



February 23, 2018

WRITTEN COMMENTS OF LODESTAR ENERGY LLC
SMART Land Use and Siting Guideline

Ladies and Gentlemen:

Lodestar submits these comments with respect to the above-mentioned matter. On January 22, 2018, the Department of Energy Resources issued a draft Land Use and Siting Guideline, in which the Department clarified how Solar Tariff Generation Units could qualify as Category 1 Non-Agricultural by complying with "established local zoning that explicitly addresses solar or power generation." The Department suggests that "established local zoning that explicitly addresses solar or power generation" equates to a "solar overlay district" or "as of right siting." STGUs that seek a "variance, special permit, waiver, or other discretionary approval" would not qualify under the Category 1 Non-Agricultural categorization.

While we commend the Department for recognizing the importance of local land use decision-making in its design of the SMART program, we believe that solar tariff generation units located in zoning districts that allow solar by special permit should qualify as Category 1 Non-Agricultural. Towns that have decided that solar is permissible in certain districts have contemplated solar siting in their decision to allow solar by special permit. The special permit process allows a municipality to condition projects and consider the unique characteristics of each project in relation to its surroundings.