



225 CMR 29.00

Frequently Asked Questions for What Municipalities Need To Do

Small Clean Energy Infrastructure Sitting and Permitting
May 26, 2026

What is different about the consolidated local permitting process for Small Clean Energy Infrastructure Facilities?

Under the consolidated local permitting process, cities and towns have 12 months to review and issue a decision on an application that is compiled of all the necessary materials for all non-ministerial permits sought by an Applicant. Applications that do not receive a decision within 12 months will receive Constructive Approval. Conversely, Applicants seeking a permit under a non-consolidated process must coordinate multiple applications, submissions, and review timelines.

To apply for a Consolidated Local Permit, Applicants will use a common Consolidated Local Permit Application ("Application") made available by DOER, instead of separate applications for each Local Government board and department. Once all Individual Application Components have been reviewed and decided on by local permitting authorities, the Local Government Representative will issue a Consolidated Local Permit representing the approval or denial of the Application as a whole.

Unique to the consolidated local permitting process is that Individual



Application Components may not be independently appealed before all boards have completed their review and the Local Government Representative issues its decision on the Application. Only the approval, denial, or Constructive Approval of an Application may receive a second look in the form of De Novo Adjudication in front of the Director of the Energy Facilities Siting Board pursuant to 980 CMR 14.00.

What is a Local Government for the purposes of Siting and Permitting a SCEIF?

For the purposes of 225 CMR 29.00, a “Local Government” includes all incorporated cities and towns in the Commonwealth, as well as regional agencies including, but not limited to, the Cape Cod Commission and the Martha’s Vineyard Commission.

What does a Local Government need to do if it wants to offer the consolidated local permitting process between July 1, 2026 and September 30, 2026 (also known as the concurrency period)?

If a Local Government elects to offer the consolidated local permitting process as a permitting option during the concurrency period, it should publicize its availability. Local Governments offering the consolidated local permitting process during the concurrency period must make it available to all parties seeking permitting for a SCEIF.



What should a Local Government do ahead of implementing the consolidated permitting process in their jurisdiction?

The Local Government should familiarize itself with the technical assistance materials prepared by DOER, including the universal Consolidated Local Permit Application, various checklists, and other resources. In addition, Local Government Representative(s) should plan to attend technical training sessions planned for this spring. Information about technical training sessions will be available on DOER's website.

What are the responsibilities of the Local Government Representative?

Before implementing the consolidated local permitting process, the Local Government should identify a Local Government Representative. For the purposes of 225 CMR 29.00, the Local Government Representative is automatically assigned to the Local Government's Chief Administrative Officer, or their designee(s). Depending on the Local Government, that could be the Mayor, Town Manager, or the Select Board. The Chief Administrative Officer should consider whether they want to keep that responsibility or designate some or all of the duties to one or more other town officials. Local Governments may also assign the role of Local Government Representative to one or more town officials through a bylaw or ordinance.

The Local Government Representative is responsible for:

- Reviewing and determining whether the Applicant has met all Pre-filing requirements and signing the Pre-filing Engagement Completion Checklist
- Receiving the Consolidated Local Permit Application, circulating it among various municipal departments, determining whether it is complete



- Evaluating both the Applicant's Site Suitability Report and proposed Minimization and Mitigation measures
- Compiling the decisions of individual boards and issuing the decision on the Consolidated Local Permit Application.

The Local Government's Chief Administrative Officer may designate all or some of their responsibilities to one or multiple designees.

Does the consolidated local permitting process affect local bylaws and ordinances?

No. The consolidated local permitting process does not affect or displace any local bylaws or ordinances.

Do Local Governments have to adopt a bylaw to be compliant with 225 CMR 29.00?

225 CMR 29.00 does not necessitate Local Governments to update their zoning bylaws. Local Governments may elect to adopt the model permitting bylaw will be made available by DOER. The permitting model bylaw may be used to customize the consolidated permitting process to meet the unique needs of cities and towns. Local Governments should always consult their local municipal counsel when considering adopting a bylaw.

Local Governments may also consider adopting DOER's updated model solar bylaw, and new model storage bylaw. Please be advised that neither DOER's model solar bylaw nor model storage bylaw are offered under the regulatory umbrella of 225 CMR 29.00, nor are they related to the 2024 Climate Act.