



TOWN OF WARE

Planning & Community Development

126 Main Street, Ware, Massachusetts 01082

t. 413.967.9648 ext. 120

Planning Board

Meeting Minutes from

Thursday, May 4, 2023

Selectboard Meeting Room

126 Main Street, Ware MA 01082

Planning Board Members in Attendance:

Rick Starodoj

Chair

Ed Murphy

Vice Chair

Ken Crosby

Chris DiMarzio

Elizabeth Hancock

Staff Members in Attendance:

Kristen Jacobsen PCD Dept. Admin. Assistant

Members of the Public in Attendance:

Atty. Thomas Reidy Greenwich Road Realty

Jerry Gagliarducci Greenwich Road Realty

PLEDGE OF ALLEGIANCE

Chairman R. Starodoj called the meeting to order at 7:01pm and led the Pledge of Allegiance.

The Chair and board members welcomed E. Hancock as a full member.

ADMINISTRATIVE

- Approval of minutes from April 20th, 2023

Motion by E. Murphy to approve the April 20, 2023, meeting minutes. **Seconded** by C. DiMarzio . **Discussion** None

R. Starodoj		Aye
E. Murphy		Aye
K. Crosby		Aye
C. DiMarzio		Aye
E. Hancock		Aye
All in favor. Approved 5/0/0.		

PUBLIC HEARING

7:05pm: SP-2023-04 (Greenwich Road Realty, LLC, Greenwich Road, Ware MA 01082)

Applicant is seeking to extend their existing Earth Removal Special Permit (SP-2019-01) The applicant explained that there have been no changes to their operation, and the material is not processed on-site, and removed 1530 cubic yards in 2022. E. Hancock questioned the applicant.

- Approximately 36-acres
- Purchased in 2010 as an active gravel pit (since 1995)
- Site contains monitoring wells
- No timeframe for completion
- No complaints from abutters

Motion by K. Crosby to approve SP-2023-04 (**Greenwich Road Realty, LLC, Greenwich Road, Ware MA 01082**) with all existing conditions. **Seconded** by E. Murphy . **Discussion** None

R. Starodoj		Aye
E. Murphy		Aye
K. Crosby		Aye
C. DiMarzio		Aye
E. Hancock		Aye
All in favor. Approved 5/0/0.		

7:20pm: Battery Energy Storage Systems Public Hearing (Continued)

- Proposed addition to the zoning bylaws regard questioned. energy storage systems and recommendation for Town Meeting.
- The Planning Board continued the discussion regarding Battery Energy Storage Systems Public Hearing

The board discussed changes to the bylaw.

Use Table

- Reconfiguration of tiers
 - Tier 1 Residential Battery Energy Storage System Y
 - Tier 2 Commercial Battery Energy Storage System : SP
 - Tier 3 & 4 Battery Energy Storage System (stand alone): (MY=SP, CI=SP, I=SP)

Bylaw language changes made

Section 2.2 Definitions:

Tier 1, Tier 2, Tier 3, or Tier 4 BESS as follows:

- A. Tier 1 Battery Energy Storage Systems have an aggregate energy capacity equal to 250KWh or less and, whose purpose is to store energy from residential solar energy systems if in a room or enclosed structure, consist of only a single energy storage system technology.
- B. . Tier 2 Battery Energy Storage Systems have an aggregate energy capacity equal to 250KWh or less and, whose purpose is to store energy from commercial solar energy systems if in a room or enclosed structure, consist of only a single energy storage system technology.
- C. Tier 3 Battery Energy Storage Systems are defined as those that are interconnected to high voltage transmission lines and have an aggregate energy capacity greater 250 KWh but less than or equal to 10 MWh.
- D. Tier 4 Battery Energy Storage Systems are defined as those that are interconnected to high voltage transmission lines and have an aggregate energy capacity greater than 10 MWh. The facility must comply with the State's most current electrical code (527 CMR. 12.00) and the State's most current Fire Code (527 CMR 1.00)

Section 4.8.9

- Removal of iii

General Requirements

- All battery energy storage systems shall require a special permit and site plan approval by the Planning Board prior to construction, installation, or modification as provided in this bylaw.

Application Materials

- In addition to requirements of Section 7.2 Special Permits and Section 7.4 Site Plan Review the application for a Special Permit under this Section 4.8.9 shall include the following:
- Number 5 changed from 30-feet to 300-feet

Special Permit Criteria

- The Planning Board may, in its discretion, approve an as-built plan upon provision of a type of surety as determined by the SPGA to secure incomplete work where such work is not immediately necessary for lawful operation of the system without negative effect on public health and safety and surrounding properties.

Decommissioning

- Decommissioning Fund. The owner and/or operator of the energy storage system, shall continuously maintain a fund or bond payable to the Town, in an approved form for the removal of the battery energy storage system, in an amount to be determined by the SPGA, for the period of the life of the facility. All costs of the financial security shall be borne by the applicant. The amount shall include a mechanism for calculating increased removal costs due to inflation.

Abandonment

- The battery energy storage system shall be considered abandoned when it ceases to operate consistently for more than twelve (12) months. The system shall be presumed abandoned if the owner and/or operator fails to respond affirmatively within thirty (30) days to a written inquiry from the Building Inspector as to the continued validity and operation of the system. If the owner or operator fails to comply with decommissioning upon any abandonment, the Town, may, at its discretion, and utilize the type of surety as granted by the SPGA for the removal of a system and restore the site in accordance with the decommissioning plan.

Motion by E. Murphy to close the Public Hearing for **Battery Energy Storage Systems**.
Seconded by K. Crosby . **Discussion** None

R. Starodoj		Aye
E. Murphy		Aye
K. Crosby		Aye
C. DiMarzio		Aye
E. Hancock		Aye
All in favor. Approved 5/0/0.		

Motion by E. Murphy to recommend sending the **Battery Energy Storage Systems Bylaw** to Town Meeting with edits. **Seconded** by K. Crosby . **Discussion** None

R. Starodoj		Aye
E. Murphy		Aye
K. Crosby		Aye
C. DiMarzio		Aye
E. Hancock		Aye
All in favor. Approved 5/0/0.		

Motion made by C. DiMarzio to **ADJOURN at 8:56pm**. **Seconded** by E. Murphy **Discussion:** None

R. Starodoj		Aye
E. Murphy		Aye
K. Crosby		Aye
C. DiMarzio		Aye
E. Hancock		Aye
All in favor. Approved 5/0/0.		

NEXT PLANNING BOARD MEETING DATE:

Thursday, May 18, 2023 at 7:00pm.

Minutes from Thursday, May 4, 2023.

Respectfully submitted by,

Kristen Jacobsen
Administrative Assistant
Planning & Community Development

Minutes Approved on:	<u>5/18/23</u>
Starodoj	<u>RAS</u>
Murphy	<u>[Signature]</u>
Hancock	<u>Elizabeth Hancock</u>
Crosby	<u>[Signature]</u>
DiMarzio	<u>_____</u>