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August 24, 2021

Joanne Bissetta, Acting Director
Green Communities Division
Massachusetts Department of Energy Resources
100 Cambridge Street, #1020
Boston MA 02108

RE: Town of Bourne – Application for Green Communities Designation

Dear Ms. Bissetta:

The Massachusetts DOER has requested a letter from the Town's legal counsel in connection with the above-referenced matter that pertains to by-right zoning allowing clean energy facilities.

At the October 17, 2011 Special Town Meeting, the Town voted to approve Article #10 by amending the Zoning Bylaw by adding Section 3470 Solar Photovoltaic System (SPS) Ground Mounted Bylaw within specific overlay districts. Large solar systems 250 kW or greater structurally mounted on the ground would be permitted as of right subject to Site Plan Review by the Planning Board.

Nothing in the Zoning Bylaw or in any other section of the local bylaw would preclude the issuance of a permitting Decision within one year.

Solar systems installed on top of structures are permitted as of right and only require a building permit.

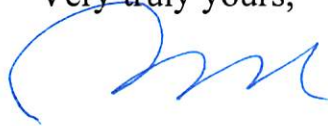
Large ground mounted systems (250 kW and over) are allowed only within a Solar Overlay District and are permitted as of right with Site Plan Review conducted by the Planning Board.

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Site Plan review is referenced within the procedural rules of the Planning Board. Site Plan review application is under Section 1232 of the Zoning Bylaw. Once the Application is deemed complete, a Hearing is scheduled.

Very truly yours,



Robert S. Troy
Bourne Town Counsel

RST:geo

Cc: Anthony E. Schiavi, Town Administrator
Coreen V. Moore, Town Planner
Glenn Cannon, Asst. Town Administrator