because there has been virtually no direction about solar installations. The word "solar" appears only twice in the present zoning ordinance: in the method for determining building height and in a description of the HDC's purview.

The committee's proposal was presented to the Planning Board which spent several months reviewing and modifying it. The board formally initiated a zoning amendment for the solar ordinance on April 10, 2019. The draft was then presented to the Town Council for consideration. Several concerns were expressed about the proposal – in particular about how to facilitate the installation of arrays for single-family use while protecting views from the street and how to protect the community from potential adverse impacts of large utility-scale arrays. The council tabled the proposal and Councilor Jim Lawson offered to work on the document.

Councilor Lawson spent considerable time working on this proposed ordinance, responding to issues raised earlier, addressing a number of technical issues, and improving and refining the proposal. He prepared it in consultation with the Energy Committee and with me. Councilor Lawson gave a presentation to the Planning Board in January about the draft (which was still being finalized at that point). He will attend the August 10 meeting to present the draft. I can also answer questions at the meeting this Wednesday.

The Planning Board has 60 days to offer comments, but we were not able to start our review earlier due to time needed for other projects. The Town Council approved an extension to August 29 for the board to submit comments.