



Joint Historic Preservation Commission

Review Criteria and Standards for Solar Installations that Impact Historic Sites

Introduction

This document details the standards and criteria that the Joint Historic Preservation Commission (JHPC) will use to evaluate solar installations that impact historic sites in the Town of New Scotland and the Village of Voorheesville as well as informing the JHPC's recommendations to Town and Village decision making bodies on a case-by-case basis.

New York State is committed to the expansion of alternative energy sources including solar energy as evidenced by recent legislation. In New York State the approval and siting of solar installations are the responsibility of local government. The State Energy Research and Development Authority (NYSERDA) has developed and promoted a model law that details the process and standards for review and approval for the siting of solar installations. Both the Town and the Village have adopted versions of the model law. These local laws make the distinction between:

- **Small-Scale Solar** designed for residential or commercial use and on a scale to serve primarily the electrical needs of building on the same lot.
- **Large Scale Solar** designed primarily to generate electricity for resale including all "solar farms."

Small-scale solar implementations are permitted in all Zones but are subject to a permitting process using a State Unified Solar Permit Process/Application containing a checklist to determine eligibility for a uniform solar permit and required detail attachments depending on the nature of the installation (e.g., roof-mounted, ground-mounted). Large-scale solar implementations require Special Use Permit and Site Plan. They are subject to zoning restrictions and a more rigorous set of siting and other requirements.

JHPC appreciates the fact that the Town and Village solar laws contain many controls on siting, decommissioning, and other features that may reduce the impact of solar installations on historic sites and structures. However, JHPC believes it requires a set of review criteria based on nationally and State recognized standards to ensure reviews of applications for solar installations that may impact historic sites are reviewed in a consistently and professionally.ⁱ JHPC also believes that the standards and criteria set forth in this policy are consistent with the Town's and Village's solar laws and can supplement existing siting requirements.



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Definition of Historic Sites

The definition of **historic sites** used for this document is contained in the Town and Village laws that established the JHPC as developed and operationalized in the Commission's [Policy on Criteria for Inclusion of Structures and Sites in the Town of New Scotland and Village of Voorheesville Historic Resources Inventory](#) (available on the Town's website). This definition would include sites listed on the Town and Village Historic Resources Inventory as well as those sites that meet the criteria for inclusion in the Inventory but have not yet been listed. JHPC realizes that not all sites on the Historic Resources Inventory are of equal historic value. Therefore, the Commission will review each solar installation that may impact a historic site or structure on a case-by-case basis.

Criteria for Large-Scale Solar Installations

SITE SELECTION

JHPC shall consider the following when reviewing site selection.

- How the siting of a ground mounted solar installation might affect present or nearby historic and cultural resources, and a sense of place where large solar installations are proposed.
- Scale of project, proximity, and effect on resources.

The Commission will recommend or look favorably on-site selections that contain or achieve the following.

- Avoid cultural sites, historic buildings, and archaeologically sensitive areas in cases where quality of place would be diminished.
- Sitings that do not result in significant aesthetic impacts on historic viewsheds and that do not lead to diminishment of public enjoyment and appreciation of an inventoried resource, or one that impairs the character or quality of such a place (NYS DEC Program Policy).

MITIGATE IMPACT

When historic sites are located near potential solar installations, the Commission will recommend or look favorably on the following approaches to minimize and mitigate visual impacts.

- Keep components at low profile and/or siting at a lower elevation.



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- Utilize existing landscapes by naturally screening behind slopes and existing trees or vegetation especially when they serve to mitigate visual impact year-round.
- Apply appropriate setbacks, to minimize impact.
- Include vegetation and berms that shield the installation from view where no natural buffering exists.
- Measures that reduce the effects of glare flash and glinting.
- Use fixed systems for least impact and, if panels rotate, implement measures that reduce impact from all angles.

AVOID

The Commission recommends **the avoidance and will look negatively** on the following where the installation impacts adjacent to/near cultural/historic resources.

- Omission of appropriate buffers/screening when installation is within the public viewshed.
- Use of visually intrusive accessory infrastructure that may cause an adverse visual impact on viewshed.
- Use of materials incompatible with existing landscape (e.g., chain link fencing, inappropriate buffers).
- Installations that would result in the permanent loss of significant, character-defining features of historic resources (e.g., altering existing roof lines or dormers.)
- Installations that obstruct views of significant architectural features, such as overlaying windows or decorative detailing, or intruding on views of neighboring historic properties.

Criteria for Small-Scale Solar Installations

GENERAL GUIDELINES

The Commission will recommend and look favorably on small scale solar installations on or near historic structures or sites that achieve the following.

- Locate solar panels so that they are not easily visible from a public right of way.
- Panels do not visibly alter the slope of the roof.
- Panels are located behind existing architectural features such as parapets, dormers, and chimneys.
- Solar panels, mounting systems, and associated mechanicals are as inconspicuous as possible and be compatible in color to roof materials.



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- Installation of panels are reversible and not damage historic materials, such as slate or wood roof shingles.
- Installations that respect the building's historic setting and locate the solar panel arrays in an inconspicuous location, such as a rear or side yard, low to the ground and sensitively screened to further limit visibility.
- Installations that locate solar panels on new construction and/or achieve overall compatibility with the historic building and its setting, including integration the solar panel system in less visible areas of the new design.
- Locate solar panels on non-historic buildings and additions thereby minimizing the impact of the solar installation on the significant features of the historic resource as well as specifically protecting historic fabric against alteration.

ALTERNATIVE SITING

Free-standing solar arrays should be located on the property in locations that minimize visibility from the public right of way and make use of screening such as vegetation and appropriate fencing. The placement and design should be appropriate to the historic character of the site.

Solar panels can be located on accessory structures. The general guidelines above should be applied.

AVOID

The Commission recommends that the following be **avoided and will view negatively**:

- Mounting panels on the front facade of a structure.
- Altering roof configuration or removing historic features like dormers or chimneys to accommodate solar panels.
- Removal of historic roofing materials to accommodate installation.
- Anything that will cause irreversible damage to historic features.

Criteria for Archeologically Sensitive Areas

The Commission adopts the recommendations of the State Historic Preservation Office/Office of Parks, Recreation and Historic Preservation (SHPO/OPRHP) for proposed large scale solar installations in archeologically sensitive as presented below. However, in line with Commission's [General Review Procedures for Actions Affecting Historic Structures and Sites](#) (available on the Town's website) it will consult with SHPO on the proposed solar siting before rendering any recommendations.



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SHPO RECOMMENDATIONS

A Phase IA archaeological survey shall be required. A Phase IA: Literature Search and Sensitivity Study is the initial assessment of the overall sensitivity of a project area (*Area of Potential Effects or APE*) for the presence of archaeological sites and Native American sites of religious and cultural significance and functions to guide subsequent field investigations.

A Phase IB archaeological testing is recommended for areas of substantial proposed ground disturbance that fall within areas of high archaeological sensitivity. Substantial proposed ground disturbance includes: (1) grading and excavation more than six inches deep; (2) grubbing, tree, and stump removal; and (3) trenches more than three feet wide. Phase IB archaeological testing is not recommended for panel arrays; perimeter fencing and utility poles, if their associated posts are driven or drilled into the ground and no grubbing or grading is involved, and for excavations and grading less than six inches in depth.

SHPO defines areas of high sensitivity, where archaeological sites are most likely to be identified, as those: (1) within 100-meters (328 feet) of permanent water (rivers, streams, wetlands, ponds and lakes and hydric soils) and on slopes equal to or less than 12%; (2) within known archaeological sites; and (3) locations of standing or demolished historic structures. Hydric soils are included to account for areas that may not be currently near water but were in the past.

All other portions of the project area are considered to have low sensitivity for the presence of archaeological sites, including areas of previous ground disturbance. The SHPO has no archaeological concerns with low sensitivity areas and does not recommend Phase IB testing in these locations.

If project design flexibility or shovel ready status is desired, the SHPO recommends 100% sampling of all highly sensitive areas irrespective of the nature and type of construction impacts. With this approach, changes in project design will not require further archaeological consultation except for changes that may impact archaeological sites or that increase the size of the project area.

ⁱ The present document is based on published guidelines documents issued by the Preservation League of New York and National Trust for Historic Preservation as well as unpublished guidelines from the State Historic Preservation Office. Guidelines or regulations from several local governments and publications of the National Park Service.