

**DEPARTMENT OF PUBLIC UTILITIES
CHECKLIST FOR FILING OF ZONING EXEMPTION PETITIONS**

The following checklist is intended to serve as guidance for persons filing petitions for exemption from a municipal zoning ordinance or bylaw pursuant to G.L. c. 40A, § 3, or pursuant to §6 of Chapter 665 of the Acts of 1956. Petitioners must complete all three parts of the form and submit a copy of the completed form with the petition at the time of filing.

PART 1: GENERAL INFORMATION

Petitioner name: *Vineyard Wind LLC*

Description of land or structures for which exemption is sought: *Exemptions are sought for construction of a new Substation on a Vineyard Wind-controlled parcel on Shootflying Hill Road near the intersection of Route 6 and Route 132 in the Town of Barnstable (the “Onshore Substation”), including related use of Parcel 214-001 (which is adjacent to the West Barnstable Substation), an approximately 4 to 6.5-mile 220- or 275- kilovolt (“kV”) underground electric transmission line located in the Town of Barnstable, and an approximately 0.7 to 1.8-mile 345-kV underground transmission line between the Onshore Substation and NSTAR Electric Company’s West Barnstable Substation located in the Town of Barnstable, all as more particularly described in Vineyard Wind’s petition pursuant to G.L. c. 40A, § 3, petition to the Energy Facilities Siting Board pursuant to G.L. c. 164, § 69J (including the “Analysis” provided as Attachment A thereto), and petition pursuant to G.L. c. 164, § 72, which are each incorporated by reference in its petition pursuant to G.L. c. 40A, § 3.*

Municipality: *Town of Barnstable*

PART 2: CONTENTS OF FILING

The filing (petition and accompanying documentation) must contain, at a minimum, the following information:

- A demonstration that the petitioner is a public service corporation that may seek a zoning exemption pursuant to G.L. c. 40A, § 3, with supporting documentation as necessary.
- A list of the sections of the zoning ordinance or bylaw from which the petitioner seeks an exemption, together with a summary of each such section and an explanation of why exemption from that section is needed, with supporting documentation as necessary.
- A description of the use of land or structures which are the subject of the exemption request, and an explanation of the purpose of the proposed use.

- An explanation of the public benefits to be provided by the proposed use of land or structures, with a supporting analysis and a description of the methods used to develop this analysis.
- A description of alternatives to the proposed use of land or structures, including the use of existing structures or facilities.
- An analysis of the environmental or other impacts of the use of land or structures, during both construction and operation. This analysis could include, without limitation, impacts on land use at or near the site, on wetlands or water resources at or near the site, visual and noise considerations, traffic and access considerations, public safety considerations, air pollutant emissions, or the use of hazardous substances.
- A list of all permits required for the proposed use of land or structures prior to construction, during construction and during operation.

NOTE: All information provided in the filing (including the petitioner's analysis of the need for each exemption sought) must be adopted by witnesses who will be able to testify and respond to questions at evidentiary hearings. The petitioner should be prepared to identify which witness will adopt which part of the filing no later than three weeks after the filing date.

PART 3: ATTACHMENTS

The following documents must be submitted with the petition:

- An attested copy of the municipality's complete zoning ordinance or bylaw, as in effect at the date of filing.
- Copies of any zoning decisions or related municipal actions taken with respect to the proposed use of land or structures.
- A United States Geological Survey map (1:24,000 or 1:25,000 scale and in color) of the area, showing the locus of the land or structures.
- A diagram of the site of the proposed use, showing property boundaries, existing and proposed structures, and other use areas (e.g., roadway, parking, and materials storage/transfer areas) at the site.
- Either: (1) a copy of the Environmental Notification Form ("ENF") for the project and the Certificate of the Secretary of Environmental Affairs on such ENF; or (2) an affidavit from the petitioner stating that the proposed use does not require the filing of an ENF. If an Environmental Impact Report ("EIR") is required, and has been submitted to the MEPA Office at the time of filing, a copy of the EIR(s) and any related Certificates also should be submitted with the petition.

- Draft MEPA Section 61 findings relating to the proposed use of land or structures, if an EIR is required for the proposed use.
- A draft hearing notice (hard copy and electronic form in Microsoft Word).
- Filing fee: A check for \$100.00, made payable to Commonwealth of Massachusetts.

All of the information requested above has been included in the Zoning Exemption Filing and attachments submitted with this form.¹



Signature

May 28, 2020
Date

¹ Much of the information requested on this form was included in or with Vineyard Wind's petition to the Energy Facilities Siting Board pursuant to G.L. c. 164, § 69J (the "Section 69J Petition"), which was filed on this date and docketed as EFSB 20-01. The Section 69J Petition is incorporated by reference in Vineyard Wind's petition pursuant to G.L. c. 40A, § 3 filed herewith. For instance, several of the items listed in "Part 2" above, United States Geological Survey maps, diagrams of the Onshore Substation Site and transmission line route, and a consolidated draft hearing notice were included in or with the Section 69J Petition. An ENF will soon be submitted, and Vineyard Wind will update the record with the ENF when it is filed and with a copy of the Certificate of the Secretary of Energy and Environmental Affairs on the ENF when such Certificate is received. An EIR will be required for this project, but has not yet been submitted. Accordingly, no EIR, related certificates, or draft MEPA Section 61 findings are available at this time. An electronic version of an attested to copy of the Zoning Ordinance of the Town of Barnstable is provided as Exhibit A to the Petition along with a current zoning map that is not an attested version. An attested to copy of the Zoning Map of the Town of Barnstable will be provided upon request. Pursuant to the Department's March 12, 2020 directive relating to paper filings as a result of the COVID-19 state of emergency, the paper versions will be filed upon direction from the Department. Similarly, Vineyard Wind will provide the filing fee when the Department is able to accept paper filings or as directed by the Department.