

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

Please accept my comments relating to energy siting regulations and guidelines that are in development:

- 1) "Small" energy projects and all ESS battery systems shall only be allowed on the built or disturbed environment.
- 2) The following areas shall be excluded from large and small energy generation and transmission projects:
 - Article 97 protected open space (note: If Article 97 land is categorized as an ineligible area, an exception for solar canopies - e.g., solar over a DCR beach parking lot- shall be considered.)
 - Wetland resource areas (310 CMR 10.04) and with setbacks of 1,000 feet to identified wetlands resources.
 - 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
 - Outstanding Resource Waters, wetlands or rivers
 - Flood plains or flood prone areas
 - On land that provides public drinking water
 - On prime farmland (as defined by the state)
- 3) Ground-mounted solar projects shall not be allowed on newly deforested land, defined as cleared less than 5 years ago.

4) Marginal farmland shall be minimally impacted with no decrease in agricultural productivity.

5) Language should 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

6) Power of discretion and authority shall be provided to the towns that allows for:

- 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.

Sincerely yours,

Michael Lipinski

