



November 14, 2025

Joanne Bissetta, Director, Green Communities Division
Massachusetts Department of Energy Resources
100 Cambridge Street, 9th Floor
Boston, MA 02114

Via: Email to green.communities@mass.gov

Reference: Comments on:
Draft Solar and Battery Energy Storage Systems Model Bylaws

Dear Director Bissetta:

Beals and Thomas, Inc. (B+T) appreciates the opportunity to comment on the Massachusetts Department of Energy Resources' (DOER) model local bylaws for solar and battery energy storage systems (BESS). B+T is a multidisciplinary consulting firm with significant land use entitlement, natural resources, and inland and coastal wetlands experience. Over the past 30 years we are proud to have played a part in the evolution of New England's energy portfolio. Our interdisciplinary teams have successfully facilitated numerous energy projects from concept through design, permitting, and construction. Our extensive experience within the energy industry includes involvement in over 180 utility line surveys, over 130 solar developments (including ground mount, dual-use, and canopy), over 20 substations, and nearly a dozen power plant projects.

We commend DOER for its goals to streamline the permitting process for clean energy projects to better enable the Commonwealth to meet its future electricity demand and climate goals.

We participated in the beneficial office hours on November 6, 2025. We have reviewed the draft model bylaws, and offer the following comments on the proposed bylaws and the broader context of 225 CMR 29.00:

- Both draft bylaws include definitions for Community Benefits Agreement (CBA) and Community Benefits Plan (CBP). While these terms are discussed in additional detail in the *Draft Standards and Guidelines: Community Benefit Plans and Community Benefit Agreements*, the only other reference to CBAs or CBPs in the text of the model bylaws is in the required documents for Site Plan Review. Moreover, a CBP is only noted as a submission requirement "if applicable."

The notes accompanying the definitions indicate that CBAs are a best practice "...particularly for larger projects with more significant local impacts." However, there does not appear to be guidance for what is considered a "large project" or a "significant local impact." Further, it appears these notes are informational and are not intended to be adopted as part of the bylaw.

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Accordingly, we recommend that DOER provide guidance to municipalities regarding when a CBP or CBA may be an appropriate mechanism.

- Both draft bylaws include a section requiring prospective developers to provide a decommissioning surety in the amount of 125% of the total cost associated with removal of a project. This cost estimate is to be prepared by a qualified engineer. To facilitate consistency across municipalities and between engineers, we recommend that DOER include resources to serve as benchmarks for decommissioning cost estimates.

Thank you for considering our comments, and please do not hesitate to reach out if you have questions on our input. We recognize and respect the hard work that went into these draft model bylaws and look forward to the furtherance of the Commonwealth's renewable energy goals in a clear and achievable way.

Sincerely,

BEALS AND THOMAS, INC.



Mary Kate Schneeweis
Senior Environmental Planning Specialist

MKS/shm/cmv/Draft Model Bylaws B+T Comments