

# *The Greater Kingsville Civic Association*

P.O. BOX 221 ~ KINGSVILLE, MARYLAND 21087

January 7, 2010

Baltimore County Planning Board  
105 W Chesapeake Ave, Suite 101  
Towson, MD 21204

Re: Wind Turbines

Dear Planning Board Member,

The Greater Kingsville Civic Association has discussed the proposed legislation concerning wind turbines, especially as it pertains to a mostly residential area such as ours. Considering the draft as the Office of Planning proposed it, we are perplexed by some of the changes proposed by the committee appointed to review this matter.

While we believe that there are places in the county where wind turbines will be appropriate and may be a viable means to generate electricity from a renewable source, most rural residential areas with the amount of trees and hills are not such a place. Wherever allowed, it is imperative that appropriate limits are placed on their installation.

We understand that the original County Council resolution requested a review for "residential" use only. However, since farms are actually the most appropriate place for wind turbines, we believe that the Planning Board's recommendation should not be limited to "residential" use, but should include an allowance for agricultural use.

A one acre lot is much too small for a tower-mounted wind turbine system. They need to be restricted to larger lots, perhaps 3 to 5 acres minimum. Since the minimum lot size is actually constrained by the setbacks, the 110% setback from neighboring properties is insufficient and should be larger. Setbacks from roads should be substantially more, at least twice as much.

We are encouraged that the committee saw fit to require the possibility of a hearing for larger systems, but anyone in the area should be able to request a hearing, as is done for other use permits, not just owners of adjoining properties.

While uses may be approved via a Zoning Commissioner's hearing, there still needs to be absolute limitations on what can be approved, including height, rated power, and number of systems. The Zoning Commissioner should not be allowed to issue any variances for the stated setbacks, as is routinely done in other cases. This must be explicitly prohibited.

While the original staff report proposed a power limit of 100kW, this is far in excess of what is reasonable. Neighboring counties of Frederick, Carroll, and Harford set a limit at 50kW, half the amount. The average of the systems being installed in Carroll County is 2kW and the average residential electricity usage, according to BGE, is 1.5 kW. A reasonable limit for most residences would be a 5kW rated capacity. This limit should be added to the table in 451.3A for "by right" and the maximum limit allowed by use permit should be stated.

There should also be a limit to the physical size of the rotating part, both for by-right systems and for those allowed by use permit. For traditional horizontal-axis systems, by-right should be on the order of a 15 foot diameter, while those by use permit should be limited to about 30 feet.

There needs to be additional consideration of building-mounted (roof-top) systems, since these will surely become very common as retail stores sell them the same as home appliances.

We are especially concerned that the changes proposed by the committee would remove the need for a hearing for systems to be installed within viewsheds. There are two types of viewsheds to consider:

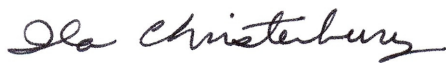
1. A designated viewshed such as Longfields Estates in Kingsville, which was established in 1991 after significant efforts by the community and is defined by recorded plats. Currently, residents are even prohibited from planting trees that might block this view. Wind turbines should never be allowed within such an area.
2. A "scenic viewshed", as defined in Section 32-4-101 of the County Code (being along scenic routes designated in the Master Plan) as well as scenic Byways designated by the State Highway Department. Wind turbines within a certain distance from these routes, perhaps 500 ft, should always require a hearing.

In order to eliminate a loophole concerning landmarked buildings, the requirement for approval by the Landmarks Commission should be for "any property containing a landmarked structure or area". Otherwise, when a building by itself was placed on the Landmarks list (without the surrounding area), a wind turbine could be installed near to that historic building without approval by the Landmarks Commission.

In order to sufficiently include all the limits, the Table in Section 451.3A should be expanded as shown in the attached replacement (with some suggested values).

We trust that the Planning Board will consider these concerns and comments while formulating its final recommendation to the County Council. Members of our association are available to discuss these issues further.

Regards,



Ila Christenbury  
President, Greater Kingsville Civic Association  
410 592-2111

	<b>By Right</b>	<b>By Special Use Permit in accordance with Section 500.15</b>
<b>Tower-mounted systems:</b>		
<b>Total max. height</b>	60'	150'
<b>Min. setback from adjoining property</b>	220% of total height	110% of total height
<b>Min. setback from road</b>	300% of total height	150% of total height
<b>Minimum lot area</b>	5 acre	3 acre
<b>Max. per property</b>	1	1 additional per 50 acres
<b>Max. rated nameplate capacity (total per property)</b>	5 kW	50 kW
<b>Max. diameter for horizontal-axis system</b>	15 ft	30 ft
<b>Max. vertical cross-sectional area for vertical-axis system</b>	150 sq ft	600 sq ft
<b>Building-mounted systems:</b>		
<b>Total max. height</b>	Existing building limits per zoning classification	Same as current
<b>Min. setback from adjoining property</b>	Existing building limits per zoning classification	Same as current
<b>Min. setback from road</b>	Existing building limits per zoning classification	Same as current
<b>Minimum lot area</b>	Existing building limits per zoning classification	Same as current
<b>Max. per property</b>	1	1 additional per 2,500 sq ft of building area
<b>Max. rated nameplate capacity (total per property)</b>	2 kW	25 kW
<b>Max. diameter for horizontal-axis system</b>	5 ft	10 ft
<b>Max. vertical cross-sectional area for vertical-axis system</b>	20 sq ft	80 sq ft