

SUPPORT BILL TO EMPOWER MUNICIPAL ZONING FOR SOLAR SITING **Senate Bill No. 1319/House Bill No. 2082**

THE BILL

An Act Regarding Municipal Zoning Powers:

“Section 3 of Chapter 40A of the General Laws is hereby amended by striking the following language: *"No zoning ordinance or bylaw shall prohibit or unreasonably regulate the installation of solar energy systems or the building of structures that facilitate the collection of solar energy, except where necessary to protect the public health, safety or welfare."*

WHAT IT DOES

- Updates the state’s zoning law on solar energy systems
- Allows municipalities to regulate solar siting the same as for all other land uses (residential, commercial and industrial)
- Eliminates outdated 1985 Chapter 40A, Section 3 solar clause and confirms municipal zoning powers
- Helps protect land, forests, water, wetlands and communities

WHY WE NEED IT

- The 1985 solar law was intended to make it easier to install small scale systems that generate electricity for use on site --- not weaken zoning for the large industrial ground mounted solar systems that were unknown in 1985
- Large industrial solar projects have clear-cut over 6,000 acres of forest so far, with about 140,000 more acres of forest and open space planned
- Municipalities are at the forefront of protecting land and water when siting large industrial solar projects but solar developers use the

outdated 1985 law to threaten lawsuits if local boards impose too many conditions

- State siting guidelines and federal environmental laws do not adequately protect drinking water, rivers, wetlands and forests --- we need municipal zoning too
- The 1985 law imposes a crushing burden on local zoning boards and communities, costing time and money --- leaving our land, water and forests less protected
- Solar can still be built and municipalities are bound by current legal standards for reasonable zoning regulation

Bill Sponsors: Rep. McMurtry, Norfolk; Sen. Oliveria, Western Massachusetts

Groups supporting: Save the Pine Barrens/Community Land & Water Coalition, RESTORE The North Woods, Save Massachusetts Forests

More information: www.savethepinebarrens.org
environmentwatchesoutheasternma@gmail.com