TOWN OF MEDWAY
COMMONWEALTH OF MASSACHUSETTS
COMMUNITY AND ECONOMIC DEVELOPMENT

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Director
Barbara J. Saint Andre

March 10, 2022

Secretary Kathleen Theoharides
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114

Attn: Jennifer Hughes, MEPA Office

Re: Medway Grid, LLC Energy Storage Project, 47-49 and 53-55 Milford Street
EEA #16525

Dear Secretary Theoharides;

The Town of Medway Department of Community and Economic Development has reviewed the Environmental Notification Form (ENF) submitted for the above-referenced project, and submits the following comments. The well-being of our residents, particularly those in the vicinity of the proposed project who will be most directly impacted, as well as protection of the environment, are very important to the Town. We appreciate the opportunity to provide comments, and look forward to continuing to work with the applicant and state officials to mitigate the potential effects of this project on the Town and its residents.

I. In order to be able to fully assess the potential environmental and public health impacts from the project, the plans and project description should be clarified to contain additional details, including:

A. Details of the proposed sound attenuation wall, including a grading plan.
B. Details of the retaining walls shown on the plans, including height, setbacks from other structures including the sound wall, grading, and construction details.
C. For the entire project, including the proposed transmission line: limit of work; cut and fill calculations; existing trees with a diameter of 18 inches or more at 4 feet above grade that will be removed; and overall grading plan.
D. Areas for snow storage should be shown on the plans so as not to impact the environment.
E. The distance between modules should be shown.
F. Elevation plans showing the sound wall and retaining wall along the eastern side of the project, and the sound wall as seen from Milford Street.

II. The project will need to comply with the Town's Stormwater regulations, Land Disturbance by-law, and General Wetlands By-law provisions

III. Environmental and public health impacts.

A. Noise. The project will be located in proximity to residential neighborhoods, which are located across Milford Street from the site, and along Little Tree Road to the east. A plan showing the distances from the project site to the property lines of the residential properties and the residential houses should be included, and these distances should be taken into account in the noise evaluation. Attachment H of the ENF (Sound Level Assessment Report) indicates that there will be substantial noise generated by the facility, particularly when operating at full capacity, which will impact neighboring properties, especially during the night time hours, and will exceed the DEP Noise Policy limit. Exposure to excessive noise levels, particularly at night when most residents are expected to be seeking to sleep, could impact the public health by affecting those residents.

The applicant proposes the following mitigation measures: limit the fan speeds of the Tesla Megapacks to 40% of capacity; construct a 22 foot high sound wall along Milford Street and the eastern side of the facility; and agree to an operational restriction, limiting the number of Megapacks that can charge or recharge during the time period from 10 p.m. to 6 a.m. to 25%. It is not explained in the ENF how it was determined that this operational restriction would bring the facility into compliance, or how the 25% limit would be distributed across the Megapacks. In addition, this operational restriction can be overridden if ISONE implements any of Actions [2-11] under Operating Procedure 4 of the Tariff, or when a Capacity Scarcity Condition exists in the Project's Capacity Zone, or any other zone in ISONE. A further explanation is needed as to the conditions under which the operational restriction can be overridden, and for how long. Data should include how often Actions [2-11] under Operating Procedure 4 of the Tariff, or a Capacity Scarcity Condition exists in the Project's Capacity Zone, or any other zone in ISONE on an annual basis. If there are other similar BESS facilities in operation, then perhaps data can be obtained as to how often those facilities are required to operate at full capacity during night time hours, which may provide some measure of comparison for this proposed facility.

A follow-up Sound Level Assessment Report should be conducted after construction is complete and the facility operational in order to ensure that the project complies with the DEP Noise Policy. The environmental and public health impacts of the 22 foot high sound wall located 35 feet from Milford Street should be addressed in the EIR. Additional and alternative mitigation measures should be considered, including earthen berms, landscaping, and other natural screening to mitigate both noise and the visual impact of the sound wall. Other

mitigation provisions that would reduce the height and/or length of the proposed sound wall should be fully explored.

B. Wetlands Protection. The Town's General Wetlands Bylaw includes the following, these should be addressed in the EIR:

- Section 33 requires meeting NOAA Atlas 14 when designing the stormwater management system
- Section 31 requires evaluation of Climate Change Resiliency – this will include the removal of vegetation, carbon sequestration
- Section 23 – Vegetation Replacement requirements, the Commission will evaluate all vegetation loss within jurisdictional areas for this project. This will require evaluation of reducing the impacts to trees and vegetation within jurisdictional areas. Native plantings are required for all work within jurisdictional areas. Native plantings do not include cultivars

- Impacts to Center Brook, a Perennial Stream, should be addressed in the EIR.
  - 310 CMR 10.58(4)(d) requires an alternative analysis; although stormwater systems are exempt from the WPA regulations within 0-100', the applicant must evaluate options for design. Simply maxing out the site and then placing the stormwater management system within the 0-100' is not acceptable, this has to be the only viable location.
  - The Medway General Bylaw Regulations require a 0-25' No Disturb Zone. Based on the plans reviewed during the MEPA Review Meeting, the grading and limit of work seem to extend into the 0-25' No Disturb Zone for the BVW. It is not clear from the plan at this time. The Commission recommends ensuring all work is outside the 0-25' No Disturb Zone for submittals.
- Dry detention basin
  - It is recommended that all options for the stormwater management system are evaluated for the proposed work, including reducing impacts to the Riverfront and 0-100' buffer zone of BVW by installing subsurface infiltrators instead of infiltration basins. This will be reviewed under the Alternative Analysis, 310 CMR 10.58(4).
- Snow storage needs to be addressed. Snow shall not be stored within jurisdictional areas or stormwater management systems. This shall be incorporated into the SWPPP and the O&M or LTPPP.
- The EIR should review impacts to wildlife within jurisdictional areas from the construction of the retaining walls and large noise walls, more information is needed.

- Medway requires testing of all fill prior to it being brought onto the site. This it to ensure all materials are not contaminated within jurisdictional areas. This should be included in

the EIR. The following requirements should be incorporated: Any soil, including loam, brought into the resource areas, buffer zones, or other jurisdictional area should be free of trash and deleterious material and free of any chemical contaminants in excess of Massachusetts Contingency Plan (MCP 310 CMR 40.0000) RCS-1 Reportable Concentrations. Soil should also be free of invasive species. While the MCP as a regulation at the State level may or may not apply to the project, soil characterization shall be completed in a manner consistent with this regulation. Prior to delivering to the project soil, material should be characterized by sampling the soil as outlined below and a certification shall be provided to the Conservation Commission or it's agent. The certification shall include a letter signed by a Licensed Site Professional (see MCP) describing the Site history of the originating soil location and certifying sampling collection procedures, quality control, results, and compliance with RCS-1 Standards. Soil containing concentrations of contaminants in Exemptions from reporting outlined in the MCP including but not limited to lead paint, emissions, arsenic, and ash, shall not be allowed in jurisdictional areas. Sampling and classification of soils shall also be consistent with MassDEP Policy # COMM-97-001.

The Conservation Commission is generally concerned about the following items with increased development, impervious area, and loss of trees, which should be addressed in the EIR:

- Loss of carbon footprint
- Storm water management
- Climate change impacts
- RMAT – extreme heat

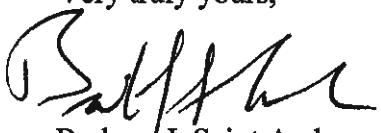
C. Other Environmental. The ENF does not address the scope of tree removal, which impacts air quality in the immediate area, potential creation of a heat island, and climate change, all of which should be addressed. Thus, while the project may not emit greenhouse gases, there will be long-lasting effects from the tree removal. As noted above, existing trees with a diameter of 18 inches or more that will be removed should be marked on the plan. The applicant should present an explanation as to the justification for the extent of tree removal, and steps to minimize the removal of existing trees and other flora. It should also be required to propose mitigation, such as planting of trees elsewhere on the site, or other locations in Medway, to offset the environmental effects of tree and vegetation removal. The RMAT Climate Resilience Design Standards report states that the project promotes decarbonization, but does not take into account the release of carbon due to tree removal.

The RMAT states that "spills and/or releases of hazardous materials are expected with relatively easy clean-up." The type and quantity of hazardous materials that are expected to be

spilled should be delineated, along with any environmental impacts. Attachment A states that batteries will be disposed of in accordance with applicable regulations, but are there potential environmental impacts from batteries leaking while on site, or if there is a thermal runaway event?

Thank you for your consideration of these comments.

Very truly yours,



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