

202 Bay Road
Norton, MA 02766

September 27, 2019

By E-Mail: doer.smart@mass.gov

Massachusetts Department of Energy Resources DOER
100 Cambridge Street, Suite 1020
Boston, MA 02114

Re: SMART Program 400 MW Review - Public Comments

Dear Sir / Madame:

Please enter this letter into the "Public Comments" portion of the SMART Program Review. Upon consideration of the DOER SMART Program 400 MW proposal and having spent considerable time investigating a proposed dual use project in Norton, I offer the following recommendations:

1. Reduce funding for large-scale solar subsidized programs and increase funding for solar energy research.
 - a. The present subsidy system is creating problems that include providing benefits to out of state solar developers, future hazardous waste disposal of the solar panels, batteries and other components, conflicts with local zoning bylaws and risks to the health, safety and property valuation of local residents.
 - b. Existing panel and battery technology are not market ready as evidenced by the need for subsidy. Solar has a future in Massachusetts, but improved technology is required. With improved technology, fewer panels would be needed, less open space effected, reduced land use impacts and decreased negative effects on people, wildlife etc.

2. Large-scale ground mounted solar systems do not belong in residential neighborhoods.
 - a. Placing utility scale power plants into residential areas is in direct conflict with historical zoning uses.
 - b. Utility scale power plants cause unnecessary risks to the health, safety and welfare of nearby residents.
3. Energy storage systems such as batteries should be prohibited in ACEC's (Areas of Critical Environmental Concern), well protection zones and floodplains.
 - a. The potential risk to aquifers and well water supplies cannot be mitigated.
 - b. Aquifers can be highly permeable and therefore at heightened risk due to inappropriate land uses.
4. In regard to Agricultural Solar Tariff Generation Units (ASTGU), no long-term studies have been conducted to prove cranberry crops – (yield, quality and costs) are not negatively impacted by solar development. A phased approach should be implemented for this dual use concept and include environmental and surrounding area impact studies.
 - a. Phase one – For 5 years, study solar development over cranberries with capacity equal to no more than 125% of the farms electrical load to determine impact. For example, a Massachusetts cranberry farmer with over 1,000 acres of production recommends a minimum 5-year study on one acre.
 - b. Phase two – If no significant negative impacts from solar development is shown, expansion to 2.5 MW DC under proposed ASTGU regulations may be considered.
5. The push by DOER to include battery storage in projects without town bylaw upgrade is in direct violation of the Constitutional rights to private property protection and due process of Massachusetts residents.
 - a. If the majority of Massachusetts towns enacted solar bylaws prior to the SMART program, then these town bylaws do not allow battery or energy storage systems. In effect, these towns have not upgraded their bylaws to reflect the battery storage incentives of the SMART program, which did not take effect until November 26, 2018. When Massachusetts residents voted in solar bylaws, they did not intend to allow battery or energy storage because those systems were not used at the time.
 - b. The DOER should send notice to all Massachusetts towns with solar bylaws, requiring bylaw review regarding batteries and energy storage systems. These systems are not typical, customary or accessories.

- c. All planned projects in Massachusetts involving battery storage systems should be postponed until the towns in which these projects are planned have upgraded their bylaws.
- d. Notice to Massachusetts towns should include a requirement that each town notify all residents by mail of this situation, so that resident concerns can be heard. The DOER should notify all Massachusetts residents as well.

Please put the politics of solar energy aside and consider the citizen rights being denied. The problems that you are creating will cause future negative impacts, if these issues are not addressed and resolved.

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Very truly yours,

Joseph Cogliano

Joseph D. Cogliano, Jr.