

Farm Road Homes: 40B permit process/options

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Rick,

I am writing as a resident and as a member of the Conservation Commission and the Energy & Sustainability Committee. I would like to talk with you or hear from you about the Farm Road Homes hearing and process will or can handle outstanding wetland and sustainability issues.

First, given schedule constraints and other issues, is it possible for the ZBA to have what might be open-ended conditions if insufficient time to work on all of the details? Two possible issues are:

- (1) the Conservation Commission requested detailing, with supporting work, of a landscaping or planting plan for the work in the wetlands buffer zone that will be disturbed and used for stormwater management, and
- (2) the business and financial specifics for the solar electricity installation that fit within a 40B project and fairly allocates benefits and flexibility to future residents.

For example, can the ZBA condition the project where the applicant is required to obtain subsequent approval of a landscape/planting plan from the Conservation Commission before commencing construction? Similarly, can a condition require approval of the solar installation business arrangements before construction?

I recognized that such open-ended conditions can lead to uncertainty about coming to agreement in the future and therefore be considered an undue burden. However, maybe such objections can be lessened by including certain operating principles in the conditions, such as:

- for solar condition, principles could include resident opting-out option if not resident owned.
- for wetland buffer condition, principles could include factoring in wildlife habitat and use of rain gardens.

More work on the specifics of conditioning can be done if the ZBA would find this to be useful approach. The Conservation Commission has done this for planting plans in some of its permits.

It is noted that the solar business model issues can involve trade-offs, as only some options can tap tax incentives such as accelerated depreciation, and some complications as to how to ensure capturing all of the behind the meter benefits. Furthermore, there are likely cost and generation levels trade-offs between roof-top, canopy and ground mount - though the differences might not be very significant in the bigger picture.

A second general concern is that I hope there is time to address the other concerns raised by the Conservation Commission and the Energy & Sustainability Committee.

Regards, Michael Lesser 617-909-0005
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