



April 12, 2022
Medway Planning & Economic Development Board
Meeting

PEDB Meeting Minutes

- 3-17-22 Special Meeting (BESS)
- 3-22-22 Regular Meeting
- 3-29-22 Special Meeting (ZBL Amendments PH)

**Thursday March 17, 2022
SPECIAL MEETING
Medway Planning and Economic Development Board
155 Village Street
Medway, MA 02053**

REMOTE MEETING VIA ZOOM

Members	Bob Tucker	Tom Gay	Matt Hayes	Sarah Raposa	Rich Di Iulio	Jessica Chabot
Attendance	Not present	Absent with Notice	Remote	Remote	Remote	Remote

PRESENT:

Susy Affleck-Childs, Planning and Economic Development Coordinator

The meeting was called to order by Chairman Hayes.

BESS Technical Zoning Regulations Overview:

It was explained that this is special meeting of the Planning and Economic Development Board. There is a contract with ARUP for technical battery energy storage consulting services. The ground rules of engagement were reviewed. There will be a question-and-answer period at the end of the ARUP presentation.

By way of background, Able Grid, an energy storage system developer and builder, wants to construct a battery energy storage system in Medway. They approached the Town about amending its Zoning Bylaw to expand the Town's existing energy resource district to allow for such battery storage use. At the May 2021 Town Meeting, there was a vote to direct the PEDB to conduct a review and study of BESS systems and provide information on all aspects of the operations. There is to be a report of findings and recommendations. The Town, after conducting an RFP process, contracted with ARUP Consulting. The scope of services includes 4 elements: research and prepare a BESS Best Practices report (completed); research and prepare a zoning consideration report to identify key technical BESS language (tonight's presentation); prepare a memorandum on BESS siting considerations (forthcoming); and prepare a review memorandum of Able Grid's BESS proposal.

ARUP presenters are: Victoria Grimes and Justin Roy. **See attached presentation slides.**

The BESS Technical Zoning Outline was prepared based on a review of Benchmark Codes (New York State used as reference to develop). There were 16 sections with technical requirements. The section outlines were created and then the sections with technical requirements were established based on state codes and standards. There was also research done on a national level with the state code and standards. The technical requirements are the minimum threshold and can be tailored for the Town's needs.

The overview of the typical zoning content was shown. The code adoption for Medway will be

the NFPA 855 as a basis of the BESS zoning bylaw per a decision by the Medway PEDB. The compliance with the NFPA 855 captures the latest industry research and knowledge of BESS installation and safety. The source of information is 527 CMR MA Fire Code. The first section of the bylaw would be the application. There would be thresholds which would align with the bylaw. There will be a definition section and terminology as noted. The next section will be general requirements and also code adoption. This would require compliance with NFPA 855. The permits would need to follow the standard process (ex. building permit, electrical, fire). The site may need other specific permit depending on location. There needs to be documentation which is required by NFPA 855. This includes (modeling data, commission plans, emergency operation plans, etc.) The siting requirement references where there are permissible locations outdoor, indoor and elevated areas. This has thresholds relating to size maximum capacities. There are required siting setbacks. The minimum is 10 ft. This is to be maintained between each BESS (NOTE – This section is flagged for additional review and adjustment by the Town). There are also emergency access requirements (access roads, Knox box etc.) (also flagged for additional review by the Town). There are design standards with UL listing requirements. If those thresholds are exceeded, then the system developer would be required to provide large scale fire testing. The section on safety and environment standards requires protection from unauthorized access. There should be safety systems such as fences, barriers, enclosures etc. There should be an emergency operation plan which is required to be provided. The information would include safe operation procedures including shut down, also battery management system response procedures (flagged for review by the Town). There will be monitoring and maintenance of the facility. This is based on manufacturing requirement within the operation and maintenance manual. There needs to be a decommissioning plan. The AHJ shall be notified prior to the decommissioning report with results.

Questions:

A question was asked on how is FM global 533 used and is it considered as a standard. The Consultant responded that Global 533 is used on a project-by-project basis. This was not pulled into a Bylaw since it is project specific. This was reviewed through the scope of work under contract of a project. This is an available resource.

Resident Paul Yorkis asked how will abutting owners be notified if a problem occurs at a BESS site. Mr. Yorkis was informed that there will be a plan in place within the site development of a project. There will be work with the Fire Department to develop this. A portion of this can be addressed within the Bylaw. Mr. Yorkis also wanted to know what happens to the land after decommissioning of a system. It was explained that the plan for decommissioning would be site specific. The Town can add specific language regarding decommissioning and what the Town will require. Mr. Yorkis also asked if there are specific types of noise and lighting bylaws which need to be put in place. It was explained that there are new environmental standards in place in Medway addressing noise. The standards would need to be site by site regulated by the town.

Resident Michael Fahey asked about the existing requirement establishing 10 megawatts maximum in the energy resource zone. The Consultant responded that the town would need to look at where and how big a system. Mr. Fahey does not want to see anything bigger than that outside the energy zone.

Resident Paul Yorkis communicated that the Town currently has an energy resource zoning district. He wanted to know, with the proposed BESS facility, what is the impact of having this

type of facility on the surrounding structures within this area. He also wants to know how the infrastructure will be impacted. The Consultant responded that any facility needs to be built to not impact any existing infrastructure. The utilities and interconnection will need to go through its own approval. The Board agreed that there needs to be improved language in the bylaw about this process.

Resident Larry Ellsworth asked about the 3 ft. requirement for 50 KW arrays and if there could be greater distance. The Consultant communicated that there would need to be fire test data provided.

There was another question about what strategies for containing fires. The Consultant responded that there is an emergency response plan which will be in place.

Resident London asked if there were bylaws in place which would restrict this type of battery system. The Consultant communicated that this research was outside of their scope.

Resident Charlie Myers asked if this type of system is able to be put here with the high-power lines so close by. The fear is cross connection. He would like to see set distances put in place to protect abutting properties. The Consultant responded that there is an ability to set distances to protect the abutting properties. When a document is written it can require UL9540 and there can be data presented along with testing. The Town as part of this decision could require requesting test data and this information will probably need to remain confidential.

The Board was informed that there will be a maintenance plan which will need to be reviewed annually. The code documents will be written to include this. This is a common practice within the issuing of Fire Permits.

A question was asked if the Special Permit is issued can there be a requirement that when the standards are updated any facility needs to comply. The Consultant responded that the facility would need to comply with the most recent code.

A question was asked if there is air test data based on battery burning and impacts. The consultant responded that there are air samples which can be gathered from the burning cell module which is typically analyzed during a fire.

A resident asked if people in Medway concerned about this project. The Chair responded that the Town has been working on this during several meetings and suggested the Board is looking to protect the Town and put safety measures in place by being asked by Town Meeting to research how to handle the permitting of projects such as this.

Resident Paul Yorkis communicated that he would like to see the PEDB formally request that the Energy Facility Siting Board hold a hearing (on the Able Grid BESS project) in the Town of Medway. The Chair responded that the Town has sought special counsel to guide the Town through the process.

The next steps the Board will take is to begin drafting bylaw language based on all the

information they gathered from ARUP and tonight's discussion. The model which will be used will be information from New York State. There will be continued work sessions which will be open to the public. All the information relative to the BESS is on the town website.

ADJOURN:

On a motion made by Rich Di Iulio, seconded by Sarah Raposa, the Board voted by Roll Call to adjourn the meeting.

Roll Call Vote:

Rich Di Iulio	aye
Jessica Chabot	aye
Matt Hayes	aye
Sarah Raposa	aye

The meeting was adjourned at 8:15 pm.

Prepared by,
Amy Sutherland
Recording Secretary

Reviewed and edited by,
Susan E. Affleck-Childs
Planning and Economic Development Coordinator

Tuesday, March 22, 2022
Medway Planning and Economic Development Board
155 Village Street
Medway, MA 02053

Members	Bob Tucker	Tom Gay	Matt Hayes	Rich Di Iulio	Jessica Chabot	Sarah Raposa
Attendance	X	Remote	X	X	X	X

PRESENT:

- Susy Affleck-Childs, Planning and Economic Development Coordinator
- Steve Bouley, P.E., Tetra Tech, via Zoom

PUBLIC COMMENTS:

- There were no Public Comments.

MEDWAY ZONING BYLAW PROPOSED AMENDMENTS:

The Board is in receipt of the following: (See Attached):

- Public Hearing Notice
- Article A – Solar Electric Installations
- Article B - Housekeeping

On a motion made by Jessica Chabot, seconded by Rich Di Iulio, the Board voted unanimously to waive the public hearing notice for the proposed zoning bylaw amendments.

Article A: Solar Electric Installation:

The Board is in receipt of Article A which proposes changes to Section 8.11 to amend provisions relating to solar parking canopies. There was a survey completed by MPS about installing solar parking canopies areas in areas such as the schools. This would still require a special permit. It was suggested to have language added so this does not trigger spot zoning. The Board suggested that there be language included that this would pertain only to municipal property. There was a suggestion to pull this article since it needs more vetting. Member Raposa suggested looking at an overlay district.

Article B: Housekeeping:

Article B: Housekeeping proposes the following changes:

- Clarify the Flood Plain District, Section 5.6.1.E.3 regarding encroachments in regulatory floodways.
- Add a note to Table 2 Dimension and Density Regulations in Section 6 to refer readers to Section 9 Oak Grove Park Districts for dimensional and density regulations for the three Oak Grove Park Districts.

- Add text in Environmental Standards, Section 7.3.D.2.a.4 regarding times for interior construction work.

There were no comments from the public on the proposed articles.

On a motion made by Jessica Chabot, seconded by Rich Di Iulio, the Board voted unanimously to recommend approval of Article B: Housekeeping.

On a motion made by Jessica Chabot, seconded by Rich Di Iulio, the Board voted unanimously to continue the public hearing to March 29, 2022 at 7:00 pm via Zoom.

The purpose of the additional meeting is to resolve the language re: solar parking canopies.

NEWTON LANE ROADWAY LAYOUT:

The Board is receipt of the following: (See Attached)

- Email dated 3.8.22 from Liz Langley about “laying out” Newton Lane
- Draft as-built and street acceptance plan for Newton Lane dated 1-20-22.

The Board needs to make a roadway layout recommendation for Newton Lane to the Select Board. A public hearing by the Select Board has been tentatively scheduled for April 19, 2022. There is an April 13, 2022 deadline for the applicant to complete the work to proceed to the May Town Meeting for street acceptance.

On a motion made by Bob Tucker, seconded by Jessica Chabot, the Board voted unanimously to recommend the roadway layout of Newton Lane.

149 MAIN STREET AUOD MODIFICATION:

The Board is in receipt of the following: (See Attached)

- Public Hearing Notice dated 3-2-22
- AUOD modification application dated 2-24-22
- Letter/project narrative dated 2-24-22
- Modified site plan dated 2-24-22 by CMG Engineering Services
- Tetra Tech review letter dated 3-18-22
- Request for waivers from Site Plan Rules and Regulations
- 3-3-22 SAC email to Town staff requesting comments
- Collection of emails dated 3-15-22 and 3-16-22

On a motion made by Rich Di Iulio, seconded by Jessica Chabot, the Board voted to waive the public hearing notice for 149 Main Street for AUOD Modification.

The Chairman opened the public hearing for 149 Main Street – AUOD Modification.

Project Engineer Robert Lussier from CMG Engineering Services was present representing

the applicants John and Christine Early. It was explained that the current existing office building is leased by “The Maids”. The proposed improvements include installing pavement to accommodate a better parking layout and landscaping throughout to beautify the site. The applicant proposes a paved parking area to accommodate 15 parking spaces. The parking spaces are positioned away from the existing office building allowing for better traffic circulation and improved site access and egress. There will be a reduction of size of the curb cut along Evergreen Street to create a more definitive traffic pattern. Curb cut reduction will also decrease the site impervious area by 730 s.f. The landscaping along the Main Street frontage will be evergreen screening and there will also be perennial plantings around the existing office building.

There Tetra Tech review letter recommends the following:

- Consider installing subsurface recharge at the site, pervious pavement, impervious reduction, and other stormwater management techniques to reduce runoff from the site.
- Conditions which require good housekeeping/operation and maintenance items such as regular parking lot sweeping, prohibiting car washing, and fertilizer.
- Provide limits of paving adjacent to the southern portion of the office building.
- The existing dumpsters are partially on abutting property at 151 Main Street. It is recommended that the striping in front of the dumpsters be extended across the full width of the enclosure for consistency.
- Recommend installing bollards at the head of the three parking stalls adjacent to the southern portion of the office building.
- Recommend installing a railing and short fence on the retaining wall for fall protection.
- Recommend stripping across width and paving to edge of the dumpster for consistency.

The Board was informed that the applicant did discuss stormwater with the DPW and they were fine with the planned improvements since the impervious area is being reduced. There was an email from Medway DPW Stormwater Compliance Officer Stephanie Carlisle indicating that there is no need for an MS4 permit. The Board did review the plan and was comfortable with the line of arborvitae as proposed for screening. The current dumpster to the left and on the adjacent property will be removed. There is a current fence on site which is pressure treated. This will be maintained. It was shown on the plan.

The Board would like to have a draft decision for the next meeting.

On a motion made by Jessica Chabot, seconded by Rich Di Iulio, the Board voted unanimously to continue the public hearing to April 12, 2022 at 8:45 pm

INFORMAL PRE-APPLICATION – Multifamily Housing Development 288 VILLAGE STREET:

The Board is in receipt of the following: **(See Attached)**

- Preliminary Site Plan dated 3-15-22 by Land Planning
- List of expected waiver requests from the *Site Plan Rules and Regulations*

The Board is in receipt of a Preliminary Site Plan dated 3-15-33 prepared by Bill Halsing from

Land Planning. Property owner Tony Leland would like to construct a 3-unit townhouse building to be used by his family. There will be paved driveway. Parking at the back of the site. The existing sewer service will be connected to the proposed manhole. The 3 family will also have three decks on the back of the building. There will be lawn and landscape buffering. There will be total of nine parking spaces. There will be a rain garden for infiltration and roof run off at the rear of the property. Each of the proposed units will have three bedrooms. The square footage will be about 1,900 sq. ft.

The applicant is seeking a number of waivers which include the following:

- Full Traffic Assessment
- Full Environmental Impact Assessment
- Parking Impact Assessment
- Landscape plan prepared by a landscape architect
- Site Entrance width of 12 feet (instead of 20 feet)
- Vertical granite curbing at entrance
- Driveway 13 ft. from residential use side lot line (instead of 15 ft.)
- Parking area perimeter – no curbing

The Board would like the applicant to have further discussion with the Fire Chief regarding the narrowness of the driveway. A suggestion was made to have a pull off area with gravel which could be designed to support a fire truck.

The applicant will need to meet with the DRC. Consultant Bouley suggested as an option bringing the parking adjacent to the rear of the units to the west.

The applicant was informed that it is suggested they go to the April 11, 2022 DRC meeting.

It was also noted that the Board can modify the front setback requirement. Perhaps the units could be moved somewhat closer to the street to make more room at the back so the parking area would not be so close to the northerly abutter.

CONSTRUCTION REPORTS:

The Board is in receipt of the following: (See Attached)

- 3/8/22 report on Choate Trail Subdivision from Connorstone Engineering
- 3/4/33 report on William Wallace Village

BESS - Continued Discussion:

There was an informative presentation by ARUP on March 17, 2022. The Consultant provided a technical Zoning Outline. The information provided will assist the Town in drafting a bylaw for consideration at the Fall town meeting. Member Chabot expressed her concern that there is nothing presented to date that shows these are safe for the town. The language crafted should be such that it protects the Town in the proposed areas. There was a suggestion that when the bylaw is written it should not be based on only one form of BESS technology but of possible future BESS technologies which could be developed.

Resident Charlie Myers communicated that there are a variety of scales for energy storage systems. The concern is that these are not jammed into an area. There needs to be a solid review process to evaluate the size and scale. There was a recommendation to look at the Cranberry Point petition from the Town of Carver.

The PEDB has been on budget regarding the consultant's BESS work. The next two tasks of the scope will be completed simultaneously. The BOS voted to retain special counsel. Susy Affleck-Childs reported that Tetra Tech will provide a price quote to review the Able Grid project as if it was going to come in under site plan review.

ZBA Petition – 2 Bullard Circle – Accessory Family Dwelling Unit (AFDU):

The Board is in receipt of the following: (See Attached)

- Selections from the applicant's submittal to the ZBA.

The owner is seeking an AFDU special permit to allow for the conversion of a free-standing garage to an AFDU. The hearing is scheduled for April 6, 2022. Susy Affleck-Childs reported that the applicant has withdrawn its petition to the ZBA so the Board does not need to review it.

DPW Water Treatment Facility 19 Populatic Street – Storage Canopy:

The Board is in receipt of the following: (See Attached)

- Collection of emails and memos
- Excerpt from the plan set showing the location of the proposed storage canopy.

Wright-Pierce engineer James Cray was present via Zoom.

The Board was informed that this was discussed at the DRC meeting on March 21, 2022. There was a screen share of page 5. It was communicated that the DRC has no issues with the type and design of the proposed storage canopy. It was explained that the proposed storage canopy will be installed over an existing paved area of approximately 1,300 sq. ft. This area is well screened from the northwesterly abutter and is currently used for equipment storage for the Water Department. The Board has no issues with what is proposed.

CUTLER PLACE PLAN ENDORSEMENT:

The Board was informed that they need to re-endorse the Cutler Place plan on MYLARS for recording at the Registry of Deeds.

On a motion made by Jessica Chabot, seconded by Rich Di Iulio, the Board voted to Re-indorse the site plan for Cutler Place. (Member Raposa abstained)

MASTER PLAN UPDATE:

- Jessica Chabot informed the Board that there will be the third community forum on April 5, 2022. Feedback from this is welcomed until the end of April.

PEDB MEETING MINUTES:

The Board is in receipt of the following: **(See Attached)**

- Draft of March 2, 2022 special meeting minutes
- Draft of March 8, 2022 regular meeting minutes

The draft CONFIDENTIAL minutes of the March 8, 2022 executive session were provided under separate cover.

March 2, 2022 & March 8, 2022:

On a motion made by Jessica Chabot, seconded by Rich Di Iulio, the Board voted to approve the minutes of the March 2, 2022 and March 8, 2022 regular meetings.

March 8, 2022 Executive Session:

On a motion made by Jessica Chabot, seconded by Rich Di Iulio, the Board voted to approve the executive session minutes from March 2, 2022.

NOTE - Member Tucker left the meeting at 9:20 pm.

OTHER INFORMATION:

- MS4 requirements are that the Town complete two reports for EPA by June. There needs to be assessment of land use bylaws, rules and regulations re: stormwater management, low impact development, and green infrastructure. There will be a meeting on April 5, 2022 with Town staff; Woodward and Curran has been hired by Medway DPW to assist.
- Medway GIS Coordinator is working to create a map showing Medway's residential developments and also a story mapping element to share photos of development projects under construction.

FUTURE MEETING:

- April 12, 2022

ADJOURN:

On a motion made by Rich Di Iulio, seconded by Jessica Chabot, the Board voted to adjourn the meeting.

The meeting was adjourned at 9:53 pm.

Prepared by,
Amy Sutherland
Recording Secretary

Reviewed and edited by,
Susan E. Affleck-Childs
Planning and Economic Development Coordinator

Tuesday, March 29, 2022
Medway Planning and Economic Development Board
155 Village Street
Medway, MA 02053
Special Meeting
REMOTE MEETING via ZOOM

Members	Bob Tucker	Tom Gay	Matt Hayes	Rich Di Iulio	Jessica Chabot	Sarah Raposa
Attendance	Remote	Absent	Remote	Remote	Remote	Remote

PRESENT:

- Barbara Saint Andre, Director of Community and Economic Development

PUBLIC COMMENTS:

- There were no public comments.

The Chairman opened the meeting and took a roll call of those in attendance:

Roll Call:

Bob Tucker **aye**
Matt Hayes **aye**
Rich Di Iulio **aye**
Jessica Chabot **aye**
Sarah Raposa **aye**

Public Hearing Continuation - MEDWAY ZONING BYLAW PROPOSED

AMENDMENTS:

The Chairman opened the continued public hearing to discuss proposed Article A – Solar Electric Installations. The Board is in receipt of the following: **(See Attached)**:

- Article A – Solar Electric Installations

Article A: Solar Electric Installation:

The Board is in receipt of Article A to amend Section 8.11 Solar Electric Installations of the Zoning Bylaw regarding solar parking canopies.

Barbara Saint Andre was present by Zoom to provide further clarity. Upon review of a possible overlay option, this was determined to be beyond the scope of the article and is not necessary. The Board reviewed the current solar bylaw and schedule of uses. There are provisions on the first page which note that solar canopies are allowed in all districts for municipal use. The DPW does currently have a solar

canopy at their Broad Street location. There is a section that references small scale mounted which is allowed by special permit. The section on parking areas with solar canopies is for those areas which are already disturbed. If the canopies are not for municipal use, they are not allowed in residential areas.

The Board appreciated the explanation of the bylaw as proposed.

On a motion made by Rich Di Iulio, seconded Sarah Raposa, the Board voted by roll call to recommend approval of Article A: Solar Electric Installation as written. The motion was approved.

Roll Call:

Bob Tucker	aye
Matt Hayes	aye
Rich Di Iulio	aye
Jessica Chabot	aye
Sarah Raposa	aye

Close Hearing:

On a motion made by Rich Di Iulio, seconded Sarah Raposa, the Board voted by roll call to close the public hearing. The motion was approved.

Roll Call:

Bob Tucker	aye
Matt Hayes	aye
Rich Di Iulio	aye
Jessica Chabot	aye
Sarah Raposa	aye

ADJOURN:

On a motion made by Rich Di Iulio, seconded Sarah Raposa, the Board voted by roll call to adjourn the meeting. The motion was approved.

Roll Call:

Bob Tucker	aye
Matt Hayes	aye
Rich Di Iulio	aye
Jessica Chabot	aye
Sarah Raposa	aye

Respectfully Submitted,
Amy Sutherland
Recording Secretary