

Dear Telecommunications, Utilities and Energy Committee Chairs Barrett and Roy,

My name is Janet Sinclair. I live in Buckland.

I support Senate 2596 - An Act Allowing Municipalities to Reasonably Regulate Solar Siting.

I, for one, already thought we could reasonably regulate solar siting in our communities. That was until we saw a bunch of lawsuits that have mostly resulted in towns being told otherwise.

I live in Buckland. We had a moratorium on large scale solar in 2013 or thereabouts. The reason we did that was because my town as encouraged to put solar into our bylaws, but with no rules for it.

I chaired our Renewable Energy Advisory Committee and wrote comments about solar siting at the request of the Planning Board. There was very careful consideration for our bylaws. Our town voted to pass solar bylaws that are sensitive to our forests, farmlands, wetlands, effects on neighborhoods, including real estate value impacts, and other general issues that were already in our zoning bylaws.

Buckland, like most communities is made up of quite a variety of points of view. I think it's safe to say that if the bylaws were unreasonable, they would not have passed with an almost unanimous vote at town meeting.

It is disturbing to me that my town can be in a position where our bylaws can be challenged, and it seems that the deciding factor will be who has the most money -- the town or the developer.

I have a most basic question here. Why does solar have a supposed protected status in the zoning act in the first place? Why aren't biomass and wind treated the same? - taking away local zoning rights for them? I am not suggesting that these energy sources get protected. That would be a disaster for our rural and poor communities. I am suggesting that the way that the zoning act has been construed is wrong. That language was passed in 1985 to ensure solar access for homes for rooftop solar. There were no large scale solar systems proposed then, largely because the subsidies for solar weren't in existence.

To clarify these legal interpretations of Chapter 40a , please ensure the passage of this bill.

Janet Sinclair
71 Ashfield St.
Shelburne Falls