

I am writing to state my own and my community's concerns with the role of the SMART program in the drive to install utility scale solar arrays in small communities such as my own, Belchertown MA. We are currently considering numerous applications for mega-watt arrays, and since our zoning by-laws were not revised in time to apply to the proposals currently on file, we are staving off the threat of lawsuits by landowners and developers if projects are denied. The combined effects of permitting the re-zoning of vast power plants as agricultural, offering state incentives, and warning that such installations must be approved except as a matter of health and safety, opens the door to abuse of the program, in my opinion.

While the DOER recommended that towns take a holistic approach to siting, and further stated that wasteland, roofs, fields and parking lots are preferred choices, and that trees should not be cut to install panels, this is not language that has made its way into the law. My town and others face the prospect of lawsuits if local boards and commissions deny an application based on inappropriate land use. It is difficult to prove that erosion and sedimentation will result, or that a large water retention system will fail, that stands of mature forest have greater value, and that property, health and safety are going to be compromised. This seems to be very far from the spirit of the SMART program, yet the fact is that poor design, bad siting and greed have transformed a worthy goal (renewable energy) toward one which threatens residents of the Commonwealth (through uncontrolled development and a lack of recognized construction standards for arrays)

To save our forests, communities, and resources, I urge that the DOER program either set up firmer standards for the protection of forests, and/or revoke future incentives until towns have had a reasonable amount of time to

create suitable by-laws to do the holistic planning that was called for in the original document.

A group in Belchertown has now spent over one year fighting an incompetent developer attempting to install utility arrays on forested slopes and prime agriculture land, among other unsuitable sites. Two of us attended a meeting of the Pioneer Valley Planning Association in 2017 for a discussion of the SMART program incentives. The conversation around the table reflected considerable frustration with the pressures faced by communities caught short by the influx of proposals in advance of the strengthening of town solar bylaws. The potential for destruction of standing forests, conversion of prime agricultural land, and placement in environmentally sensitive and residential areas is compounded by two things. One is the fact that towns and even peer review engineers do not normally have the expertise to address and analyze the specific problems associated with utility scale solar construction. The other is that, given the directive to allow the construction of solar facilities, town boards do not have confidence that the Attorney General's statement ("given the size of these structures, it must be left to the towns to determine matters of scale and siting") will be upheld in the courts.

While recognizing that the DOER intended to support primarily small and community scale solar, I see that the incentives program has led to tremendous pressure on towns to issue permits for massive (and massively profitable) installations. It has also contributed to a gold rush effect, giving landowners a highly inflated sense of land worth (thereby impeding conservation easements) and developers a state-subsidy to amplify already-high expectations of profits. This in turn leads to permitting and hoping resulting problems are rectifiable. Infrastructural deficits have led to delays, or power surges and brown outs in neighborhoods adjacent. Developers routinely sell the sites once they are completed, and if the plans are not adequate and the projects, cause harm, the question is: how and what is the remediation?

In one case, here in Belchertown, the large non-resident landowning corporation WD Cows, hired the firm Blue Wave to design a 48 acre facility on a steep forested slope.. The developer had the bad luck and we the good luck, that the site is upgradient from the home of a nationally recognized hydrogeologist, Dr Steven Garabedian. He has made exhaustive analyses of each and every iteration of 13 revised plans (!!!) and has, in the process, educated the boards, his neighbors, and the designers themselves in the risks associated with the project. Threats to this critically important watershed area include impacts on wetlands, a fisheries stream, neighboring homes, roads, culverts and intermittent streams, as well as a multi-municipality source of drinking water.

When neither Blue Wave's persistence nor threats by its attorney failed to convince the town planers and conservation commission, the special permit was denied. An appeal was made to the MDEP, which effectively agreed with the finding, calling for extensive redesign, as well as a MEPA review. This review is in progress, but to my knowledge, there is still no completed design on file from which analysis can be drawn. Agencies have limited jurisdictions, and so the likelihood is that a revised plan, with some correctives but many of the same problems, will find its way back to the town for further review. The Superior Court already has a complaint before it, alleging inappropriate and unfair actions by town bodies and residents.

I provide this detail to remind you that one outcome of the great financial stakes and the lack of legal clarity in the DOER guidelines forces local governments, boards and residents to spend hundreds of hours in research, presentation, and submissions to avoid concrete harm to environment and property. Our small group of opponents has spent \$28,000 in legal fees, and the town attorney has had to respond to the frivolous complain before the court.

You are aware of the environmental disaster from a poorly designed and constructed array in Orange, where erosion wiped out a highway and a historic cemetery. There is erosion at sloped sites in Oxford, Ware/West Brookfield and other communities. You can fly over the western part of the state and observe land already disappearing under a

sea of glass. Belchertown has around a dozen utility scale projects under consideration right now, and not one of them is on waste ground, roofs or parking lots.

If the DOER did not intend these consequences, it is still responsible.

I call for prohibiting (instead of 'strongly discouraging') deforestation and the loss of farmland for profit in the name of renewable energy. The idea of State-sponsored wide-scale deforestation (for solar and for Biomass) is completely unacceptable given what we know about climate change and the importance of standing forests. Associated commercial incentives must also be eliminated, while preserving or increasing rewards for smaller scale individual and community solar programs.

Thank you for your attention to these concerns.

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