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To: [SitingBoard Filing \(DPU\)](#)
Subject: Stakeholder comments
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To the Energy Facilities Siting Board,

Please accept my comments relating to the energy siting regulations and guidelines that are in development. My guiding principle below is that liberal permission should be allowed in the siting of solar and solar/batteries facilities in the vast majority of cases, but perhaps with a few exceptions, such as setback and fencing and aesthetic border requirements as described in local zoning codes.

The country and the Commonwealth of Massachusetts are in a race to develop and tie into existing or newly needed transmission grids renewable energy sources. Indeed, the transition to renewable energy-based electricity production is among the highest priorities for the world at large, as progress has to date underperformed in regard to the reduction of greenhouse gases, with consequential increases in climate change. As few restrictions to solar or battery or solar/battery facility siting will be necessary to encourage and accelerate the renewable energy transition.

1) Do NOT exclude "small" energy projects and all ESS battery systems by only allowing such projects on the built or disturbed environment. This is an unnecessary restriction that will only serve to delay, complicate, and raise the costs of solar and battery facilities.

2) Do NOT exclude the following areas from large and small energy generation and transmission projects:

- Article 97 protected open space, although if Article 97 land is categorized as an ineligible area, an exception for solar canopies - e.g., solar over a DCR beach parking lot- should be considered
- Wetland resource areas (310 CMR 10.04) and with setbacks of 1,000 feet to identified wetlands resources. However, a shorter distance setback, perhaps up to 40 feet, might be considered with the addition of construction barrier placements near such set back lines.
- Properties included in the State Register (950 CMR 71.03), except as authorized by regulatory bodies
- BioMap 2 Critical Natural Landscape, Core Habitat, Important Habitat, or Priority Habitat
- Flood plains and flood prone areas
- Land that provides public drinking water, especially with adequate set-backs and construction barriers, given that solar facilities are not significant sources of water table toxicity contamination, although battery facilities may be restricted because of the (low) potential for toxicity dissemination.
- There should be no categorical restrictions on solar or solar/battery facility sitings on prime farmland (as defined by the state), where private land owners should be the decision source as to whether solar or solar/battery facilities are placed within the bounds of the private land

Flood plains and fool-prone areas actually make excellent siting choices for solar and/or solar and battery facilities, if sufficiently robustly platformed and at a height safely above flood plain high-water flood potential.

As for land that provides public drinking water, solar facility siting should be allowed, especially with adequate set-backs and construction barriers, given that solar facilities are not significant sources of water table toxicity contamination. Restrictions on land that provides public drinking water should be considered, because of the (low) potential for toxicity dissemination.

3) Do NOT exclude ground-mounted solar projects on newly deforested land, defined as cleared less than 5 years ago. This is an unnecessary restriction that will only serve to delay, complicate, and raise the costs of solar and battery facilities.

4) Marginal farmland should have NO restrictions on solar siting. Any private land use for solar or battery or solar/battery facilities should yield decisions only by the property owner, with adequate setbacks and fencing and aesthetic borders, as defined by state and local zoning regulations.

5) Language should NOT be included that ensures no negative impacts on:

- Biodiversity including plants and animals listed under the Massachusetts Endangered Species Act
- Protected open space
- Native American cultural areas as determined by Massachusetts' Indigenous people

The facts are clear that the consequences of climate change pose the greatest threat to biodiversity. The irony of arresting or slowing the reduction of greenhouse gases through overly-restrictive renewable energy production siting is clear.

6) Please keep decision making on solar power generation facilities within the Commonwealth of Massachusetts authority, so that NIMBY pushback to solar facility siting may be discouraged. Consider allowing the discretion and authority provided to the towns to enforce adequate setbacks and fencing and aesthetic borders, as defined by state and local zoning regulations and in keeping with public safety concerns, especially for battery facility siting (e.g., adequate access for emergency responders). Therefore, language should NOT be included that ensures the following:

- Locally generated enforceable safety standards for battery storage
- Town-specific capacity and siting goals, with local control of siting
- Authority for municipalities to reject any proposal for minimization and/or mitigation that are deemed a threat to the towns' health safety and welfare, and natural and cultural resource protections, as determined by local boards and commissions

Please note that threats to the towns' health safety and welfare, and natural and cultural resource protections, should be directed by state-level policies, rather than be left to local boards and commissions, and largely because local NIMBY reactions can too easily be driven by a minority of voters within any locality who may not represent majority views. The state-level policies should be adequate for defining threats to the towns' health, safety, and welfare, and natural and cultural resource protections.

Sincerely yours,

David Guenette, [REDACTED]

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