



225 CMR 29.00

Guidelines on the Responsibilities of the Local Government Representative

Small Clean Energy Infrastructure Siting and Permitting
May 26, 2026

Background

The Department of Energy Resources' Small Clean Energy Infrastructure Facility Siting and Permitting regulations (225 CMR 29.00) require a Local Government Representative ("LGR") to oversee several parts of the consolidated local permitting process. The LGR will serve as the point person for the Local Government and the Applicant when a Consolidated Local Permit is sought. This resource explains the roles and responsibilities of the LGR.

For the purposes of 225 CMR 29.00, the LGR is defined as "the Chief Administrative Officer of the Local Government, or their designee(s)." By default, this means the LGR is the Selectboard, Town Administrator, Town Manager, Mayor, City Manager, or whomever is assigned that role based on the Local Government's charter. The Chief Administrative Officer may designate all responsibilities of the LGR to a single person or public body, or they may designate specific roles and responsibilities of the LGR to specific individuals or public bodies. For example, a Selectboard may decide to have their Town Planner oversee the pre-filing and application processes but the Planning Board assign appropriate Minimization and Mitigation measures. The roles and responsibilities of the LGR can also be designated through a bylaw or ordinance.



Responsibilities Overview

The major responsibilities for the Local Government Representative are:

1. Certifying that pre-filing activities have been completed
2. Determining Application completeness
3. Assigning Minimization and Mitigation measures based on Site Suitability Reports
4. Issuing the Consolidated Local Permit Decision Form which acts to approve, deny, or record the Constructive Approval of a Consolidated Local Permit.

While the responsibilities are mainly administrative to ensure the consolidated local permitting process is carried out, the responsibility of assigning Minimization and Mitigation measures carries some discretionary authority. Each section below describes the LGR's role during the consolidated local permitting process, and potential individuals or public bodies to which the Chief Administrative Officer may wish to designate.

1) Pre-filing Requirements: 225 CMR 29.08

What This Step Does:

225 CMR 29.00 requires Applicants to conduct certain pre-filing activities for applicable projects. The LGR is responsible for confirming that the Applicant has satisfied their pre-filing obligations in accordance with 225 CMR 29.08(6).

Applicant pre-filing activities include, but are not limited to:

- Holding at least one public information session



- Meeting with municipal staff (which may include members of volunteer, multi-member boards) to go over project details and identify possible Local Stakeholders
- Other appropriate outreach steps based on the size, scope, and impacts of the proposed project.

Refer to 225 CMR 29.08 and the accompanying Guideline on Pre-filing Stakeholder Engagement for a complete explanation of the pre-filing process.

Once all pre-filing work and outreach is complete, the Applicant will submit a completed Pre-filing Engagement Completion Checklist certifying that they held all the required meetings, followed proper noticing requirements, and finished any other required steps.

LGR Responsibility:

The LGR is responsible for reviewing the checklist within 10 days of receiving it. 225 CMR 29.08(6) identifies timelines and processes for remediating any deficiencies identified by the LGR during their checklist review.

Reference Materials:

- 225 CMR 29.08
- Guideline on Pre-filing Stakeholder Engagement
- Pre-filing Engagement Completion Checklist



2) Application Completeness Determination: 225 CMR 29.10(1)

What This Step Does:

After pre-filing is complete and an Application is submitted, the LGR must determine if the Applicant has filed a complete Application. The 12-month review period does not begin until an Application is determined to be complete.

A complete Application contains all the information and materials required pursuant to 225 CMR 29.09(2), such as:

- The Pre-filing Engagement Completion Checklist, signed by the LGR
- A Site Suitability Report
- Any proposed Mitigation or Minimization to offset impacts identified in the Site Suitability Report
- A detailed project description
- All materials required for individual permits that apply to the project, such as site plan review or a special permit

All Consolidated Local Permit Applications will be filed by the Applicant through a new statewide permitting portal. Local Governments are strongly encouraged to utilize the portal to receive and review Applicant materials. Every Local Government will be given access to the portal and receive notifications when projects are filed impacting their community.

LGR Responsibility:

The LGR is responsible for reviewing the Application and determining whether it is complete and ready for review by municipal boards and departments. Generally, if the Application is missing any materials or information required by 225 CMR 29.09, then the Application shouldn't be considered complete.



The LGR is responsible for circulating the submitted Application to the relevant boards or municipal staff to assist in reviewing for completeness. The LGR may defer to the relevant boards or municipal staff in making its determination that the Applicant has provided the necessary materials required for individual permits.

Refer to 225 CMR 29.10 for a complete explanation of this step.

Reference Materials:

- 225 CMR 29.09 and 225 CMR 29.10
- Guideline on the Consolidated Local Permit Application
- Permitting Portal Manual (to come)

3) Permit Decisions or Constructive Approvals: 225 CMR 29.10(5)

What This Step Does:

A major feature of the new consolidated local permitting process is that Applicants are issued a single decision compiled of all local permits and approvals. Although each individual board and department will conduct their reviews as they always have (e.g. site plan review by the planning board, or an order of conditions by the conservation commission), the individual decisions will all be issued together in the form of a Consolidated Local Permit.

LGR Responsibility:

The LGR is responsible for collecting all individual decisions and orders of conditions by boards and departments, compiling those decisions and orders of conditions, and then issuing the decision on the Consolidated Local Permit. If all boards and departments have approved their individual permits, the Application



is approved. If a board or department has denied one of their individual permits, the Application is denied. Once the final decision has been made, the LGR must promptly communicate it to the Applicant, the municipal clerk, and the Department of Energy Resources.

If one or more permit granting authorities do not issue a decision on an Individual Application Component within 12 months, or if the LGR fails to issue its decision within 12 months, then the Application will receive Constructive Approval. If that happens, the LGR must provide a copy of the Consolidated Local Permit Form that reflects Constructive Approval to the Applicant, the Department of Energy Resources, and the municipal clerk within 10 days of the date of Constructive Approval. The date of the Constructive Approval is the last day of the 12-month review period.

Reference Materials:

- 225 CMR 29.10 and 225 CMR 29.12
- Guideline on Common Conditions
- Model Small Clean Energy Infrastructure Facility Permitting Bylaw

4) Assigning Minimization and Mitigation Measures: 225 CMR 29.07

What This Step Does:

Unless exempt under 225 CMR 29.07(1), Small Clean Energy Infrastructure Facilities are required to submit both a Site Suitability Report and proposed Minimization and Mitigation measures with their application. The Site Suitability Report summarizes anticipated impacts on five specific criteria areas: carbon storage and sequestration, biodiversity, agricultural resources, climate resiliency, and social and environmental burdens.



LGR Responsibility:

The LGR is responsible for reviewing the Applicant's proposed Minimization and Mitigation measures and determining whether they satisfactorily offset the projected impacts to the extent practicable.

Proposed Minimization and Mitigation measures must have a rational nexus to the impacts the proposed facility will have on the local environmental and population, as outlined in the Site Suitability Report. The LGR will review the proposed measures with the Applicant and then make a final determination that is then included as a condition on the Consolidated Local Permit.

Potential Designee(s)

Should a Local Government seek to designate one or more LGRs, DOER recommends the following types of local officials be considered for those roles, especially for the administrative responsibilities:

- Municipal Planner
- Building Commissioner
- Building Inspector
- Planning Board Chair
- Conservation Commission Chair
- Zoning Board Chair
- Conservation Agent



Should a Local Government seek to designate a separate LGR with the responsibility of assigning Minimization and Mitigation measures, a Local Government may also want to consider designating one of the following boards for that role:

- Planning Board
- Zoning Board of Appeals
- Conservation Commission
- Sustainability or Energy Committees
- Selectboard, Town Council, or City Council, if not the Chief Administrative Officer