

## **SUPPLEMENRY EVIDENCE IN SUPPORT OF VARIANCE: 1070 Washington St Solar**

a. If this Variance is allowed, it will alleviate a substantial hardship because:

Ag based businesses often have more unpredictability in revenue than average business and can be more susceptible to economic turmoil. The recent emergence of the Covid-19 pandemic has showed the landowners at 1070 Washington that their business is susceptible to unforeseen gaps in income that could be harmful to their financial stability. Leasing of rooftops for a passive use like solar energy provides a steady and predictable supplementary income without effecting the underlying business what-so-ever. This provides peace of mind to the landowner and their family that they can weather these storms now and in the future. Denying this use would be a substantial hardship to their financial stability.

b .If this variance is allowed it will create no substantial detriment to the public good because:

There has been no provable detriment to the public good from rooftop solar in The State of Massachusetts which has been reflected in the laws and recommended permitting guidelines. The solar panels themselves will not impede views or negatively affect the surrounding community in anyway. This will only have a negative effect on the landowner by regulating their ability to make supplementary income which will be good for the local economy.

Below is an image showing a similar barn with solar on the Ag feel of the barn.



Further, The Town of Holliston signed an agreement with NextGrid Inc on October 6<sup>th</sup> 2020 for NextGrid to provide discounted power to the residents of Holliston including the low income community. This agreement was signed for the public good so all residents can save money and uphold their commitment as a Green Community. The denial of this variance will impede our ability to add to the public good through Community Choice Aggregation.

- c. If this variance is allowed, it will not nullify or substantially derogate from the intent and purpose of the zoning bylaw because:
  1. **Current Use:** The solar energy facility is a passive use that will solely add to the properties current agricultural use. The only new structure would be a horse paddock which would be allowed by-right without the solar panels on the roof which will not be visible from the ground or the surrounding properties. The solar panels mounted on allowed uses do not take away from the ability of the property to function as a residential and agriculture use
  2. **Size and Scale.** The original bylaw was adopted in 2012 and uses the nameplate capacity of 250kW as their maximum system size. In 2012 the average panel wattage was 200W and on this system in 2021 we will be using 400w. This means the scale of solar panels has been cut in half. The horse paddock will be the only “new” construction. This structure would be allowed as-of-right with if not for the solar on the roof. The roof-mounted solar only accounts for 408 panels where in 2012 it would have taken double the panels to achieve such output.
  3. **Massachusetts State Law:** Massachusetts State Law clearly states *No zoning ordinance or by-law 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.* To clarify The DOER went on to say the following:

3) Allowable Use. *In DOER’s interpretation, **roof-mounted** and small- and medium-scale ground-mounted solar energy systems **cannot be prohibited** as a use within a Zoning Bylaw/Ordinance. Because Special Permits explicitly provide the option to deny an application, the Special Permit process is not a viable choice for regulating these systems. It is DOER’s further interpretation that roof-mounted and small- and medium-scale ground-mounted solar energy systems must be allowed by-right in order to comply with Chapter 40A Section 3. A municipality may review these systems as part of Site Plan Review.* This was written in 2014 two years after the Holliston solar by-law was adopted. There is no other zoning bylaw in MA that we know of which prohibits roof-mounted solar because of this reason.