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Publications



The Mass. Wind Recovery Siting Reform Act of 2009

The recently introduced Wind Energy Siting Reform Act of 2009 in the Massachusetts Legislature is aimed at providing incentives for the development of on-land wind power and other energy efficient sources. The bill is designed to encourage the development of clean, renewable, electric generating plants and ancillary facilities powered by wind; ensure siting occurs in appropriate locations based on clear, predictable, environmentally protective standards; streamline the permitting process; and reduce delays associated with appeals of such permits.

The expedited permitting process currently available to larger facilities, 100 or more megawatts (MW), is proposed in the bill to enable smaller facilities, including wind-power land-based facilities that generate 2 or more MW, to access a faster streamlined permit-process as well. The legislation uses some of the concepts found in other development and permitting laws, such as G.L. c. 40B (comprehensive permits), and 43D (permit streamlining), by providing options for faster approval.

No doubt much debate will ensue before the legislation becomes law.

Susan Bernstein, attorney at law, Needham, Mass.

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Highlights

- C. 21E and CERCLA Hazardous Waste
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- Zoning and Planning Boards
- Condominium Formation
- DEP Negotiations
- Board of Health
- Land Use