



**Position of the Board of Directors
of the
Naperville Area Homeowners Confederation (NAHC)
on the
Placement and Function of Renewable Energy Systems
(Small Wind and Solar) Within the City of Naperville**

The Board of Directors of the Naperville Area Homeowners Confederation applauds the efforts of the City of Naperville to provide regulations for the safe, effective, and efficient development and use of renewable energy systems on our community.

The Board has reviewed the proposed Chapter 14 text amendments and, in accordance with our bylaws and based on a vote taken at our October 2, 2010 Board of Directors meeting, would like to offer the following comments and suggestions regarding the proposals.

While we commend any property owner for efforts to create energy sustainability, we also recognize that we all live in a community and the efforts of property owner "A" to be "green", should not impinge upon the ability for neighbors to enjoy their own property, including their views of the surrounding community. Effectively, any regulations implemented should ensure that homeowners continue to have full and free enjoyment of their property without unwarranted intrusions from their neighbors/

Specific comments we have developed upon review of "draft 2" include:

In section 6-14-3, sub paragraph 1.3, references are made to minimum requirements for the foundation or structure. The NAHC would like to suggest that these conditions be expanded to include both small wind and free standing solar systems. Furthermore, we would suggest that staff investigate incorporating specific language regarding "wind loading" and adequacy of the structure in regard to winds of a certain velocity as appropriately determined by staff and reflective of prevailing local conditions.

In section 6-14-4, sub-section 2, we applaud the idea of restrictions on renewable energy systems within the Historic district in order to maintain the uniqueness of this community resource. However, we question why sub paragraph 2.2 is only applicable within the Historic District. We would prefer that language be incorporated suggesting review of appearance from the public right of way in all R-1 and R-2 districts. Furthermore, regardless of the address, efforts should be taken to ensure that the implementation of future technology is not limited due to best efforts to control potential "abuses" inherent in existing technology. For example, "shingle" solar collectors may be acceptable anywhere based on their unique appearance.

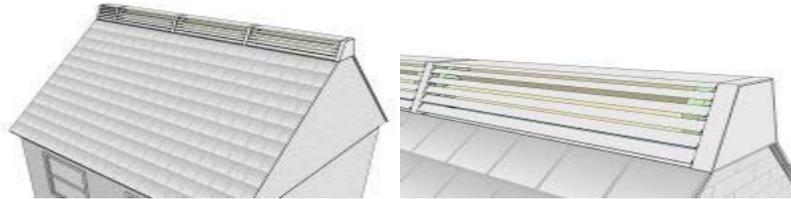
In 6-14-5 (Small Wind Energy Systems) it is noted that freestanding systems may be authorized administratively on residentially zoned lots in excess of 1.5 acres in size. Our preference would be that administrative authorization not be granted and that, rather, all installations in all residential areas be subject to review.

In section 3.4.2 of the Small Wind Section (version 2), we believe the reference to third party transmission lines should be clarified to third party *overhead* transmission lines.

For paragraph 5, color, we would like to suggest alternative language, eliminating the reference to white or light grey and instead stating:

The wind generator and tower shall remain painted or finished the color or finish that was originally applied by the manufacturer, unless approved in the building permit. Colors and surface treatment of the installation shall minimize visual disruption and shall be painted a non-reflective, non-obtrusive color.

Our rationale for this change is that certain technologies can be affixed directly to the roof, at which point the color should be in conformance with the color of the roof, and not of the sky.



In a similar vein regarding appearance, we would like to suggest that language such as the following be incorporated into the text amendment:

Shadowing/Flicker: Small wind energy systems shall be sited in a manner that does not result in significant shadowing or flicker impacts. The applicant has the burden of proving that this effect does not have significant adverse impact on neighboring or adjacent uses either through manufacturer studies, siting, or mitigation.

For Solar, Section 6-14-6, we question the allowance of substantially sized free standing solar arrays on residential properties. The potential for a neighbor to cover their yard with solar panels should not be an acceptable use in residentially zoned neighborhoods. We would like to see a limitation of size to free standing solutions in residentially zoned areas limited to no more than a single unit, not exceeding, for example nine square feet in size. This number was admittedly chosen arbitrarily by the Confederation Board and we hope that in the spirit of maintaining appearances, staff determines a reasonable size limitation based on technology and purpose, recognizing our intent that sizable arrays not be deployed in residential back yards.

In section 2, we question whether, given the technology, it is necessary to construct solar building mounted solar arrays at a height of 5 feet above the peak roof height or maximum height of the district. We believe the technology for residential implementations should be reviewed and that this height be substantially reduced.

In section 3.2.3, we question why free standing systems cannot be constructed over any type of easement. This seems overly restrictive given the understanding that the burden of removal of obstructions in an easement is the responsibility of the property owner.

In section 6-14-8, Section 2, we believe the language related to nuisances should be applied to all renewable energy systems, and not just wind systems. Furthermore, we question whether 6 months allowance (120 days non-functioning plus a 60 day notice period) is too lenient, and perhaps should be made more stringent.

Finally, and acting as the language cop, for item number 4 on the application procedure, "i.e." (that is) should be "e.g." (for example).

Thank you for your consideration of our comments and review.