

**From:** [Dan Webb](#)  
**To:** [CCC 2018 Tech Bulletins](#)  
**Subject:** Comments re Draft Energy Technical Bulletin 11-27-18  
**Date:** Monday, December 17, 2018 11:50:29 AM

---

Hello,

As a year-round resident and native of Cape Cod, I commend the Commission for preparing the Draft Energy Technical Bulletin, and appreciate the opportunity to comment.

1. The Cape Cod Regional Policy Plan (Barnstable County Ordinance #12-07) item E1.8, requires for wind turbines *“a setback of 10 times the rotor diameter of the proposed turbine from the nearest receptor, or residentially zoned parcel..”*. This extraordinary setback requirement is contrary to objectives EN1 and EN2 and is a de-facto prohibition against land-based wind turbines.

The setback in RPP item E1.8 should be amended to be consistent with the Commonwealth’s 2011 model bylaw which specifies a setback *“distance equal to three (3.0) times the maximum tip height (MTH) of the turbine from the nearest existing residential or commercial structure”*

Source: MA DOER “Model Amendment to a Zoning Ordinance or By-law: Allowing Conditional Use of Wind Energy Facilities”

Section 5.4

<https://www.mass.gov/files/documents/2016/08/sm/wind-not-by-right-by-law-june13-2011.pdf>

2. Objective EN1 states “In historic districts and other sensitive cultural and scenic areas, roof-top PV and other accessory energy generation installations should be sited and designed to minimize detrimental visual impacts on the surrounding area.”

This proposed objective, based on subjective aesthetic impacts, is contrary to Massachusetts law (Chapter 40a Section 3), which states:

*“No zoning ordinance or by-law shall prohibit or unreasonably regulate the installation of solar energy systems or the building of structures that facilitate the collection of solar energy, except where necessary to protect the public health, safety or welfare.”*

Hence, PV and other accessory energy generation installations should not be regulated based on visual impacts, unless those impacts somehow pose a threat to public health, safety or welfare.

3. Wind energy is noticeably absent from the list of on-site sources in Objective EN1. Wind should be included the list, especially since Cape Cod has the best wind energy resource in Massachusetts.
4. Detailed methods for meeting objective EN1 places emphasis on green power purchase. This seems to reflect a philosophy that clean energy is good but should be installed “somewhere else”. The methods should place more emphasis on on-site generation.

The risks of climate change (e.g. increasing storm intensities, rising sea levels, ocean acidification) and issues of energy security warrant a new and more aggressive approach to accelerating growth of locally-generated renewable energy and storage. Unfortunately, concerns about “context sensitive” development and visual impacts are outdated in light of these oncoming risks.

Our fuel sources have evolved over many generations, from trees and whale oil to coal, then oil and natural gas, hydroelectric, nuclear and renewables. The transition continues but with increasing urgency. John Kerry’s 12/13/18 New York Times opinion piece put it clearly: *“Scientists tell us we must act now to avoid the ravages of climate change.. People are dying today because of climate change, and many more will die and trillions of dollars of damage to property will occur unless America gets back in the fight.”*

Thank you for the opportunity to comment.

Daniel Webb  
P.O. Box 547,  
West Falmouth MA 02574-0547