

Background Materials – June 16, 2025 – Planning Board Meeting

Prepared by Anne Capra, Director of Planning and Conservation, 6/13/25

Cable Access Channel 15 –The Cable Studio has indicated that this meeting will be live streamed on Channel 15.

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Background Reports for all Planning Board meetings are posted online:

<https://www.southhadley.org/1274/Agenda-Background-Materials>

AGENDA ITEM #1 Open Comment Period

This 10-minute period is set aside for the public to offer comments on items not on the posted agenda, in accordance with the adopted policy, as amended 9/11/23, posted on the Town of South Hadley Planning and Conservation Department webpage here:

<https://www.southhadley.org/DocumentCenter/View/11705/Policy-on-Open-Comment-Period---As-Adopted-2023-09-11>

Action Needed: Allow members of the public to offer comments to the Board.

AGENDA ITEM #2 Minutes

Planning and Conservation Coordinator Colleen Canning will forward minutes separately.

Action Needed: Vote to approve the minutes.

AGENDA ITEM #3 Correspondence

Correspondence is attached.

Action Needed: No action needed.

AGENDA ITEM #4 Discussion Authorizing Director to Sign Planning Board Decisions

During the period while the Board was meeting fully virtually, The Board authorized the Director of Planning and Conservation to sign Decisions issued by the Board on their behalf. That practice has been carried over on a permit by permit basis since the Board transitioned to meeting in a hybrid format. It is recommended that the Board determine if they want to continue the practice of authorizing the Director sign Decisions or revert back to requiring the Chair to sign all Decisions in wet ink.

Action Needed: Board should vote on whether or not to authorize the Director of Planning and Conservation to sign Decisions as issued by the Board on their behalf.

6:30 PM Public Hearing Continuation

AGENDA ITEM #5 500 New Ludlow Road Special Permit – Anthony’s Dance Club – Adult Entertainment Uses

Application is online here: [New Ludlow Road \(500\) - Adult Entertainment | South Hadley, MA - Official Website](#)

A detailed review of the application is attached separately. The public hearing was opened on March 24, 2025 and continued to 6/16/25. In summary, the business is an adult entertainment night club located on 1.03 acres at 500 New Ludlow Road (Assessor’s Map 8, Parcel 73) in the Business B zoning district, and the Adult Entertainment Overlay District. Per Zoning Bylaw 255-42 (adopted by Town Meeting on February 17, 2004) any Adult Entertainment Use, as defined within the bylaw, is allowed by Special Permit, within one of the two designated Adult Entertainment Use Overlay Districts. (The Overlay District includes 500 New Ludlow Road and 2084 Memorial Drive.) The bylaw also states, “Preexisting adult entertainment use. Pursuant to MGL c. 40A, § 9A, all existing adult entertainment uses shall apply for a special permit within 90 days following adoption of this bylaw amendment.”



The subject property is within the Business B zoning district, and surround to the north, east and west by Business B, and to the south by Industrial A. The Chicopee city line is approximately 50’ to the south of New Ludlow Road.

Action Needed: The Board needs to hold the public hearing, accept public comment, and vote on the issuance of a Special Permit.

AGENDA ITEM #6

Planning & Conservation Department Report on Planning Projects and Development Updates

A. MHC Energy Center Site Plan Review

The College has submitted a request to withdraw their application at this time. They have revised their timeline for phasing in the Energy Center’s geothermal hub and have moved it out 1 to 2 years. Therefore, at the 6/23 public hearing continuation, the Board will vote to grant their request for withdrawal.

B. Next Planning Board Meetings and Other Important Dates

Planning Board typically meets the 2nd and 4th Mondays of the month.

6/23	<ul style="list-style-type: none"> MHC Energy Center Site Plan Review Public Hearing continuation – REQUESTED WITHDRAWAL OF APPLICATION 88 Willimansett Street Special Permit Public Hearing Route 202/33 Corridor Re-Zoning and Design Guidelines Discussion w/ Innes Associates
7/14	<ul style="list-style-type: none"> Route 202/33 Corridor Re-Zoning Discussion (Board only) Agricultural Uses Zoning Bylaw Amendments – Board discussion draft report Sign Bylaw Amendments – Board discussion draft report
7/28	<ul style="list-style-type: none"> Route 202/33 Corridor Re-Zoning Draft Zoning and Design Guidelines– Public Listening Session Curb cut bylaw/policy
8/11	<ul style="list-style-type: none"> Route 202/33 Corridor Re-Zoning Draft Zoning and Design Guidelines – Board discussion/final edits Open Space and Recreation Plan 10-year Action Plan Review
8/25	<ul style="list-style-type: none"> Agricultural Uses Zoning Bylaw Amendments – Board discussion draft report Sign Bylaw Amendments – Board discussion draft report
9/8	<ul style="list-style-type: none"> Route 202/33 Zoning Public Hearing - (Special November Town Meeting Warrant)
9/22	<ul style="list-style-type: none"> Route 202/33 Zoning – Final Edits & Draft Report to Town Meeting Agricultural Uses Zoning Bylaw Amendments – Public Hearing Sign Bylaw Amendments – Public Hearing
10/6 <i>Columbus Day 10/13</i>	<ul style="list-style-type: none"> Route 22/33 Zoning – Approve Report to Town Meeting Agricultural Uses Zoning Bylaw Amendments – Final Edits & Draft Report to Town Meeting Sign Bylaw Amendments – Final Edits & Draft Report to Town Meeting
10/20	<ul style="list-style-type: none"> Agricultural Uses Zoning Bylaw Amendments – Approve Report to Town Meeting Sign Bylaw Amendments – Approve Report to Town Meeting Subdivision Regulations Public Hearing
November 5th	Special Fall Town Meeting

AGENDA ITEM #7 Other New Business (topics which the Chair could not reasonably expect to be discussed/considered as of the date of this notice)

No additional business has been submitted to me as of the date of this notice.

**Anthony’s Dance Club
500 New Ludlow Road – Special Permit Application – Public Hearing Continuation June 16, 2025**

Application online: <https://www.southhadley.org/1475/16366/New-Ludlow-Road-500---Adult-Entertainment?activeLiveTab=widgets>

New Submittals:

Updated landscaping and site screening plan: [FP-100](#)

Security Plan and Maintenance Protocols: [20250609- _Anthonys-Dance-Club-Submittals](#)

255-42 Adult Entertainment Uses

<https://ecode360.com/30053552#30053552>

Background

The business is an adult entertainment night club located on 1.03 acres at 500 New Ludlow Road (Assessor’s Map 8, Parcel 73) in the Business B zoning district, and the Adult Entertainment Overlay District. Per Zoning Bylaw 255-42 (adopted by Town Meeting on February 17, 2004) any Adult Entertainment Use, as defined within the bylaw, is allowed by Special Permit, within one of the two designated Adult Entertainment Use Overlay Districts. (The Overlay District includes 500 New Ludlow Road and 2084 Memorial Drive.) The bylaw also states, “Preexisting adult entertainment use. Pursuant to MGL c. 40A, § 9A, all existing adult entertainment uses shall apply for a special permit within 90 days following adoption of this bylaw amendment.”



Permit Timeline

July 2024	Building Commissioner issued a Notice of Violation Letter to the operator of Anthony’s Dance Club, Edward Tourangeau, stating that the business was required to obtain a Special Permit by January 31, 2025, and obtain the applicable permit by April 15, 2025.
February 2025	Applicant submits Special Permit application
March 24, 2025	Public Hearing opened, and continued to 6/16/25 pending submittal of additional information. Minutes Recording

There is no record of a Special Permit having been issued to Anthony’s Dance Club or any adult entertainment use at 500 New Ludlow Road after passage of the Adult Use Overlay Zoning District

in 2004. Per the bylaw, the first Special Permit may be issued for one year, and a renewal issued for up to three years thereafter. Thus, as this will be the first Special Permit issued to this business, the term of the Special Permit under consideration is one (1) year.

The subject property is within the Business B zoning district, and surround to the north, east and west by Business B, and to the south by Industrial A. The Chicopee city line is approximately 50' to the south of New Ludlow Road.

The public hearing was continued to 6/16/25 to allow the applicant to provide the information listed below. Status of requested information noted.

1. Provide a narrative response to the Special Permit standards (not included in application), Section II SP Rules and Regulations.

STATUS:

A detailed narrative is not provided for the following:

II(d) Master Plan Consistency Statement

II(e) Special Permit Standards Consistency Statement

The standards for a Special Permit are in zoning bylaw 255-129; a written response to each standard is required.

Town of South Hadley, MA Special Permits

II(f) Historical and Cultural Statement

II(g) Background on historical nature of buildings

II(H) Stormwater - The project doesn't require a Stormwater Permit as it is already a built out site, but there should be a description of how stormwater is managed on the site.

II(j) Scenic Roadways statement: N/A not a scenic roadway

II(k) Impact on Agricultural lands and uses: N/A not agricultural land

2. Provide plans detailing all the lighting in the parking lot and on the exterior of the building.

STATUS: Submitted site plan indicating location of exterior lighting, and photos.

3. Provide a current Security Plan:

a. Remove reference to South Hadley Police Officers providing security within the club

b. Provide operational plan for installation and regular testing for security cameras inside and outside the building.

c. Detail security protocols including staffing and training of security personnel.

STATUS: Updated "Anthony's Security Plan and Maintenance Protocol" provided; site plan indicating location of security cameras on exterior of building and interior of building provided. Additionally, South Hadley Police Department conducted a site visit to review these materials and comments from Police Chief Gundersen are attached, indicating that the cameras are good quality, functional and will improve the safety of the patrons and employees.

4. Provide a proposed plan to address site screening requirements

STATUS: A revised landscaping and screening plan has been provided by Todd Marion. [FP-100](#)

The plan includes plantings along the frontage on New Ludlow Road of White Dogwood and native shrubs and perennials. There is partial vegetative screening in the form of an Arborvitae hedge on the east and west property line. On the east boundary, the proposed hedge abuts the end of an existing fence that continues along the entire boundary.

Mr. Marion has requested a waiver from full screening of the site along the west and north boundary to accommodate the existing businesses that abut the site. To the west is an existing used car dealership that relies on visibility from New Ludlow Road to market inventory. Full screening along this boundary would obstruct view of this already struggling business and limit its marketability. The north and northwest boundary are abutted by two commercial construction companies. A portion of the parking lot in this area is used as part of the access driveway to these businesses and permanently installed fencing and or a landscape hedge would fully obstruct access to these businesses.

5. Update application form to remove "full service restaurant" as part of the permitting.

STATUS: Completed

6. Provide description of employee information tracking and protocols for providing this information to the Police Department upon request when investigating complaints.

STATUS: Submitted "Anthony's Security Plan and Maintenance Protocol"

7. Provide plan for screening dumpster.

STATUS: Submitted. The dumpster will be relocated to the center rear of the building and fenced with a white vinyl fence, installed by Hastie fence within 7 days of issuance of Special Permit.

8. Provide a Management Plan (see SP Rules and Regulations Section VI Management Plan).

STATUS: Submitted "Anthony's Security Plan and Maintenance Protocol"

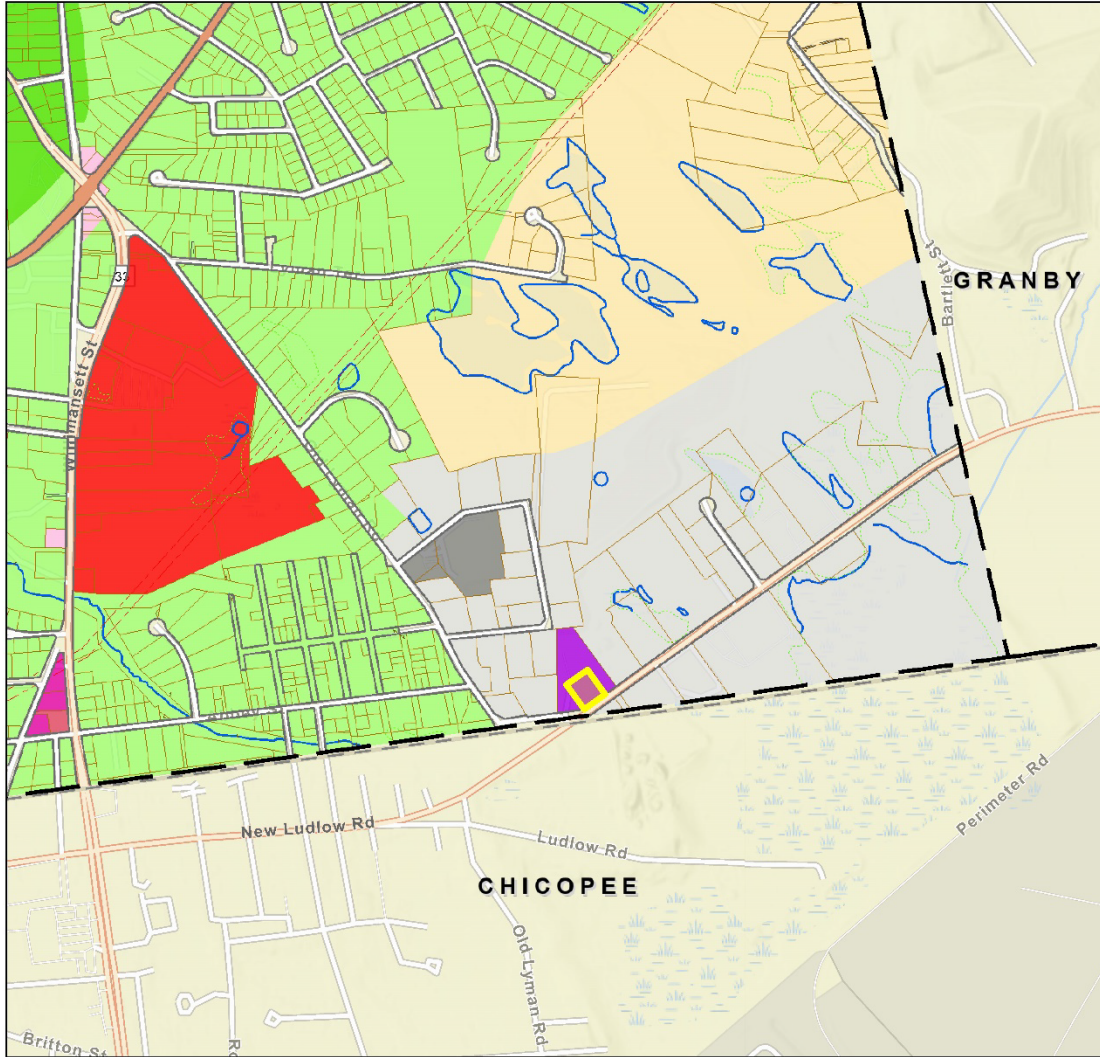


500 New Ludlow Road

Town of South Hadley, MA

1 inch = 1116 Feet

March 16, 2025



Large Scale	HOOK	Right of Way	Business A	Industrial B
CAI Town Line	RoadNotPar	Utility	Business A-1	Residence A-1
PROPERTYLINE	TLTIC	Water Lines	Business B	Residence A-2
PVTRD	WETLAND	Adult District	Business C	
ROAD	Private Road ROW	Agricultural	Industrial A	

Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

Development Standards

255-42 (I) Development Standards – No special permit for an adult entertainment use shall be granted unless the site on which the use is proposed to be undertaken conforms to the following standards or a provision is made for conformity with these standards prior to the adult entertainment use being operated:

1. Buffer – 6’ vegetated buffer shall be provided along the rear and side lot lines, no less than 6’ in height and 10’ in width; Planning Board may authorize a solid wood, stockade fence in lieu of vegetation.

A waiver from this standard has been requested by property owner Todd Marion. Updated Landscaping Plan submitted demonstrating partial screening and significant improvement in landscaping with native trees, shrubs and flowering perennials.

2. Screening – No visual access to interior of building.

Based on the photos of the building submitted with the application, there is no visual access to the interior of the building from the parking lot or road. There are no exposed windows, the front entrance has one solid door that opens into an enclosed foyer, and a 6’ high fence surrounds the back door area.

3. Multitenant buildings – Not permitted.

Anthony’s Dance Club is the only tenant in the building.

4. Dimensional requirements – Must comply with underlying zoning district.

The parcel is Assessor’s Map 8, Parcel 73 and is located in the Business B zoning district with the following dimensional standards:

Standard	Minimum	Special Requirements for Special Permit Uses	Existing
Lot Area	12,000 SF		43,560 SF
Frontage	100’		200’
Max. Building Coverage	85%	40%	10.9% (4,012 SF)
Max. Impervious Coverage	95%		Appears to be 100%
Front Setback	0’	10’	74’
Rear Setback	5’	20’	74’
Side Setback	6’	6’ for 1 and 2 story buildings	95’; 33’
Max Height	8 stories/80’	3 stories/45’	1 ½ stories

5. Display restrictions – No graphics that meet the definition of adult entertainment use can be displayed outside on the building or lot.

It appears that there are no graphics on the outside of the building or lot that meet the definition of adult entertainment use.

6. Signs – Must comply with 255-85 Sign Bylaw and no sign defined as an adult entertainment use sign can be displayed outside on building or lot. [Anthonys---Photo-2](#)

There are two “Anthony’s” signs affixed to the exterior of the building. They appear to conform to the dimensional standards in 255-85 (less than 10% of the building face). One of the signs looks like it may be illuminated. The Board should inquire about the illumination of the sign and consider approval of the illumination, if standards are met, as a condition to the Special Permit.

7. Illumination of parking areas – All parking areas shall be illuminated and conform to Chapter 171’ Planning Board may restrict hours of illumination per Special Permit condition.

It looks like there are two light poles along the rear of the parking lot, marked as “LF” on the site plan. Exterior lighting has been added to the site plans, and photos of such submitted.

255-129 Standards for Special Permits

Please refer to the attached checklist for the standards for Special Permits.

Also, Anthony’s Selectboard Annual License has been issued and is current for Amusement, Common Vic, Entertainment and Sunday Entertainment. Their liquor license is in limbo with the Building Department still needing to sign off on it. My understanding is that the Building Commissioner is awaiting issuance of a Special Permit before signing off on the liquor license.

255-86 Off-street parking

<https://ecode360.com/30053764#30053764>

In conferring with the Building Commissioner, it could be up to the Planning Board to determine which category this use comes under:

(e) Restaurants, theaters, and other places of public assembly: one space for every three seats.

(f) Uses not listed above: as appropriate to the circumstances based upon information submitted by the applicant and obtained by the Planning Board based upon its knowledge of the community, conditions in the surrounding area, and information provided from other sources.

The Certificate of Occupancy issued by the Building Department is for a maximum occupancy of 152 people. The submitted plan identifies 74 onsite parking spaces, and an additional 37 offsite parking spaces on the adjacent property to the east, which has contiguous paved parking area. Therefore, if standard “e” is used, the required parking spaces would be $152 \div 3 = 50.6$ spaces. However, if the side and rear lot lines are required to be fenced or have a vegetative screen, this could potentially eliminate 20 onsite parking spaces (74-20) resulting in 54 onsite spaces available.

Department Comments

- **Chief Stark, Fire District 1 via email 3/5/25:** Anthony’s Dance Club is in good standing with the Fire department.
- **Chief Gundersen, Police Department via email:** I am expecting the Chief to join the meeting. She submitted the following comments on 6/12/25:

I have reviewed the attached Maintenance Overview and Operational Details (the Plan) for Anthony's Nigh Club. My evaluation was specific to the security measures and camera locations (pages 1, 9, 10 and 17) of the Plan as provided by the applicant.

On June 10, 2025 Lt. David Gagne and Det. Jess Camp conducted a site visit on location with Mr. Edward Tourangeau. As outlined in the Plan, the cameras are good quality, functional and will improve the safety of the patrons and employees. Evaluating officers confirmed that the specific camera locations within the Plan, as attested to by Mr. Tourangeau, were operating sufficiently. Mr. Tourangeau has committed to ensuring these cameras are kept operational, frequently tested and that he will ensure that he can access the footage and recordings for law enforcement when legally permissible. The Security Measures as outlined in the Plan will improve the safety of patrons and staff.

From this site visit it was requested that Mr. Tourangeau have an ID scanner to properly document patrons that access the venue. Mr. Tourangeau has committed to the purchase and installation of this technology prior to the hearing date of June 16, 2025.

NOTE – Mr. Tourangea has submitted a receipt from Amazon.com for an ID scanner, due for delivery and installation on 6/15/25.

- **SHELD, Matt Delmonte via email 3/17/25**: SHELD does not have any comments related to this submission by Anthony's
- **Public Health, Sharon Hart via plan review meeting on 3/17/25**: Anthony's is not permitted by the Board of Health to serve food. A kitchen is not identified on the submitted site plans. Additional building, plumbing & electrical permits along with Board of Health review would be required for the construction of a kitchen to provide food services. Once they have all of this then they would apply for a food service establishment permit. Their current permit is to sell beverages. To sell food, they would need to first do a plan review with the Board of Health for their kitchen, in addition to pulling electrical, plumbing and building permits from Inspectional Services.

RECOMMENDED SPECIAL CONDITIONS:

The following are some initial special conditions for consideration based on the items that I am aware of to date;

Security Cameras - The Applicant shall be required to install and maintain security cameras inside the premises and outside the premises, and to be shown on the plans. The Police Chief or her representative shall verify the installation and operation of same. The Applicant shall be required at all times the business is open to operate. In the event the security cameras are not operational it shall be a violation of this permit and the Building Inspector shall take action in accordance with his authority to enforce this provisions.

Food Service – The business facility currently does not have a kitchen for food preparation and is permitted through the Board of Health only for beverages. The addition of any food services would require Site Plan Review by the Planning Board as well as all applicable permitting by the Board of Health and Inspectional Services, in addition to any other permitting and code compliance review required of restaurant uses in the Town of South Hadley and Commonwealth of Massachusetts.

Trash Removal – Dumpster is to be screened from viewing and secured by locked gate. Hours for trash removal to be identified.

Employee Identification Records – Have requested language from Town Counsel on how to word this condition based on the Police Chief’s request.

Term of Special Permit – One (1) Year; up to three (3) years for renewal of the Special Permit thereafter.

Landscaping and Screening – Improvements to be installed within 30-days of issuance of Special Permit. All plants are to be watered and cared for to ensure 100% survival two years from the date of issuance of the Special Permit. Any plants showing signs of deterioration are to be replaced. If selected species are found to not tolerate the existing site conditions, replacement plantings with alternative species and planting specifications are to be submitted to the Director of Planning and Conservation for review and approval.

ACTION NEEDED:

Review materials submitted and discuss any questions etc. with the applicant. Allow the Police Chief to address her comments and the proposed security plan. Accept public comments. Deliberate on the final application materials, make a finding on all Special Permit and Site Plan standards, discuss waiver request(s), discuss recommend conditions and any others deemed appropriate, and vote on issuance of a Special Permit.

**SOUTH HADLEY PLANNING BOARD
LIST OF CORRESPONDENCES
JUNE 16, 2025 REGULAR MEETING**

Letters and Memos

- June 6 email (attached) from Michelle Bertrand, 472 N. Brookfield Rd Oakham MA, regarding construction of a Battery Energy Storage System proposed in Oakham MA.

Legal Notices

Amherst

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Chicopee

•

Granby

•

Hadley

•

Holyoke

•

Follow Up

Michelle Bertrand <mbertrand.oakham@gmail.com>

Fri, Jun 6, 2025 at 3:00 PM

To: acapra@southhadleyma.gov, SHPlanBoard@southhadleyma.gov, selectboard@southhadleyma.gov

Dear Town Officials,

June 6, 2025

This is a follow up from my previous email about Oakham vs. Moraga Energy and the 180 MW Battery Energy Storage System proposed “project” that could affect the MWRA and your water. As individual communities, and a state as a whole, we need to gather together and let our political leaders know that our voice matters and we will not stand for a potential disaster in which we all will suffer.

It is beyond any rational reasoning, and simple common sense, that any Town, Politician, Regulatory Agency (EFSB), or resident/individual would ever “want or endorse” the placement of 296, 42 ton, lithium battery storage containers, to be positioned in the most environmentally important and critical location - essential to the public need, with capability of adversely impacting/contaminating the public water supplies to MILLIONS of consumers in Boston and throughout the Commonwealth, in the recognized region, of what has been determined to be the most important watershed in the entire state of Massachusetts!

Water is essential to life, without water we have no life...and if permitted, this project proposes to contaminate the two most important Reservoirs, Quabbin and Wachusett, as well as the Ware River and bordering, contiguous and adjacent extensive wetland systems, that are vital to major regions of the state, with NO PUBLIC Benefit, only destruction and catastrophe.

On June 27, 2022, the registered voters of Oakham voted to not allow battery storage facilities in our town and amended our town bylaw at the town meeting. On January 4, 2023, then Attorney General, Maura Healey, approved this amendment. On November 20, 2024 Maura Healey signed the Clean Energy Bill into Law. This bill reforms the state’s siting and permitting laws allowing companies to apply for a permit through the DPU Energy Facilities Siting Board to bypass town bylaws. By doing so they eliminated the Home Rule Amendment. In other words, our vote does NOT count. Last time I knew, the Government worked for the people and were the voice of the people. Well, the People of Oakham have spoken NO and want our voices and others heard.

Please watch this link to find out about the Wetland Impact.

[Wetland Impact by BESS Deforestation and MORE!](#)

Thank you,

Michelle Bertrand

mbertrand.oakham@gmail.com

472 N. Brookfield Rd.

Oakham, MA 01068

774-757-7888

**RESOLUTION FROM THE
TOWN OF OAKHAM**

BOARD OF SELECTMEN

MAY 27, 2025

**A RESOLUTION OF THE BOARD OF SELECTMEN REGARDING
BATTERY ENERGY STORAGE SYSTEMS (BESS) AND A PETITION BEFORE
THE MASSACHUSETTS DEPARTMENT OF PUBLIC UTILITIES'
ENERGY FACILITIES SITING BOARD**

WHEREAS, Oakham is a town of the Commonwealth of Massachusetts; and

WHEREAS, Article 97 of the Constitution of the Commonwealth of Massachusetts states that: "The people shall have the right to clean air and water, freedom from excessive and unnecessary noise, and the natural, scenic, historic, and esthetic qualities of their environment; and the protection of the people in their right to the conservation, development and utilization of the agricultural, mineral, forest, water, air and other natural resources is hereby declared to be a public purpose," and

WHEREAS, The Legislature of the Commonwealth of Massachusetts in Massachusetts General Laws Chapter 30, §62 has defined environmental justice principles, environmental benefits, environmental burdens, meaningful engagement, and the related requirements placed upon the Secretary of the Environment and all departments, boards, commissions, and authorities of the Commonwealth, and

WHEREAS, The Town of Oakham is home to environmental justice populations as defined by the Commonwealth of Massachusetts and the United States of America Environmental Protection Agency, and

WHEREAS, There is a proposal to construct a Battery Energy Storage System (BESS) on Coldbrook Road, at a site that is in the Ware River Watershed. The site abuts real property owned by the Department of Conservation and Recreation (DCR). As stated in their own website, "DCR owns approximately 23,000 acres in the Ware River Watershed. Located in Central Massachusetts between the Quabbin Reservoir and the Wachusett Reservoir, the Ware River Watershed is the land and water which drain to the MWRA diversion facility on the Ware River in Barre. The water that enters the intake travels to either the Quabbin or Wachusett Reservoir through an underground tunnel, the Quabbin aqueduct. The watershed includes some or all of Barre, Hubbardston, Oakham, Phillipston, Princeton, Rutland, Templeton, and Westminster", and

WHEREAS, As stated in their website: "DCR's Division of Water Supply Protection, Office of Watershed Management (DWSP) manages and protects the Quabbin Reservoir, Ware River, Wachusett Reservoir, and Sudbury Reservoir watersheds, the source drinking water supply for over 3 million people.", and

WHEREAS, The DCR has an obligation to protect the water supply in the Ware River Watershed.

WHEREAS, This proposed site:

1. Abuts agricultural property developed and occupied by 65 residential dwellings; and
2. is only 2,112 feet from the Town of Oakham Center School, which is an elementary school, and
3. 4,224 feet from town buildings that house our Highway, Police and Fire Departments, the Town Hall the town Library and an Exempt Group Home and a Church, and

WHEREAS, BESS failures are such a frequent occurrence that the Electric Power Research Institute maintains a database of BESS failure

incidents whose consequences pose a very real potential threat to our environment, first responders, and residents, and

WHEREAS, The Department of Public Utilities, Energy Facilities Siting Board (EFSB), is reviewing the BESS project proposed to be located at Coldbrook Road in the Town of Oakham;

1. Whether the project is necessary, serves the public convenience, and is consistent with the public interest under Massachusetts General Laws Chapter 164, § 72; and
2. Whether the zoning exemptions should be granted, and if the proposed use of the Parcel *is reasonably necessary for the convenience or welfare of the public* pursuant to Massachusetts General Laws Chapter 40A, § 3; and

WHEREAS, The only way the EFSB can approve the BESS on Coldbrook Road that having clean energy infrastructure is more important than the safety of the residents of Oakham and surrounding towns, the safety of all the wildlife in the abutting land of the Department of Conservation and Recreation (DCR), and the safety of the water supply that flows to millions of residents in the City of Boston; and

WHEREAS, We must balance clean energy progress with vigilant oversight to prevent environmental and public health harm from emerging technologies.

NOW THEREFORE,

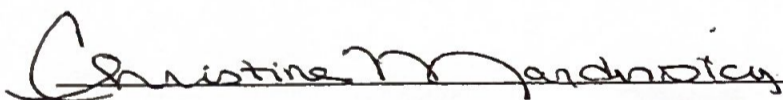
Be it ordained by the Town of Selectmen of Oakham as follows:

RESOLVED that the Board of Selectmen in agreement with its caring and concerned citizens, hereby urge the EFSB to find that:

The potential benefits of this project do not outweigh the very real environmental and public health risks and impact associated with it; and

The violation of Oakham residents' Article 97 rights and water way protections should not take place for the public convenience of residents anywhere; and

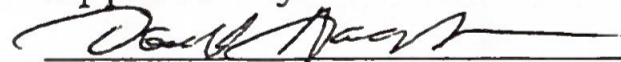
Siting this project abuts 23,000 acres of DCR property and it inhabitants, is in agricultural communities, it is less than a quarter a mile from the middle school, which is an elementary school, abuts several residential properties and is less than a mile from all the towns Municipal buildings; it sits in the Ware River Watershed that houses waterways that ultimately supply water to the Quabbin Reservoir then to the Wachusett Reservoir which supplies water to millions of people in the greater Boston area is **not an equitable distribution of environmental burdens and benefits; and the proposed use of the particular parcel is not reasonably necessary for the convenience of or welfare of the public.**



Christine Mardirosian, Town Clerk

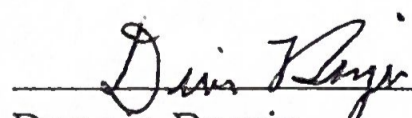
May 27, 2025

Approved by the Board of Selectmen

May 27, 2025


Donald Haapakoski, Chairperson


Michael Brunelle


Dennis Bergin