



MASSACHUSETTS
**DEPARTMENT OF
ENERGY RESOURCES**

New Local Permitting for Clean Energy Projects – What You Need to Know

MAPC MWRC and SWAP
Presentation

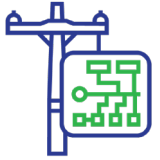
July 9, 2026

Presented by

Stephen Meno, AICP, Central Regional Coordinator, Clean Energy Siting and Permitting,
DOER
Marcela Castillo, Northeast Regional Coordinator, Clean Energy Siting and Permitting,
DOER



Why the Focus on Clean Energy?



MORE ABUNDANT ELECTRICITY

Demand is rising. Solar and storage facilities are relatively fast to build and provide cost-effective energy.



BENEFITS TO RESIDENTS AND COMMUNITIES

Reducing emissions will prevent 400 deaths, 25,000 days of missed work annually. Adding clean energy creates new jobs and economic development opportunities across Mass.



A MORE RESILIENT, RELIABLE, AFFORDABLE GRID

Increases our energy independence; reduces the need for dirty, expensive peaker plants; reduces long-term infrastructure costs



IT'S THE LAW

2008 Global Warming Solutions Act, 2018 Clean Energy Act, and 2024 Climate Act establish/restate requirement to reduce emissions to 80% of 1990 levels by 2050

Removing Obstacles

Biggest hinderances to investments in clean energy infrastructure,
per commission



INTERCONNECTION DELAYS

- Projects can wait years after receiving permits.
- Utilities are working on Capital Investment Plans (CIPs), in partnership with Grid Modernization Advisory Council.



GROWING COSTS

- Cost of materials and labor continues to put squeeze on project economics.



LOCAL & STATE PERMITTING

- 351 apps and processes
- Lengthy review timelines
- Multiple appeal routes
- Incomplete applications
- Impacts on local enviro
- Lack of public engagement
- Lack of review standards

Solution - 2024 Climate Law

- Biggest local permitting reform in a generation
- New **optional** consolidated permitting pathway
- Hard deadlines for decision making
- One appeal pathway
- New process for evaluating site suitability, and needed minimization and mitigation



2024 Climate Law

Two classifications of clean energy infrastructure projects

	Small	Large
Permitting Authority	Municipality	Energy Facility Siting Board
Generation	<25 MW	≥25 MW generation
Storage	<100 MWh	≥100 MWh
Transmission and Distribution	<1-mile long new corridor <10-mile long existing corridor	All other types (developers can also request EFSB to review Small Transmission and Distribution Projects)

20 kW Ground-mounted Solar

Type	Ground-mounted solar
Size	Up to 20 kW
Use	Primary
Site	Municipal
Dimensions	Approximately 1,400 sq. ft.
Typical Use	This size system can support the energy demands of a library or a small strip mall.
225 CMR 29.07 and 29.08	Exempted from requirements



Image of an approximately 20 kW ground-mounted solar system next a small home. Photo credit: ASG

1 MW Ground-mounted Solar

Type	Ground-mounted Solar
Size	Up to 1 MW
Use	Primary
Site	Commercial
Acreage	Approximately 2.5 acres
Typical Use	A system of this size can generate enough energy to power roughly 200 homes.
225 CMR 29.07 and 29.08	Must meet requirements



*Image of 1 MW ground-mounted solar system in Pittsfield, MA.
Photo credit: Google Earth*

20 MW Commercial Ground-mounted Solar System

Type	Ground-mounted solar
Size	Up to 20 MW
Use	Primary
Site	Commercial
Acreage	Approximately 50 acres
Typical Use	A system of this size generates significant amounts of electricity for the grid, providing energy for thousands of homes.
225 CMR 29.07 and 29.08	Must meet requirements



Image of an expansive 20 MW commercial ground-mounted solar in Franklin County, PA. Photo credit: Google Earth

1 MWh Commercial Battery Storage System

Type	Battery Storage
Size	Up to 1 MWh
Use	Primary
Site	Commercial
Acreage	Approximately 0.1 acres
Typical Use	These facilities can store large amounts of energy to be dispersed during peak events, or serve as a type of generator during extreme weather events.
225 CMR 29.07 and 29.08	Must meet requirements



Image of a 1 MW battery storage system at the Dennis-Yarmouth Regional High School in Yarmouth, MA. Photo credit: Department of Energy Resources and CVEC

40 MWh Commercial Battery Storage Facility

Type	Battery Storage
Size	Up to 40MWh
Use	Primary
Site	Commercial
Acreage	Approx. 0.75 acres
Installation cost per MWh	Between \$350,000-\$600,000 per MWh
Typical Use	These facilities cheaply store large amounts of energy to be dispersed to thousands of customers, during peak events.
225 CMR 29.07 and 29.08	Must meet requirements

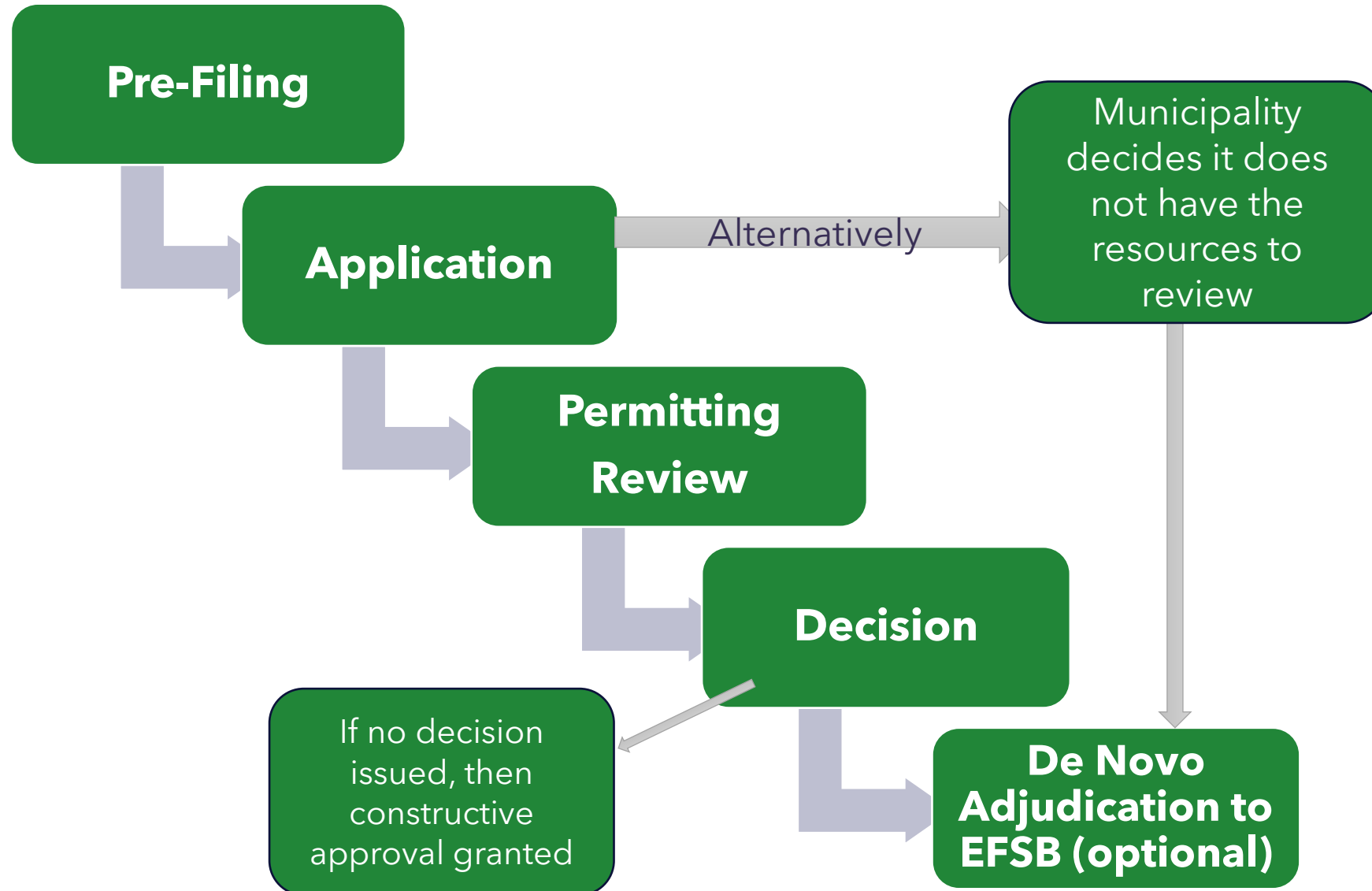


Image of a 38 MWh commercial battery storage system based in Provincetown, MA. The facility stands on a paved lot and is surrounded by forested land. Photo credit: Eversource

How does this compare to 40B?

	G.L. c. 40B §21 Comprehensive Permit	225 CMR 29.00 Consolidated Local Permit
Use	Affordable Housing	Clean Energy
Permitting Authority	Zoning Board of Appeals	Local Boards retain individual permitting authority
Municipal Exemptions	If municipality has at least 10% of its year-round housing stock classified as affordable	No threshold for exemption
Local Bylaws	Allowed to override local zoning bylaws	No impact to local authority
Appeals Pathway	Housing Appeals Committee	EFSB De Novo Adjudication

The Consolidated Permitting Process



Pre-Filing

GOAL: By having developers give a good-faith effort up front, we'll save time and energy elsewhere in the process

1 MEET LOCAL OFFICIALS

- Help identify key local stakeholders
- Check plan accuracy
- Confirm all needed permits

2 PUBLIC OUTREACH

- Host a public meeting
- Talk with stakeholders
- Project info on website

3 CERTIFY STEPS

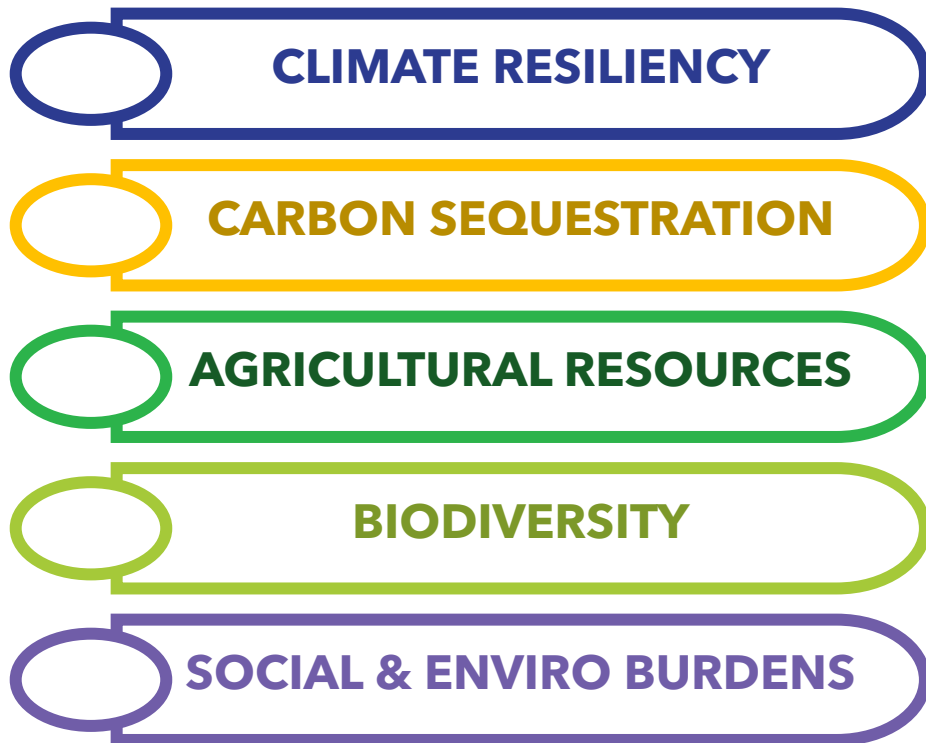
- Take feedback into consideration
- Outline steps taken



Site Suitability

GOAL: Make better siting decisions and limit environmental impacts through new site evaluation process

Scoring Criteria



- **Scored 0-5 (except climate resiliency 0-3)**

- Lower the score, less impact
- 0-1; little to no minimization/mitigation required
- 4-5; lots of minimization/mitigation required

- **Protected Open Space automatically scored 5 for some criteria**

- Predeveloped lands scored 0 for some criteria
- Article 97 process still applies

- **Based on EEA Guidance**

Exemptions from Site Suitability and Pre-filing

Exempted Generation

- Generation with a site footprint ≤ 1 acre
- Front-of-meter Solar $\leq 25\text{kW AC}$
- Solar Canopies
- Behind-the-meter, accessory-use Generation
- Generation eligible for the ITC

Exempted Storage

- Front-of-meter Storage $\leq 250\text{kWh AC}$
- Behind-the-meter, accessory use Storage

Other Exemptions

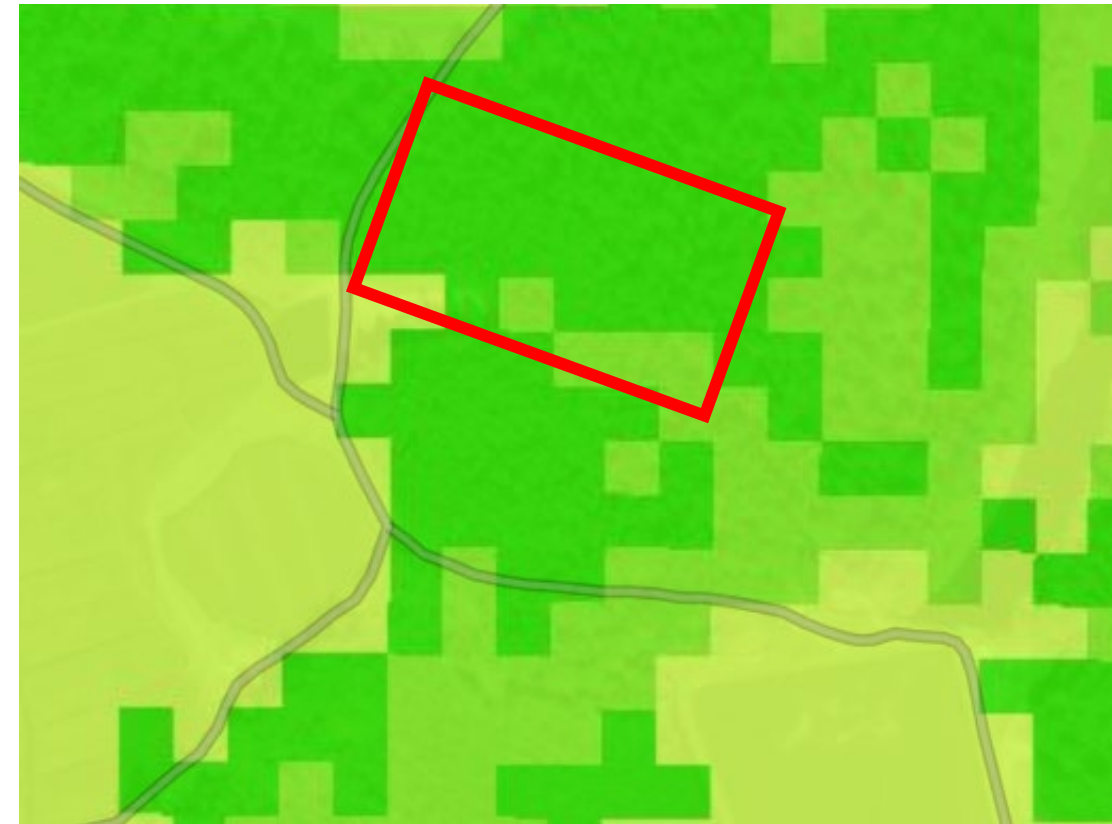
- Small Transmission & Distribution in existing right of way



Site Suitability Scoring Tool

Wooded Area for Battery Energy Storage in Central Mass.

CRITERIA	SCORE	REASON
CLIMATE RESILIENCY	2	Moderate Exposure to Riverine Flooding
CARBON SEQUESTRATION	1.5	Aging, lower productivity pine stands
BIODIVERSITY	4.5	Entire site is BioMap Core Habitat
AGRICULTURAL RESOURCES	0	Not farmland and no mapped soil resources
SOCIAL & ENVIRO BURDENS	3	MassEnviroScreen Score of 56.38



Snapshot from the *Proposed Site Suitability Assessment Criteria for Clean Energy Infrastructure* webmap with the Ecosystem Carbon Index (ECI) layer selected

Permitting Review – Site Suitability

GOAL: Local officials will be empowered to determine what level of minimization and mitigation is needed to offset impacts

The Local Government Representative will...

REVIEW

- Review Applicant-provided Site Suitability Report

ASSESS

- Assess adequacy of proposed M/M measures
- Consider if additional M/M steps are need

INCLUDE

- Consult with the Applicant
- Include any conditions in decision



Consolidated Local Permit Application

GOAL: Consistent, accurate, thorough project applications will enable a smoother, faster permitting process

Universal application covering all needed permits

- DOER/EFSB creating online permitting portal

Expectation for Developers:

- Fill it out thoroughly and accurately
- "Ready for review tomorrow"
- Provide Suitability Scoring Report, and proposed minimization and mitigation measures

Expectation for Local Government:

- Review for completeness within 30 days
- If not ready, document deficiencies and send back
- 30 days to fix or it can be denied
- May request review by way of De Novo Adjudication if Local Government lacks the resources to review



Permitting Review

GOAL: Create an optional permitting pathway that expedites decisions while preserving local authority

0

No action needed by local governments to implement.

1 decision

All boards and depts need to conduct their reviews and make decisions. But the Applicant receives just one decision.

12 months

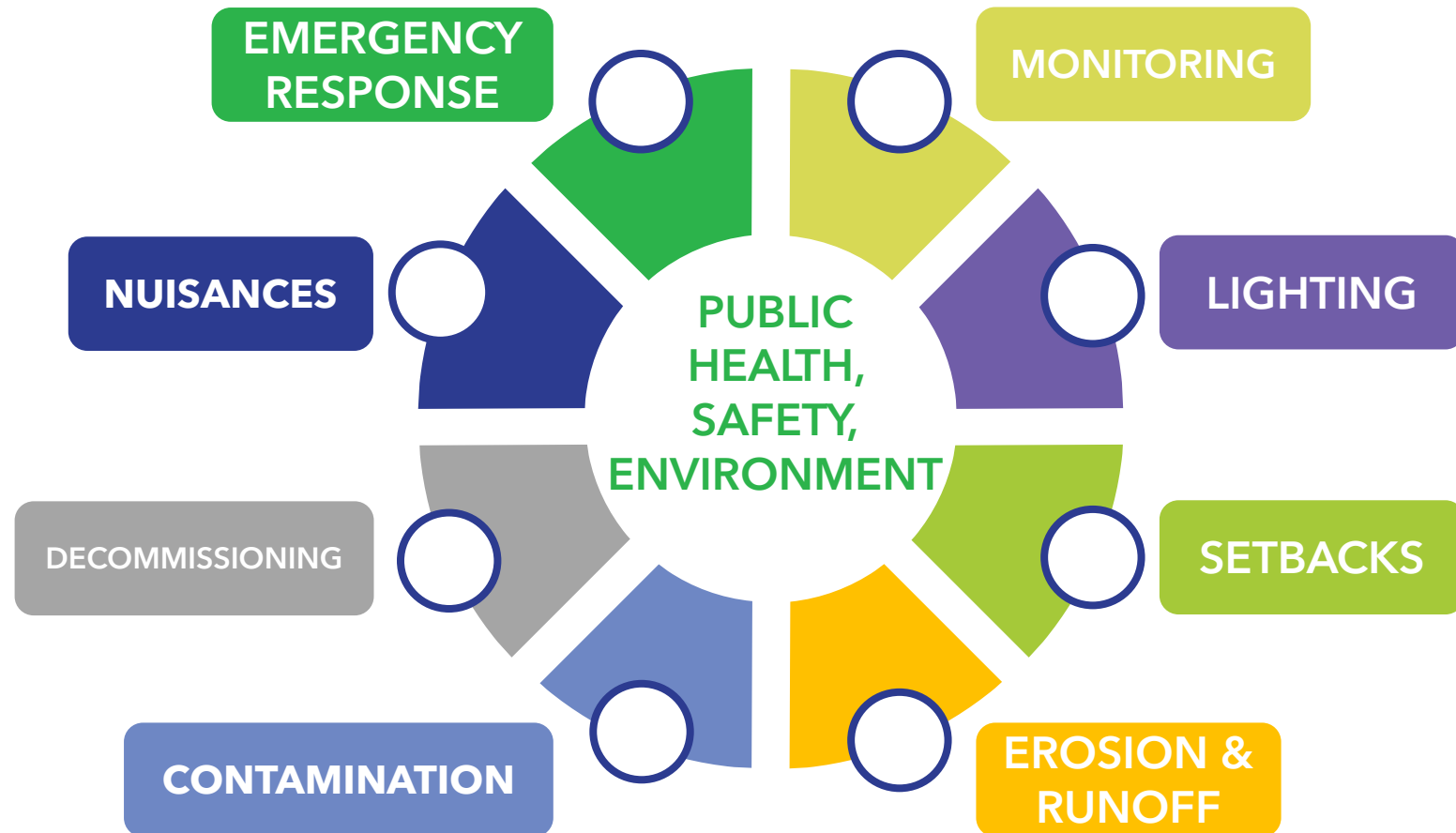
Decision needs to be issued within 12 months of determining app is complete. Ministerial permits not included.



Permitting Review – Standards

GOAL: Create clear upfront expectations for project designs

- Establishes standards for facility construction, operation, maintenance, and decommissioning
- Specifically states Applicants need to abide by Wetlands Protection Act, other DEP rules
- Munis are not prohibited from adopting additional standards (EFSB retains right to issue zoning exemptions under 40A)



Common Conditions in case of Constructive Approval

- Constructive Approval will occur when a municipality does not issue a decision within the 12-month timeframe
- Common Conditions were developed by DOER staff in coordination with the Energy Facilities Siting Board, and include conditions and requirements for the following topics:

Administrative and legal conditions

Conditions and requirements for construction

- (visual impact, vegetation, earthwork, etc.)

Conditions and requirements for operation and maintenance

- (stormwater control, emergency response, hazmat storage, etc.)

Decommissioning

Projects will still be enforced by the Local Government

Local Government Representative

"The Chief Administrative Officer of the Local Government, or their designee(s)."

- The major responsibilities for the Local Government Representative are:

1. Certifying that pre-filing activities have been completed

2. Determining Application completeness for a Consolidated Local Permit

3. Issuing the Decision or Constructive Approval for a Consolidated Local Permit

4. Assigning Minimization and Mitigation Measures for Site Suitability

- Potential Designee(s):
 - Municipal Planner
 - Building Commissioner
 - Building Inspector
 - Planning Board Chair
 - Conservation Commission Chair
 - Zoning Board Chair
 - Conservation Agent

What Do Municipalities Need to Do

Review Materials

- Final regulations and some guidelines have been published
- Additional guidelines will be posted soon
- Technical Assistance resources

Decide when to start offering new permitting pathway (July 1 - Sept 30 or Oct 1)

- Consult with municipal counsel on what process is to start offering new pathway
- Municipalities do not need to make bylaw/ordinance changes

Decide who should be the Local Government Representative

- Requires a decision by the Chief Administrative Officer (Mayor, City Manager, Town Manager, Town Administrator, Select Board, etc.)

Materials Coming from DOER

GOAL: DOER wants to hear from those who will implement the new rules

Regulations

- Final regulations were published on March 1, 2026
- Municipalities may start offering new pathway July 1 – Sept. 30, 2026
- Municipalities must start offering new pathway by Oct. 1, 2026

Guidelines

- Final Pre-filing, Standards and Common Conditions Guidelines have been published
- Finalizing Minimization and Mitigation, as well as Application

Model Bylaws

- Will be published on website

Technical Assistance

- FAQs, LGR, Lookbook, sessions hosted by RPAs
- Schedule a 1-on-1 meeting with your DOER Regional Coordinator



Online Training Materials

MassCEC, in collaboration with NFPA, offers a BESS and Solar Safety training course

Name of training course: Energy Storage and Solar Safety for Emergency Responders Online Training

Use code: MASSCEC2 for free access



Our Team

Division of Clean Energy Siting & Permitting

 100 Cambridge St. - 9th Floor - Boston, MA 02114

 [\(617\) 626-7300](tel:(617)626-7300)

DOER.Siting.Permitting@mass.gov



Rick Collins

Director

Rick.Collins@mass.gov



Marcela Castillo

Regional Coordinator - North

Marcela.Castillo2@mass.gov



Connor Rockett

Regional Coordinator - South

Connor.Rockett@mass.gov



Stephen Meno

Regional Coordinator - Central

Stephen.Meno@mass.gov



Doug Finn

Regional Coordinator - West

Doug.Finn@mass.gov



MASSACHUSETTS
**DEPARTMENT OF
ENERGY RESOURCES**

Thank You!