

Wareham Solar By-Law Study Committee
MINUTES OF THE MEETING
Wednesday, January 12, 2022
Time: 4:00pm – 5:30pm
<https://us02web.zoom.us/j/86496957835>
Meeting ID: 864 9695 7835

1. CALL MEETING TO ORDER

The meeting was called to order by Chairperson McHale at 4:02 P.M.

2. ROLL CALL

Members Present: Nancy McHale (Chairperson)
Carl Schulz (Clerk)
Jacqui Nichols
Linda Rinta
Christopher Conti
Denise Wolk

Members Absent: Ronald Besse

Also present: Ken Buckland, Director of Planning
Elise Leduc-Fleming, Executive Director Wareham Land Trust
Tricia Wurts, Citizen

3. ZOOM PROTOCOL

Chairperson McHale reviewed the operating protocols for our ZOOM meetings to ensure an orderly exchange:

- Please use the “RAISE HAND” tool to request to speak
- Please speak one-at-a-time

4. MINUTES TO APPROVE

MOTION: Motion made and seconded to approve the minutes of the December 29, 2021 meeting

Motion passed (5-0-1)

Pending: Minutes of the January 5, 2022 meeting

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5. REVIEW OF STATE OBJECTIVES & LOCAL OBJECTIVES

Chairperson McHale reviewed some of the activity going on at the State Level:

- The State has announced plans to double the capacity under the SMART program.
- The Supreme Judicial Court is reviewing a case about whether towns can put solar in residential; this could affect every town's ability to regulate solar

The Committee reviewed some of the (inferred) expectations from citizen's groups including:

- The impact of the (19) large solar projects in town,
- Concern about the loss of forest and other habitat,
- Impacts on both fresh and salt water quality,
- Potential destruction of cultural and historically significant sites,
- Limiting the size of projects (similar to the bylaw passed on June 12)

The Committee discussed the need to and difficulty of communicating how any proposed bylaw addresses these concerns.

The Committee discussed the need to as well as the difficulty of providing incentives to site solar in the Commercial district, over brown-fields, on roof-tops, and over parking lots. Incentives that have been discussed include:

- Relief from setback requirements (in the Commercial and Industrial zones), and,
- Relief on dimensional requirements (in the Commercial and Industrial zones).

The Committee discussed the practicality of limiting solar to what has already been applied for, approved, and or installed.

- If we prohibit any future residential deployments then we will prohibit small farms from solar projects,
- Should we limit size or focus on specific siting requirements,
- Was the bylaw passed on June 12th just a stop gap measure or is it the baseline upon which we must build,
- The Committee recognized the need to protect forests,
- The Committee recognized the need for means to meet future energy needs,
- The Committee recognized the need for a balanced approach.

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- The Committee agreed that we need to prevent very-large projects in locations that cause significant social disruption.

The Committee recognized a concern that if the AG rejects the June 12th bylaw and we write an overly restrictive update that gets rejected as well then we will be back to the October 2019 version of the bylaw – which offered little or no protection.

The Committee discussed how to write a bylaw in the context of a changing State and Federal landscape.

- Can we / should we restrict putting solar in any residential zone. This presents a challenge because most of Wareham is zoned residential; Wareham does not have an Agricultural zone.

The Committee discussed the option, if we are unable to complete the effort to craft a new bylaw, that we impose a moratorium on any future solar projects until the new bylaw can be completed.

6. DISCUSSION ON HOW TO PRESENT THE BYLAW

Chairperson McHale reported that the Town Moderator would accept a complete replacement of Section 590.

7. REVIEW OF UPDATES TO THE GOOGLE DOCUMENT AND THE OUTLINE

Mr. Schulz and Ms. Wolk walked through the updates that were “accepted” into the Google document.

Action: Ms. Nichols will add version information on the outline document.

As a closing point Mr. Schulz recommended that we address “solar-over-water” in our bylaw.

8. PUBLIC COMMENT

Ms. Leduc-Fleming provided comments:

- Terms in use should be clearly defined:
 - Previously disturbed,
 - Significant,

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- Large-scale
- Focus on incentives; why can't the Town offer financial incentives.
- Add mitigation language for impacts to upland forests; refer to the work done by the Cape Cod Commission for examples.
- Noted that forests are important; she doesn't agree that clearing a forest (or "managing") improves quality.
- Siting is a key concept; urged Committee to identify land types to avoid (eg aquifers); identify all special areas in town that should be protected.
- Ms. Leduc-Fleming noted that the Committee can refer to Cape Cod Commission's Solar Screening Tool for an example of types of data and features to consider when identifying special areas in town to protect.

Ms. Tricia Wurts provided comments:

- The State held a hearing yesterday on bill S2596 which would transfer more control back to the local town bylaws. Unfortunately, this bill was the last on the agenda and most of the interested parties had left before speaking. She did note that some speakers held up what has been happening in Wareham and Carver as something to be avoided.
- Ms. Wurts noted the need to address stand-alone battery deployments.

9. ADJOURNMENT

MOTION: Motion made and seconded to adjourn the meeting at 5:39.

Motion passed (6-0-0)

10. NEXT MEETING

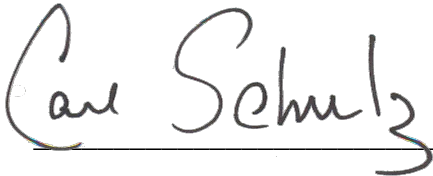
Date: Wednesday, January 19, 2022
Time: 4:00 PM
Place: **Zoom**

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Date Signed

By Carl Schulz, Feb 16, 2022 at 12:44

Date signed:

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Attest:

Clerk Wareham Solar Study Committee

Date Submitted

By Carl Schulz, Feb 16, 2022 at 12:44

Date copy sent to Town Clerk: