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October 19, 2015

Carolyn M. Murray
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Massachusetts Department of Energy Resources
Green Communities Division
100 Cambridge Street – Suite 1040
Boston, MA 02114

Re: Town of Weymouth's Green Communities Designation Criterion No. 2

To Whom It May Concern:

Please be advised that this office serves as legal counsel to the Town of Weymouth. This letter is being provided on behalf of the Town in accordance with the requirements set forth in the Guidance documents issued by the Massachusetts Department of Energy Resources with regards to Criterion No. 2 of the Green Communities Designation and Grant Program.

Criterion No. 2 *A municipality must adopt an expedited application and permitting process under which Criterion 1 facilities may be sited within the municipality, and the permitting process shall not exceed one (1) year from the date of initial application to the date of final approval.*

Criterion 1 as-of-right energy facilities are provided for under the Town of Weymouth's Zoning Ordinance Article XXI § 120-106.3. Large-scale ground-mounted solar photovoltaic installations with a minimum nameplate capacity of 250 kW DC are permitted "by-right in the PIP District but will require Site Plan Review under Article XXVA."

I have reviewed Article XXVA which pertains to Site Plan review of Criterion 1 facilities. Section § 120-123 of Article XXVA provides the following:

Within thirty (30) days of the receipt of the properly executed application, the site plan review authority shall conduct a site plan review....

Within thirty-five (35) days following a site plan review, the site plan review authority shall take final action on the application and file said action with the Town Clerk. Failure to take final action within the time prescribed shall be deemed to be a grant of the site plan as per application.

In my opinion, this provision ensures that the site plan approval process for Criterion 1 facilities will take place within one (1) year from the date of initial application. In my opinion, nothing within the Town's local regulations and approval processes would otherwise preclude development of such facilities within one year of application.

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Page 2

If you have any questions concern the above please feel free to contact me.

Very truly yours,

A handwritten signature in cursive script, appearing to read 'C. Murray'.

Carolyn M. Murray

CMM/man

cc: Director of Administrative Services

533229/WEYM/0001