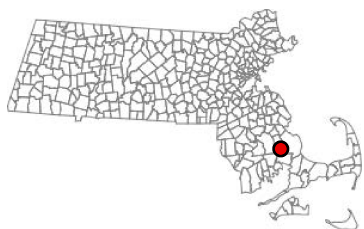


Map Location



Site Locus

Cranberry Point Energy Storage
31R Main Street, Carver, MA

0 1,500 3,000 6,000
Feet

Map Projection: MA State Plane NAD 83 Feet
Data Source: ESRI, MassGIS

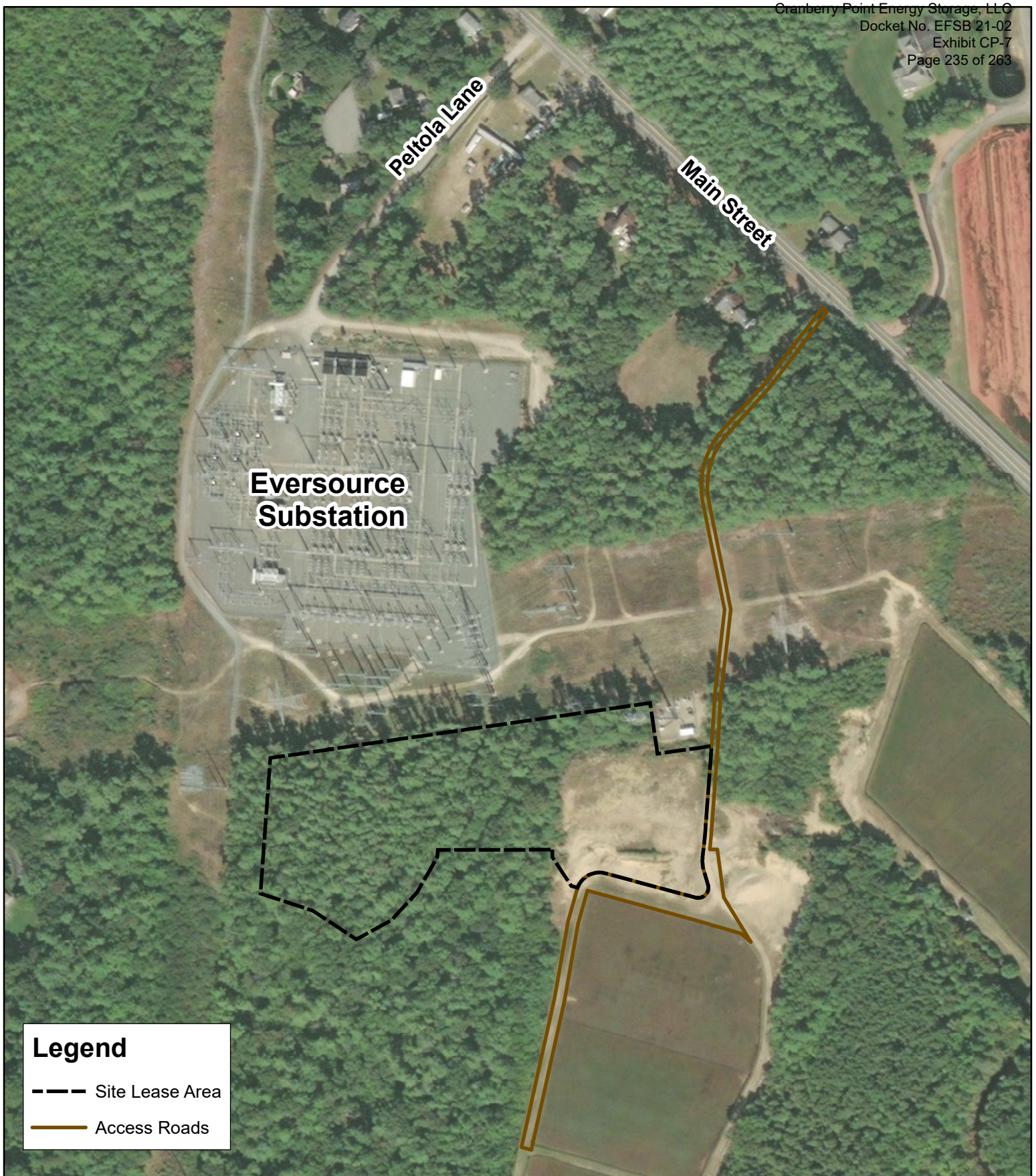
1 inch = 2,000 feet

AECOM

Figure 1

Date: 6/10/2021

Project #: 60659634



Legend

- Site Lease Area
- Access Roads



0 125 250 500 Feet

Map Projection: MA State Plane NAD 83 Feet
Data Source: ESRI, MassGIS

Figure 2 Aerial Photo Map

Cranberry Point Energy Storage
31R Main Street, Carver, MA

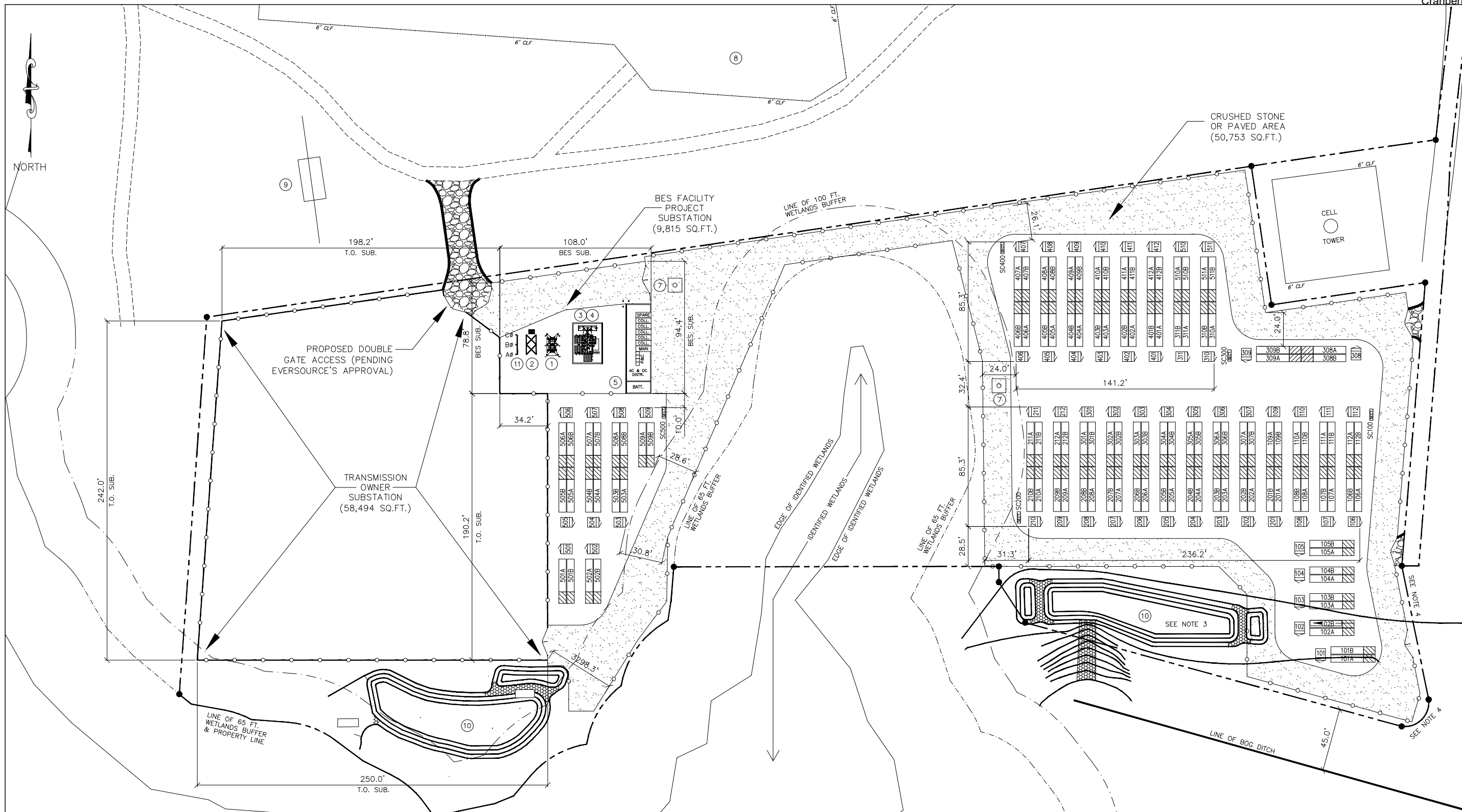
AECOM

Date: 6/10/2021

Project #: 60659634

Attachment B

Plans



1. THIS LAYOUT CONSIDERS TESLA TYPE MP2 LOW-DENSITY BATTERIES. A TOTAL OF (116) BATTERY MODULES AND (58) INVERTER STEP-UP TRANSFORMERS ARE REQUIRED. SEE ASSET ENGINEERING'S "GENERAL DESIGN CONSIDERATIONS" LETTER DATED MARCH 17, 2021, FOR DETAILS REGARDING THE ELECTRICAL PARAMETERS OF THE FACILITY.
2. ALL EQUIPMENT AND FENCE LINES FALL OUTSIDE OF THE 65 FT. WETLANDS BUFFER.
3. THE PROPOSED STORMWATER INFILTRATION BASIN WILL BE REDESIGNED TO ACCOMMODATE BATTERY STRINGS TO BE LOCATED IN THIS AREA.
4. THIS PROPERTY LINE IS APPROXIMATE. ITS EXACT LOCATION IS BEING DETERMINED AT PRESENT.

①	115KV CIRCUIT BREAKER	⑩	PROPOSED STORMWATER INFILTRATION BASIN
②	115KV DISCONNECT SWITCH	⑪	CABLE RISER STRUCTURE
③	BES FACILITY MAIN POWER TRANSFORMER	●	PROPERTY/LEASE CORNER
④	TRANSF. OIL CONTAINMENT AND FIREWALL(S)	---	PROPERTY/LEASE LINE
⑤	34.5KV SWITCHGEAR & CONTROL BUILDING	—○—	FENCE LINE
⑥	STATION SERVICE TRANSFORMER (NOT SHOWN)	[Hatched Box]	SPACE RESERVED FOR CAPACITY MAINTENANCE
⑦	MANHOLE(S)	[Stippled Box]	CRUSHED STONE OR PAVED AREA WITHIN BES FACILITY
⑧	UTILITY SUBSTATION	SC100-SC500	SECTIONALIZING CABINETS
⑨	EXISTING TRANSMISSION TOWER	101-511	INVERTER STEP-UP TRANSFORMERS
		101A-511B	MEGAPACK BATTERY MODULES



150 MW, 300 MWH

[illegible]

PROJECT	CRANBERRY POINT ENERGY STORAGE					JOB NUMBER
LOCATION	CARVER, MASSACHUSETTS					XXXX
TITLE	GENERAL ARRANGEMENT PLAN					DRAWING NUMBER
DATE	05/14/21	SCALE	1" = 70' - 0"	DRAWN BY	CHECKED BY	APPROVED BY
			MDY	MDY	RNR	
						GA02

Attachment E Circulation List

ATTACHMENT E - CIRCULATION LIST

Kathleen A. Theoharides
Executive Office of Energy and Environmental Affairs
Attn: MEPA Office
100 Cambridge Street, Suite 900
Boston, MA 02114
mepa@mass.gov
env.internet@mass.gov
tori.kim@state.ma.us
page.czepiga@state.ma.us

Massachusetts Department of Environmental
Protection
Attn: MEPA Coordinator
One Winter Street
Boston, MA 02108
helena.boccadoro@mass.gov

Massachusetts Department of Environmental
Protection
– Southeast Regional Office
Attn: MEPA Coordinator
20 Riverside Drive
Lakeville, MA 02347
george.zoto@mass.gov
jonathan.hobill@mass.gov

Massachusetts Department of Transportation
Public/Private Development Unit
10 Park Plaza
Boston, MA 02116
MassDOTPPDU@dot.state.ma.us

Massachusetts Department of Transportation
Highway Department – District 5
Attn: MEPA Coordinator
PO Box 111, 1000 County Street
Taunton, MA 02780
barbara.lachance@dot.state.ma.us

Massachusetts Historical Commission
The Massachusetts Archives Building
220 Morrissey Boulevard
Boston, MA 02125

Southeastern Regional Planning & Economic
Development District
88 Broadway
Taunton, MA 02780
info@srpedd.org

Department of Energy Resources
Attn: MEPA Coordinator
100 Cambridge Street, 10th floor
Boston, MA 02114
paul.ormond@mass.gov
brendan.place@mass.gov

Massachusetts Energy Facilities Siting Board
One South Station
Fifth Floor
Boston, MA 02110
andrew.greene@mass.gov
geneen.bartley@mass.gov

Carver Select Board
Mark Townsend - Chair
108 Main Street
Carver, MA 02330

Carver Planning Board
Jim Walsh - Director
108 Main Street
Carver, MA 02330

Carver Conservation Commission
Brooke Monroe - Environmental Scientist
108 Main Street
Carver, MA 02330

Carver Board of Health
Eric Mueller- Chairman
108 Main Street
Carver, MA 02330

Attachment F Permits

ATTACHMENT F ENVIRONMENTAL PERMITS, REVIEWS, AND APPROVALS REQUIRED

Agency/Regulatory Authority	Permit/Approval	Status
<i>Federal</i>		
U.S. Environmental Protection Agency (EPA)	National Pollutant Discharge Elimination System (NPDES) General Permit for Construction Activities	TBD
<i>State/Massachusetts</i>		
Massachusetts Executive Office of Energy and Environmental Affairs	MEPA Expanded Environmental Notification Form (EENF) and Environmental Impact Report (EIR) pursuant to 309 CMR 11.03(7)(1)	EENF submitted 8/16/2021
Massachusetts Energy Facilities Siting Board (EFSB)	Approval to construct the proposed Project, pursuant to G.L. c. 164, § 69J (Siting Petition) and G.L. c. 164, § 72 (Section 72 Petition)	Anticipated Submittal 9/2021
Massachusetts State Historic Preservation Office (MA SHPO)	Project Notification Form (PNF)	PNF submit 7/2/21, Archeological investigations are anticipated fall 2021
<i>Local</i>		
Carver Conservation Commission	Notice of Intent (NOI) and Order of Conditions (OOC) (Massachusetts Wetlands Protection Act and Carver Wetland Protection Bylaw (Chapter 9).	OOC issued 2/6/2019
Carver Planning Board	Site Plan Review and Special Permit.	Special Permit issued 3/26/2019



TOWN OF CARVER

Permitting Departments

00029006

BOOK 51033 PAGE 171

Recorded On:

Apr 25, 2019 at 01:07P

PLYMOUTH COUNTY REGISTRY OF DEEDS

John R. Buckley Jr., Register

TOWN CLERK
MAR 28 AM 9 31
CARVER MA

March 26, 2019

Lynn Doyle
Town Clerk
108 Main Street
Carver, MA 02330

**RE: Applicant—Cranberry Point Energy Storage/Sovereign Energy Storage
Site Plan Review and Special Permit – Battery Energy Storage System (BESS)
31R Main Street (Map 61 Lots 7-0, 10-0)**

Dear Ms. Doyle:

At its meeting of March 26, 2019, the Planning Board voted to approve the Site Plan Review application and Special Permit submitted by Cranberry Point Energy Storage/Sovereign Energy Storage to construct a Lithium-ion Battery Energy Storage System (BESS) with a storage capacity of 150 MW, located at 31R Main Street, as shown on the plan entitled: "Cranberry Point Energy Storage System Project" prepared by AECOM based in Chelmsford, MA, dated January 17, 2019 and revised March 7, 2019 with the following findings:

Findings:

The Commonwealth of Massachusetts Energy Storage Initiative (ESI) aims to make the Commonwealth a national leader in the emerging energy storage market. The Baker Administration launched ESI in May 2015 with the goal of advancing the energy storage segment of the Massachusetts clean energy industry by: 1) Attracting, supporting and promoting storage companies in Massachusetts. 2) Accelerating the development of early commercial storage technologies. 3) Expanding markets for storage technologies, and valuing storage benefits to clean energy integration, grid reliability, system wide efficiency, and peak demand reduction. 4) Recommending the developing policies, regulations and programs that help achieve those objectives.

An Act Relative to Energy Diversity, Chapter 188 of the Acts of 2016 states that the Department of Energy Resources (DOER) shall adopt targets to achieve the state's energy storage goals. DOER conducted extensive research, hosted public hearings, solicited comments from stakeholders and industry leaders. DOER has determined that the appropriate next step for the Commonwealth is the adoption of an aspirational 200 Megawatt hour (MWh) energy storage target for electric distribution companies to procure viable and cost-effective energy storage systems to be achieved by January 1, 2020.

The DOER's *State of Charge* report released in September 2016 identified over \$800 million in system benefits to Massachusetts ratepayers by 2050. Since its release, DOER has implemented many of the report's recommendations to promote energy storage in the Commonwealth; including incentivizing pairing energy storage with solar, authorizing the pairing of energy storage technologies with the largest procurement of clean and offshore wind energy generation, continued energy storage grant opportunities through the Community

Clean Energy Resiliency Initiative, and funding energy storage projects through the Peak Demand Reduction Grant Program.

Enel is a multinational energy company and one of the world's leading integrated electricity and gas operators. Enel has a presence in 35 countries across 5 continents and generates energy with a capacity in excess of 89 Gigawatts (GW). Approximately 43 GW is provided by wind farms, hydroelectric, geothermal, solar and biomass power plants. Enel distributes energy to 73 million customers around the world.

Enel Green Power North America, Inc. (EGP-NA) inaugurated their North American headquarters in March 2017 in Andover, Massachusetts. EGP-NA is a leading owner and operator of renewable energy plants in North America with projects operating and under development in 23 U.S. states. EGP-NA first entered the U.S. market in 2000 with the acquisition of approximately 300 MW of hydropower, including two hydropower plants in Lowell, MA and Lawrence, MA. Since then, the company has increased its capacity to more than 3,000 MW nationwide.

According to *State of Charge*, the electricity market currently has only a storage capacity of 1% of daily electricity consumption in Massachusetts. Other commodities, such as food, water, gasoline, oil and natural gas have an average storage capacity of 10% of daily consumption.

Without storage, electricity needs to be produced, delivered and consumed nearly instantaneously for the grid to maintain balance. According to ISO-NE Hourly Load Data, over the past 3 years, the top 1% most expensive hours accounted for 8% (\$680 million) of Massachusetts ratepayers' annual spend on electricity. The top 10% of hours accounted for 40% of annual electricity spend, over \$3 billion. Energy storage is the only technology that can use energy generated during low cost off-peak periods to serve load during expensive peak periods.

According to ISO-NE, the New England region is losing traditional energy generators. More than 5,200 MW of oil, coal and nuclear power plants will retire by 2022. An additional 5,000 MW of coal and oil-fired generation is anticipated to be retired shortly thereafter.

The Battery Energy Storage System will contain Lithium-ion batteries. The contents of the batteries include nickel, manganese and cobalt.

The underlying zoning is Residential/Agricultural. In 2018, the Annual Town Meeting approved battery energy storage systems as an allowed use in all zoning districts throughout the community.

The applicant, Cranberry Point Energy Storage/Sovereign Energy Storage is proposing 186,436 square feet of new development located adjacent to the Eversource substation. 46,294 square feet will be rendered impermeable.

On January 16, 2019 the Planning Board visited the site to observe current conditions and understand the site layout. The property is undeveloped and contains unimproved roads to access a cell tower and cranberry bogs to the south. The project area is primarily located in a wooded portion of the property and is bounded to the north by transmission and distribution lines and the Eversource substation, to the west by transmission and distribution lines, to the south and east by wetlands. AECOM delineated wetlands boundaries on July 25, 2018.

The Planning Board is in receipt of the WPA Form 5 – Order of Conditions dated February 6, 2019 provided by the Carver Conservation Agent identifying areas where work is proposed within 100' of a wetland, but in no instance does work appear to be conducted within 65' of a wetland.

The Planning Board is in receipt of a memo from the Carver Fire Department dated December 10, 2018 in which the CFD attests the site access is adequate. CFD memo requests training and an Emergency Response Plan to be developed, with CFD input and approval.

The Planning Board is in receipt of a memo from Fuss and O'Neill, acting as the Board's peer review engineers. Fuss & O'Neill review engineers cite several areas where the applicant is seeking waivers and relief from zoning by-law requirements. In all instances, Fuss & O'Neill recommends approval of waivers.

The applicant has pledged to donate funds to be retained in the administrative control of the town to assist with reforestation efforts and landscaping intended to beautify public rights of way located in the immediate vicinity of the project. Additional funds will be donated by the applicant to assist abutters with a landscaping plan to be implemented on the abutting property for the purpose of screening the project site from the abutting property.

The applicant received and responded to written questions presented to the applicant by the Planning Board members in a memo dated February 11, 2019. The Planning Board discussed the questions and answers presented during a regular meeting of the Board on March 12, 2019.

The Planning Board's public hearing for the above referenced plan was held pursuant to Sections 2230 (Use Regulations), 3100 (Site Plan Review), and 5300 (Special Permits) of the Carver Zoning By-Laws. The Board finds that the benefits of the proposed use outweighs any detrimental impacts of the town and the neighborhood, in view of the particular characteristics of the site, pursuant to Sections 3100 and 5300 and the specific criteria found therein.

The Board voted 4-1 to approve the Site Plan and Special Permit with following conditions:

Conditions:

1. Prior to the issuance of an Electrical Permit, the applicant shall develop an Emergency Response Plan (ERP), with input and approval from the Carver Fire Department. The ERP will include best practices for fire suppression, professional development and training for Carver Fire Department personnel, specialized equipment and/or any apparatus that may be necessary to mitigate fire hazard on site. The ERP will include the methods for collection, testing and disposal of water used to suppress a fire that comes into contact with the lithium-ion cells.
2. The ERP will include the contact information for two (2) responsible site managers.
3. Prior to the facility going on-line, funding shall be provided by the applicant, directed towards emergency equipment and training, to help mitigate any potential hazards. These funds will be directed towards the purchase of emergency fire vehicles/necessary fire equipment, specifically to assist the town in mitigating fire hazards, accessing, rescuing, and removing people in danger in the remote areas of the site, that do not meet access standards. The funding amount and mechanism for needed emergency equipment, utilized by the Fire Department, will be finalized by the Town Administrator and approved by the Planning Board.
4. The BESS shall be installed in accordance with MA 527 CMR 1.00, Chapter 52, Stationary Storage Battery Systems. This includes, but is not limited to: 52.3.10, an approved, supervised smoke detection/fire alarm system; 52.3.2, a Thermal runaway system; and 52.3.7, a temperature maintained operating environment.
5. A local electrical disconnect shall be installed.
6. All access roads shall be constructed of an all-weather surface 12' wide, and be cleared of obstructions on both sides by at least 2'. The vertical clearance shall be a minimum of 16'. All gated access points should have the ability to accommodate a CFD supplied padlock or a "Supra" key safe, which must be installed at the expense of the developer. Specifications and ordering information for order the "Supra" box will be provided by CFD upon request.
7. The applicant shall submit and maintain ground fuels manicuring and maintenance schedule. Manicuring of ground fuels should occur twice per year, at a minimum, during the "growing season."
8. Prior to the issuance of a Building Permit, the applicant shall inform the Planning Administrator and Carver Fire Department which manufacturer has been selected to provide the technology for the development.
9. Components of the Carver public safety radio system is located adjacent to the project site. The applicant shall provide to CFD evidence that the BESS will not create radio interference with this mission critical infrastructure.
10. The design of the fire suppression system shall be in accordance with all applicable codes and requirements, including NFPA 70, NFPA 72, NFPA 855, MA 527 CMR 1.00 and UL 9540. These systems shall be approved by the Carver Fire Department.

11. Applicant shall hire a fire protection engineer (FPE) to act as the Assistant Deputy Fire chief's assistant in review of the project for applicable code compliance and related fire safety conditions. The FPE shall recommend the approval/disapproval of the design and installation of both passive and active fire protection systems.
12. Site shall be screened with a vegetative barrier or fencing on all sides of the project site in order to adequately prevent abutters from reasonably being visibly impacted by the development site.
13. Prior to the issuance of a Building Permit, a true copy of the recorded decision, as registered at the Plymouth Co. Registry of Deeds shall be submitted to the Board.
14. The project must be constructed as approved in the Site Plan. Any other revisions will require approval from the Board as a Modification of this decision.
15. Prior to the issuance of a Building Permit, the applicant shall submit site signage information, including details and locations.
16. Applicant must submit updated Operation and Maintenance plan, including revisions outlined in memo provided by Fuss & O'Neill dated March 8, 2019.
17. Applicant must submit updated SWPPP, including revisions outlined in Fuss & O'Neill's memo dated March 8, 2019.
18. Applicant shall submit estimate of construction costs to the Planning Administrator.
19. Prior to the issuance of an Electrical Permit, the applicant shall provide the Board with a decommissioning bond in an amount to be negotiated by Town Administrator and Planning Board to run with the life of the project.
20. Prior to the issuance of an Electrical Permit, applicant will submit a cut-sheet to be approved by the Planning Board showing locations, height, orientation, color and type of lighting.
21. The applicant is responsible for the proper operation and maintenance of the site. During construction sedimentation and soil erosion controls shall be installed, repaired and supplemented as needed. Dust control is required during construction and the roadway apron is to be kept swept and clear of any dust, dirt or debris.
22. Any outstanding balance of the Review and Inspections Deposit Account shall be paid prior to the issuance of a Certificate of Use and Occupancy.

Waivers:

1. Applicant requests a waiver for providing open space.
2. Applicant requests a waiver for designating permanent parking, loading areas, and walkways.
3. Applicant requests a waiver for providing on-site landscaping.
4. Applicant requests a waiver for providing traffic plan. A waiver does not apply to the trip generation during construction.

Any appeal of this decision must be filed pursuant to MGL Ch. 40A, Section 117, and shall be filed within 20 days of the filing of this decision with the Town Clerk.

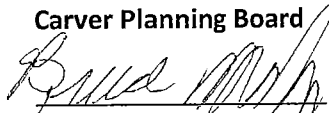
Vote of the Board

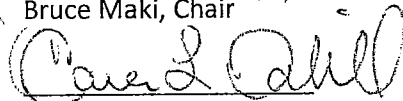
Mr. Maki – Yes
Mr. Hoffman – N/A

Ms. Bogart - No
Ms. Dahill - Yes

Mr. Sinclair - Yes
Mr. Robinson - Yes

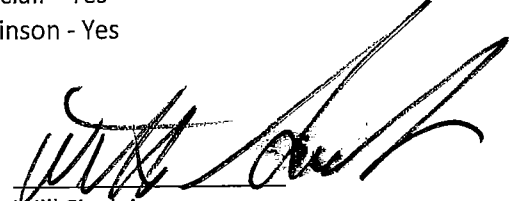
Carver Planning Board

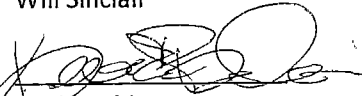

Bruce Maki, Chair


Cara Dahill, Alternate

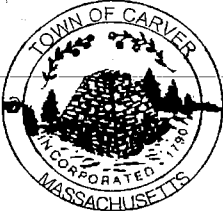
Jen Bogart, Secretary

Jim Hoffman, Vice Chairman


Will Sinclair


Kevin Robinson

cc: Applicant
Town Clerk
Conservation Commission
Carver Fire Department
Board of Health



Cranberry Land U.S.A.

Town Clerk

Lynn A. Doyle

Notary Public

Lynn.doyle@carverma.org

108 Main Street

Carver, Massachusetts 02330

Tel: 508-866-3403 • Fax: 508-866-3408

Marignal Reference:

Book 17970, Page 155

Book 17970, Page 157

**CERTIFICATE OF TOWN CLERK AS
TO PLANNING BOARD DECISION**

Petition of: Cranberry Point Energy Storage/Sovereign Energy Storage

Location: 31R Main Street
Map: 61; Lots 7-0, and 10-0

Re: (P-629-19 SP/SPR)
Special Permit/Site Plan Review

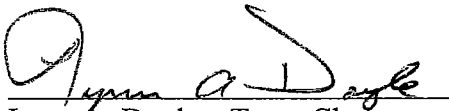
I, hereby certify that the decision of the Town of Carver Planning Board was filed in the office of the Town Clerk, March 28, 2019.

I further certify that twenty (20) days have elapsed after the decision has been filed in said office and that no appeal has been filed.

Date of Certification: April 17, 2019

Case: # 633

Issue Date: April 18, 2019


Lynn A. Doyle – Town Clerk

cc: Planning Board

MLP



Cranberry Land USA
Carver Conservation Commission

Town Hall, 108 Main Street
Carver, MA 02330

Telephone: 508-866-3482
Fax: 508-866-3430

February 7, 2019

Giovanni Bertolino
CRANBERRY POINT STORAGE LLC
100 Brickstone square, Suite 300
Andover, MA 01810

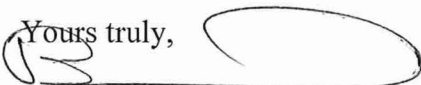
RE: Order of Conditions – DEP# SE126-579
31R Main Street, Carver, MA

Dear Giovanni:

Enclosed please find a copy of the Order of Conditions for the project at the address listed above. We will file the original at the Plymouth County Registry of Deeds, 50 Obery Street, Plymouth MA 02360. When these documents have been recorded, a copy of the filing information will be forwarded to you for your records.

When you have completed this project, please contact this office to request a Certificate of Compliance (COC). Until the COC is issued, approved and filed, the Order of Conditions will remain in place as alien against your property.

If you have any questions or concerns, please do not hesitate to contact me.

Yours truly, 

Brooke Monroe, Environmental Scientist
Agent, Carver Conservation Commission

CC: DEP

Gary Garfield, Garfield Environmental Management
Matt Devlin, AECOM

 **COPY**



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File #

SE# 126-579

eDEP Transaction #

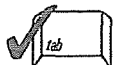
Carver

City/Town

A. General Information

Please note:
this form has
been modified
with added
space to
accommodate
the Registry
of Deeds
Requirements

Important:
When filling
out forms on
the
computer,
use only the
tab key to
move your
cursor - do
not use the
return key.



1. From: Carver
Conservation Commission

2. This issuance is for (check one):
a. ☒ Order of Conditions b. ☐ Amended Order of Conditions

3. To: Applicant:

Giovanni

a. First Name

Bertolino

b. Last Name

Cranberry Point Energy Storage LLC

c. Organization

100 Brickstone Square, Suite 300

d. Mailing Address

Andover

e. City/Town

MA

f. State

01810

g. Zip Code

4. Property Owner (if different from applicant):

Gary

a. First Name

Weston

b. Last Name

Weston Realty Trust "B"

c. Organization

P.O. Box 163

d. Mailing Address

Carver

e. City/Town

MA

f. State

02330

g. Zip Code

5. Project Location:

31 R Main Street

a. Street Address

Carver

b. City/Town

Map 61

c. Assessors Map/Plat Number

Lot 7 and 10

d. Parcel/Lot Number

Latitude and Longitude, if known:

41.d895197m

d. Latitude

s

-70d786388m

e. Longitude

s



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File #
SE# 126-579
eDEP Transaction #
Carver
City/Town

A. General Information (cont.)

6. Property recorded at the Registry of Deeds for (attach additional information if more than one parcel):
Plymouth
a. County
Book 17970
c. Book
b. Certificate Number (if registered land)
Page 155 and 157
d. Page
7. Dates: January 18, 2019 February 6, 2019 February 6, 2019
a. Date Notice of Intent Filed b. Date Public Hearing Closed c. Date of Issuance
8. Final Approved Plans and Other Documents (attach additional plan or document references as needed):
"Cranberry Point Energy System Storage Project in the Town of Carver, MA Plymouth County" (Sheets 1-8)
AECOM Yan Zhang #50101
b. Prepared By c. Signed and Stamped by
January 17, 2019 As Noted.
d. Final Revision Date e. Scale
Notice of Intent, with Figures and Stormwater Report
January 17, 2019
g. Date

B. Findings

1. Findings pursuant to the Massachusetts Wetlands Protection Act:

Following the review of the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the areas in which work is proposed is significant to the following interests of the Wetlands Protection Act (the Act). Check all that apply:

- a. ☐ Public Water Supply b. ☐ Land Containing Shellfish c. ☒ Prevention of Pollution
d. ☐ Private Water Supply e. ☐ Fisheries f. ☒ Protection of Wildlife Habitat
g. ☒ Groundwater Supply h. ☐ Storm Damage Prevention i. ☐ Flood Control

2. This Commission hereby finds the project, as proposed, is: (check one of the following boxes)

Approved subject to:

- a. ☒ the following conditions which are necessary in accordance with the performance standards set forth in the wetlands regulations. This Commission orders that all work shall be performed in accordance with the Notice of Intent referenced above, the following General Conditions, and any other special conditions attached to this Order. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, these conditions shall control.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File #

SE# 126-579

eDEP Transaction #

Carver

City/Town

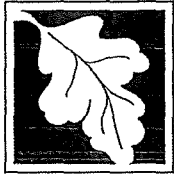
B. Findings (cont.)

Denied because:

- b. ☐ the proposed work cannot be conditioned to meet the performance standards set forth in the wetland regulations. Therefore, work on this project may not go forward unless and until a new Notice of Intent is submitted which provides measures which are adequate to protect the interests of the Act, and a final Order of Conditions is issued. **A description of the performance standards which the proposed work cannot meet is attached to this Order.**
- c. ☐ the information submitted by the applicant is not sufficient to describe the site, the work, or the effect of the work on the interests identified in the Wetlands Protection Act. Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides sufficient information and includes measures which are adequate to protect the Act's interests, and a final Order of Conditions is issued. **A description of the specific information which is lacking and why it is necessary is attached to this Order as per 310 CMR 10.05(6)(c).**
3. ☒ Buffer Zone Impacts: Shortest distance between limit of project disturbance and the wetland resource area specified in 310 CMR 10.02(1)(a) +-70'
a. linear feet

Inland Resource Area Impacts: Check all that apply below. (For Approvals Only)

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
4. <input type="checkbox"/> Bank	<u> </u> a. linear feet	<u> </u> b. linear feet	<u> </u> c. linear feet	<u> </u> d. linear feet
5. <input type="checkbox"/> Bordering Vegetated Wetland	<u> </u> a. square feet	<u> </u> b. square feet	<u> </u> c. square feet	<u> </u> d. square feet
6. <input type="checkbox"/> Land Under Waterbodies and Waterways	<u> </u> a. square feet	<u> </u> b. square feet	<u> </u> c. square feet	<u> </u> d. square feet
	<u> </u> e. c/y dredged	<u> </u> f. c/y dredged		
7. <input type="checkbox"/> Bordering Land Subject to Flooding	<u> </u> a. square feet	<u> </u> b. square feet	<u> </u> c. square feet	<u> </u> d. square feet
Cubic Feet Flood Storage	<u> </u> e. cubic feet	<u> </u> f. cubic feet	<u> </u> g. cubic feet	<u> </u> h. cubic feet
8. <input type="checkbox"/> Isolated Land Subject to Flooding	<u> </u> a. square feet	<u> </u> b. square feet		
Cubic Feet Flood Storage	<u> </u> c. cubic feet	<u> </u> d. cubic feet	<u> </u> e. cubic feet	<u> </u> f. cubic feet
9. <input type="checkbox"/> Riverfront Area	<u> </u> a. total sq. feet	<u> </u> b. total sq. feet		
Sq ft within 100 ft	<u> </u> c. square feet	<u> </u> d. square feet	<u> </u> e. square feet	<u> </u> f. square feet
Sq ft between 100-200 ft	<u> </u> g. square feet	<u> </u> h. square feet	<u> </u> i. square feet	<u> </u> j. square feet



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File #

SE# 126-579

eDEP Transaction #

Carver

City/Town

B. Findings (cont.)

Coastal Resource Area Impacts: Check all that apply below. (For Approvals Only)

	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
10. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below			
11. <input type="checkbox"/> Land Under the Ocean	a. square feet	b. square feet		
	c. c/y dredged	d. c/y dredged		
12. <input type="checkbox"/> Barrier Beaches	Indicate size under Coastal Beaches and/or Coastal Dunes below			
13. <input type="checkbox"/> Coastal Beaches	a. square feet	b. square feet	c. nourishment cu yd	d. nourishment cu yd
14. <input type="checkbox"/> Coastal Dunes	a. square feet	b. square feet	c. nourishment cu yd	d. nourishment cu yd
15. <input type="checkbox"/> Coastal Banks	a. linear feet	b. linear feet		
16. <input type="checkbox"/> Rocky Intertidal Shores	a. square feet	b. square feet		
17. <input type="checkbox"/> Salt Marshes	a. square feet	b. square feet	c. square feet	d. square feet
18. <input type="checkbox"/> Land Under Salt Ponds	a. square feet	b. square feet		
	c. c/y dredged	d. c/y dredged		
19. <input type="checkbox"/> Land Containing Shellfish	a. square feet	b. square feet	c. square feet	d. square feet
20. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, Inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above			
	a. c/y dredged	b. c/y dredged		
21. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	a. square feet	b. square feet		



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File #

SE# 126-579

eDEP Transaction #

Carver

City/Town

B. Findings (cont.)

* #22. If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.5.c (BVW) or B.17.c (Salt Marsh) above, please enter the additional amount here.

22. ☐ Restoration/Enhancement *:

a. square feet of BVW

b. square feet of salt marsh

23. ☐ Stream Crossing(s):

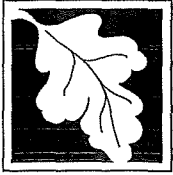
a. number of new stream crossings

b. number of replacement stream crossings

C. General Conditions Under Massachusetts Wetlands Protection Act

The following conditions are only applicable to Approved projects.

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. The Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
 - a. the work is a maintenance dredging project as provided for in the Act; or
 - b. the time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order.
6. If this Order constitutes an Amended Order of Conditions, this Amended Order of Conditions does not extend the issuance date of the original Final Order of Conditions and the Order will expire on _____ unless extended in writing by the Department.
7. Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish, or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.
8. This Order is not final until all administrative appeal periods from this Order have elapsed, or if such an appeal has been taken, until all proceedings before the Department have been completed.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File #

SE# 126-579

eDEP Transaction #

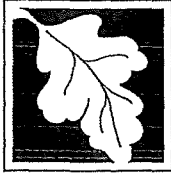
Carver

City/Town

C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

9. No work shall be undertaken until the Order has become final and then has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of the registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done. The recording information shall be submitted to the Conservation Commission on the form at the end of this Order, which form must be stamped by the Registry of Deeds, prior to the commencement of work.
10. A sign shall be displayed at the site not less than two square feet or more than three square feet in size bearing the words,

"Massachusetts Department of Environmental Protection" [or, "MassDEP"]
"File Number SE#126-579 "
11. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before MassDEP.
12. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
13. The work shall conform to the plans and special conditions referenced in this order.
14. Any change to the plans identified in Condition #13 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.
15. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.
16. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.
17. Prior to the start of work, and if the project involves work adjacent to a Bordering Vegetated Wetland, the boundary of the wetland in the vicinity of the proposed work area shall be marked by wooden stakes or flagging. Once in place, the wetland boundary markers shall be maintained until a Certificate of Compliance has been issued by the Conservation Commission.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File #

SE# 126-579

eDEP Transaction #

Carver

City/Town

C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

18. All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. At no time shall sediments be deposited in a wetland or water body. During construction, the applicant or his/her designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediments as needed. The applicant shall immediately control any erosion problems that occur at the site and shall also immediately notify the Conservation Commission, which reserves the right to require additional erosion and/or damage prevention controls it may deem necessary. Sedimentation barriers shall serve as the limit of work unless another limit of work line has been approved by this Order.

NOTICE OF STORMWATER CONTROL AND MAINTENANCE REQUIREMENTS

19. The work associated with this Order (the "Project") (1) ☒ is (2) ☐ is not subject to the Massachusetts Stormwater Standards. If the work is subject to the Stormwater Standards, then the project is subject to the following conditions:

a) All work, including site preparation, land disturbance, construction and redevelopment, shall be implemented in accordance with the construction period pollution prevention and erosion and sedimentation control plan and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Construction General Permit as required by Stormwater Condition 8. Construction period erosion, sedimentation and pollution control measures and best management practices (BMPs) shall remain in place until the site is fully stabilized.

b) No stormwater runoff may be discharged to the post-construction stormwater BMPs unless and until a Registered Professional Engineer provides a Certification that:

- i. all construction period BMPs have been removed or will be removed by a date certain specified in the Certification. For any construction period BMPs intended to be converted to post construction operation for stormwater attenuation, recharge, and/or treatment, the conversion is allowed by the MassDEP Stormwater Handbook BMP specifications and that the BMP has been properly cleaned or prepared for post construction operation, including removal of all construction period sediment trapped in inlet and outlet control structures;
- ii. as-built final construction BMP plans are included, signed and stamped by a Registered Professional Engineer, certifying the site is fully stabilized;
- iii. any illicit discharges to the stormwater management system have been removed, as per the requirements of Stormwater Standard 10;
- iv. all post-construction stormwater BMPs are installed in accordance with the plans (including all planting plans) approved by the issuing authority, and have been inspected to ensure that they are not damaged and that they are in proper working condition;
- v. any vegetation associated with post-construction BMPs is suitably established to withstand erosion.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File #

SE# 126-579

eDEP Transaction #

Carver

City/Town

C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

- c) The landowner is responsible for BMP maintenance until the issuing authority is notified that another party has legally assumed responsibility for BMP maintenance. Prior to requesting a Certificate of Compliance, or Partial Certificate of Compliance, the responsible party (defined in General Condition 18(e)) shall execute and submit to the issuing authority an Operation and Maintenance Compliance Statement ("O&M Statement") for the Stormwater BMPs identifying the party responsible for implementing the stormwater BMP Operation and Maintenance Plan ("O&M Plan") and certifying the following: *i.*) the O&M Plan is complete and will be implemented upon receipt of the Certificate of Compliance, and *ii.*) the future responsible parties shall be notified in writing of their ongoing legal responsibility to operate and maintain the stormwater management BMPs and implement the Stormwater Pollution Prevention Plan.
- d) Post-construction pollution prevention and source control shall be implemented in accordance with the long-term pollution prevention plan section of the approved Stormwater Report and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Multi-Sector General Permit.
- e) Unless and until another party accepts responsibility, the landowner, or owner of any drainage easement, assumes responsibility for maintaining each BMP. To overcome this presumption, the landowner of the property must submit to the issuing authority a legally binding agreement of record, acceptable to the issuing authority, evidencing that another entity has accepted responsibility for maintaining the BMP, and that the proposed responsible party shall be treated as a permittee for purposes of implementing the requirements of Conditions 18(f) through 18(k) with respect to that BMP. Any failure of the proposed responsible party to implement the requirements of Conditions 18(f) through 18(k) with respect to that BMP shall be a violation of the Order of Conditions or Certificate of Compliance. In the case of stormwater BMPs that are serving more than one lot, the legally binding agreement shall also identify the lots that will be serviced by the stormwater BMPs. A plan and easement deed that grants the responsible party access to perform the required operation and maintenance must be submitted along with the legally binding agreement.
- f) The responsible party shall operate and maintain all stormwater BMPs in accordance with the design plans, the O&M Plan, and the requirements of the Massachusetts Stormwater Handbook.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File #

SE# 126-579

eDEP Transaction #

Carver

City/Town

C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

- g) The responsible party shall:
1. Maintain an operation and maintenance log for the last three (3) consecutive calendar years of inspections, repairs, maintenance and/or replacement of the stormwater management system or any part thereof, and disposal (for disposal the log shall indicate the type of material and the disposal location);
 2. Make the maintenance log available to MassDEP and the Conservation Commission ("Commission") upon request; and
 3. Allow members and agents of the MassDEP and the Commission to enter and inspect the site to evaluate and ensure that the responsible party is in compliance with the requirements for each BMP established in the O&M Plan approved by the issuing authority.
- h) All sediment or other contaminants removed from stormwater BMPs shall be disposed of in accordance with all applicable federal, state, and local laws and regulations.
- i) Illicit discharges to the stormwater management system as defined in 310 CMR 10.04 are prohibited.
- j) The stormwater management system approved in the Order of Conditions shall not be changed without the prior written approval of the issuing authority.
- k) Areas designated as qualifying pervious areas for the purpose of the Low Impact Site Design Credit (as defined in the MassDEP Stormwater Handbook, Volume 3, Chapter 1, Low Impact Development Site Design Credits) shall not be altered without the prior written approval of the issuing authority.
- l) Access for maintenance, repair, and/or replacement of BMPs shall not be withheld. Any fencing constructed around stormwater BMPs shall include access gates and shall be at least six inches above grade to allow for wildlife passage.

Special Conditions (if you need more space for additional conditions, please attach a text document):

See "Attachment A" Special Conditions



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File #

SE# 126-579

eDEP Transaction #

Carver

City/Town

D. Findings Under Municipal Wetlands Bylaw or Ordinance

1. Is a municipal wetlands bylaw or ordinance applicable? ☒ Yes ☐ No
2. The Carver hereby finds (check one that applies):
Conservation Commission

- a. ☐ that the proposed work cannot be conditioned to meet the standards set forth in a municipal ordinance or bylaw, specifically:

1. Municipal Ordinance or Bylaw

2. Citation

Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides measures which are adequate to meet these standards, and a final Order of Conditions is issued.

- b. ☒ that the following additional conditions are necessary to comply with a municipal ordinance or bylaw:

Carver Wetlands Protection By-law

9.2

1. Municipal Ordinance or Bylaw

2. Citation

3. The Commission orders that all work shall be performed in accordance with the following conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, the conditions shall control.

The special conditions relating to municipal ordinance or bylaw are as follows (if you need more space for additional conditions, attach a text document):

See "Attachment A"



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File #

SE# 126-579

eDEP Transaction #

Carver

City/Town

E. Signatures

This Order is valid for three years, unless otherwise specified as a special condition pursuant to General Conditions #4, from the date of issuance.

2/6/2019

1. Date of Issuance

Please indicate the number of members who will sign this form.

4

This Order must be signed by a majority of the Conservation Commission.

2. Number of Signers

The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate Department of Environmental Protection Regional Office, if not filing electronically, and the property owner, if different from applicant.

Signatures:

☐ by hand delivery on

☒ by certified mail, return receipt requested, on

Date

Date

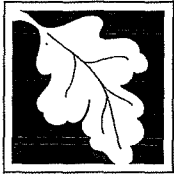
2/26/19

F. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate MassDEP Regional Office to issue a Superseding Order of Conditions. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request of Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Any appellants seeking to appeal the Department's Superseding Order associated with this appeal will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order, or providing written information to the Department prior to issuance of a Superseding Order.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40), and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal ordinance or bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File #
SE# 126-579
eDEP Transaction #
Carver
City/Town

G. Recording Information

Prior to commencement of work, this Order of Conditions must be recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land subject to the Order. In the case of registered land, this Order shall also be noted on the Land Court Certificate of Title of the owner of the land subject to the Order of Conditions. The recording information on this page shall be submitted to the Conservation Commission listed below.

Carver Conservation Commission
Conservation Commission

Detach on dotted line, have stamped by the Registry of Deeds and submit to the Conservation Commission.

To:

Carver Conservation Commission
Conservation Commission

Please be advised that the Order of Conditions for the Project at:

31 R Main Street
Project Location

SE# 126-579
MassDEP File Number

Has been recorded at the Registry of Deeds of:

Plymouth
County

Book

Page

for: Weston Realty Trust "B" c/o Gary Weston
Property Owner

and has been noted in the chain of title of the affected property in:

Book

Page

In accordance with the Order of Conditions issued on:

Date

If recorded land, the instrument number identifying this transaction is:

Instrument Number

If registered land, the document number identifying this transaction is:

Document Number

Signature of Applicant



Cranberry Land USA
Carver Conservation Commission

Town Hall, 108 Main Street
Carver, MA 02330

Telephone: 508-866-3482
Fax: 508-866-3430

ATTACHMENT "A"

Special Ongoing Conditions for DEP# SE# 126-579 (Energy Storage Facility)
Cranberry Point Energy Storage, LLC
31R Main Street, Carver, Map 61, Lot 7 and 10

1. Any changes to the proposed and approved Plan; for activity within the 65-foot and 100-foot buffer zone to the resource area (BVW); shall require the Applicant to contact the Conservation Commission of those changes to determine if those changes require a new filing.
2. Following installation of the erosion controls (compost/mulch tubing) as shown on the Plan, and prior to commencement of any work, the Conservation Agent shall be notified for a site inspection. The erosion controls shall be maintained in working condition throughout the project and until all disturbed areas (vehicular access roadway, side slopes, newly graded areas) are permanently stabilized.
3. All work and/or controls pertaining to the proposed stormwater management system (infiltration basins, emergency spillways, sediment forebays) shall be constructed as designed and shall comply with the Stormwater Management Plan submitted with the NOI. This includes the on-going maintenance of all the stormwater components to ensure the system functions as designed.
4. Servicing of equipment (including, but not limited to, fueling, adding and/or applying lubricants or hydraulic fluids) shall be done outside of the 100-foot buffer of the BVW on the site. If a spill/release occurs, the Contractor shall notify the Carver Fire Department.
5. These Special Conditions do not relieve the Applicant from complying with all conditions set forth by the Carver Fire Department relative to fire prevention and safety for all components of the energy storage facility.
6. Following completion of the project, the Applicant shall submit a Request for a Certificate of Compliance within three (3) years, with As-Built Plans signed by a Professional Engineer, certifying the project has been completed in accordance with the Notice of Intent and approved Plans. If the project is not completed

within three (3) years, the Applicant shall request an Extension of thirty (30) days prior to the expiration date of this Order.

7. No structures, further work, stockpiling of materials, and/or other activity within 100 feet of the resource areas; other than that permitted by this Order of Conditions, shall be done without notifying the Carver Conservation Commission as to whether another permit is required.
8. Special Conditions #1, #3, #4, #5 and #7 shall not expire with this Order of Conditions.