

**THE COMMONWEALTH OF MASSACHUSETTS**  
**DEPARTMENT OF PUBLIC UTILITIES**

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Petition of Cranberry Point Energy Storage, LLC, )  
pursuant G.L. c. 40A, § 3 for a Comprehensive Exemption ) D.P.U. 22-59  
from the Operation of the Town of Carver Zoning Bylaws )  
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**PETITION OF CRANBERRY POINT ENERGY STORAGE, LLC**  
**PURSUANT TO G.L. c. 40A, § 3 FOR A COMPREHENSIVE EXEMPTION**  
**FROM THE OPERATION OF THE TOWN OF CARVER ZONING BYLAW**  
**IN CONNECTION WITH THE CONSTRUCTION AND OPERATION OF A**  
**BATTERY ENERGY STORAGE SYSTEM AND SWITCHYARD**

**I. INTRODUCTION**

Now comes Cranberry Point Energy Storage, LLC (“Cranberry Point” or the “Company”) and hereby requests, pursuant to the provisions of G.L. c. 40A, § 3, that the Department of Public Utilities (the “Department”) grant a comprehensive zoning exemption from the operation of the Town of Carver Zoning Bylaws (the “Carver Zoning Bylaws” or the “Zoning Bylaws”).<sup>1</sup> The comprehensive zoning exemption is needed in connection with the Company’s Project, which consists of: i) a 150 megawatt (“MW”)/300 megawatt hour (“MWh”) Battery Energy Storage System (“BESS”) to be constructed, owned and operated by Cranberry Point and ii) an associated switchyard (“Switchyard”) and transmission structures to be constructed, owned and operated by NSTAR Electric Company d/b/a Eversource Energy (“Eversource”)<sup>2</sup>, all to be located on an approximately 6-acre site at 31R Main Street (the

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<sup>1</sup> Attachment 1 is a certified copy of the Carver Zoning Bylaws.

<sup>2</sup> The Siting Board has the authority to grant zoning exemptions for the Eversource Switchyard because the facilities are integral to the operation of Cranberry Point’s Project, the Eversource facilities have been (and will be) fully and thoroughly described and noticed in this proceeding and the related Energy Facilities Siting Board (“Siting Board”) petition as part of Cranberry Point’s Project, and the Department and the Siting Board will have a complete evidentiary record upon which to make all the necessary statutory findings with respect to such facilities. See, e.g., NRG Canal 3 Development LLC, EFSB 15-06/D.P.U. 15-180, at 3, 159 (2017) (approving Eversource facilities as part of the petitioner’s overall Project); Exelon West Medway, EFSB 15-01/D.P.U. 15-25, at 3, n.3 (2016); NSTAR Electric

“Project Site”) in the Town of Carver, Massachusetts (the “Town”) and on Eversource’s existing adjacent transmission right-of-way. The Project Site is located in the Town's Residential-Agricultural (“RA”) zoning district. The Town’s Zoning Bylaw requires obtaining Site Plan Review Approval and a Special Permit from the Town of Carver Planning Board before constructing and/or operating a BESS in the RA district. As detailed below, the Company received Site Plan Review Approval and a Special Permit by the Carver Planning Board and an Order of Conditions by the Town’s Conservation Commission to construct the Project.

However, on April 12, 2022, as further delineated below, the Town of Carver imposed a nearly one year moratorium on “the new use of land for Battery Storage.” As imposed, it does not appear as though the moratorium applies to this Project. However, depending on the timing for commencement of construction of the Project, the moratorium and the resulting changes to the Zoning Bylaw could preclude the Company from obtaining necessary building and other permits from the Town, which could permanently prevent or significantly delay construction or operation of the Project. Thus, the Company seeks exemption from the Town of Carver Zoning Bylaw to allow for the construction of the Project in accordance with the deadlines mandated pursuant to ISO-NE’s Forward Capacity Auction award. In support thereof, the Company states as follows:

1. The Company is a Delaware limited liability company with a principal place of business at 1780 Hughes Landing Blvd, Suite 675, The Woodlands, TX 77380.
2. The Company is a “public service corporation” in accordance with G.L. c. 40A, § 3.
3. For purposes of this Petition, the Company is represented by Andrew O. Kaplan, Esq., Pierce Atwood LLP, 100 Summer Street, Boston, MA 02110.

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Company d/b/a Eversource Energy, EFSB 17-02/D.P.U. 17-82/17-83, at 1-2, n.1; (2019).

4. The Company seeks a comprehensive exemption from the operation of the Zoning Bylaw pursuant to G.L. c. 40A, § 3 in connection with the construction and operation of the Project.
5. On August 27, 2021, the Company filed a petition with the Energy Facilities Siting Board (“EFSB” or the “Siting Board”) requesting approval of the construction of the Project pursuant to G.L. c. 164, § 69J ¼ (the “Section 69J ¼ Petition”). Concomitant with this 40A petition, the Company is submitting a motion with the Department to refer this Zoning Petition to the Siting Board and to consolidate the two petitions for review by the Siting Board.
6. Inasmuch as the standards applicable to approval pursuant to G.L. c. 164, § 69J ¼ are essentially the standards that apply to requests for zoning relief pursuant to G.L. c. 40A, § 3, Cranberry Point respectfully seeks to incorporate its G.L. 164, § 69J ¼ petition, including the Analyses and all exhibits and attachments thereto by reference as a part of the instant petition. The Analyses provide the factual basis for the Company’s conclusion that the Project meets the consistent standards of the Siting Board and Department because the Project is necessary to provide a reliable energy supply for the Commonwealth while minimizing cost and environmental impacts. Moreover, as detailed below, this Petition and the incorporated Analyses demonstrate that the Company should be granted a comprehensive zoning exemption from the Department and/or the Siting Board.

## **II. REQUEST FOR ZONING EXEMPTIONS**

### **A. Standard of Review**

The standard of review for requests for relief from local zoning restrictions is set forth in G.L. c. 40A, § 3, which provides in relevant part, that:

Land or structures used, or to be used, by a public service corporation may be exempted in particular respects from the operation of a zoning ordinance or bylaw if, upon petition of the corporation, the [Department] shall, after notice given pursuant to section eleven and public hearing in the town or city, determine the exemptions required and find that the present or proposed use of the land or structure is reasonably necessary for the convenience or welfare of the public.

In numerous longstanding decisions interpreting the foregoing requirement, the Department and courts have determined that a petitioner seeking exemption from a local zoning bylaw under G.L. c. 40A, § 3 must meet three criteria. NSTAR Electric Company, D.P.U. 11-80, at 4-7 (2012)

(“NSTAR Plympton 2012”); NSTAR Electric Company, D.P.U. 07-60/07-61, at 2-6 (2008) (“NSTAR Carver 2008”). First, the petitioner must qualify as a public service corporation. Save the Bay, Inc. v. Department of Public Utilities, 366 Mass. 667 (1975) (“Save the Bay”). Second, the petitioner must establish that it requires a zoning exemption. *See, e.g., Boston Edison 2005*, at 147. Third, the petitioner must demonstrate that its present or proposed use of the land or structure is reasonably necessary for the public convenience or welfare. *See, e.g., Boston Edison 2005*, at 147.

### **III. CRANBERRY POINT MEETS THE DEPARTMENT’S STANDARD FOR THE GRANT OF A COMPREHENSIVE ZONING EXEMPTION.**

#### **A. Cranberry Point Qualifies as a Public Service Corporation.**

In determining whether a petitioner qualifies as a “public service corporation” for the purposes of G.L. c. 40A, § 3, the Massachusetts Supreme Judicial Court has stated:

[A]mong the pertinent considerations are whether the corporation is organized pursuant to an appropriate franchise from the State to provide for a necessity or convenience to the general public which could not be furnished through the ordinary channels of private business; whether the corporation is subject to the requisite degree of governmental control and regulation; and the nature of the public benefit to be derived from the service provided. Save the Bay, 366 Mass. at 680; *see also* NSTAR Elec. Co., EFSB 14-2/D.P.U. 14-73/14-74, at 91 (incorporating the Save the Bay considerations into the relevant Department standards); Exelon West Medway, LLC, EFSB 15-01/D.P.U. 15-25, at 135 (2016); NRG Canal 3 Development LLC, EFSB 15-06/D.P.U. 15-180, at 142; NSTAR Elec. Co., EFSB 15-03/D.P.U. 15-64/15-65, at 78; New England Power Co., D.P.U. 15-44/15-45, at 5-6; NSTAR Elec. Co., D.P.U. 15-02, at 4-5; Berkshire Power Development, Inc., D.P.U. 96-104, at 26-36 (1997); Russell Biomass LLC, D.T.E./D.P.U. 06-60, at 12 (2008); Brockton Power Co., LLC, EFSB 07-7/D.P.U. 07-58/07-59, at 96 (2009). 45.

The Department interprets this list not as a test, but rather, as guidance to ensure that the intent of G.L. c. 40A, § 3, will be realized: *i.e.*, that a present or proposed use of land or structure that is determined by the Department to be ‘reasonably necessary for the convenience or welfare of the public’ not be foreclosed due to local opposition.” NSTAR Elec. Co., EFSB 14-2/D.P.U. 14-73/14-74, at 91 n.35 (citing Berkshire Power Development, Inc., D.P.U. 96-104, at 30; Save the Bay, 366 Mass. at 685-86; Town of Truro v. Department of Public Utilities, 365 Mass. 407, at 410 (1974); Exelon West Medway, LLC, EFSB 15-01/D.P.U. 15-25, at 135 n.117; New England Power Co., D.P.U. 15-44/15-45, at 5-6; NSTAR Elec. Co., D.P.U. 15-02, at 4-5; NSTAR Elec. Co., D.P.U. 13-64, at 5 (2014); Russell Biomass LLC, D.T.E./D.P.U. 06-60, at 12; NRG Canal 3 Development LLC, EFSB 15-06/D.P.U. 15-180, at 142 n.119; Brockton Power Co., LLC, EFSB 07-7/D.P.U. 07-58/07-59, at 96. 46. Accordingly, “[t]he Department has interpreted the ‘pertinent considerations’ as a ‘flexible set of criteria which allow the Department to respond to changes in the environment in which the industries it regulates operate and still provide for the public welfare.’ *See e.g.*, Exelon West Medway, LLC, EFSB 15- 01/D.P.U. 15-25, at 135 n.117; NSTAR Elec. Co., D.P.U. 13-64, at 5; and Russell Biomass LLC, D.T.E./D.P.U. 06-60 at 12.

Significantly, “[t]he Department has determined that it is not necessary for a petitioner to demonstrate the existence of ‘an appropriate franchise’ in order to establish [public service corporation] status.” NSTAR Elec. Co., EFSB 14-2/D.P.U. 14-73/14-74, at 91-92 n. 35 (citing Berkshire Power Development, Inc., D.P.U. 96-104, at 31; Exelon West Medway, LLC, EFSB 15-01/D.P.U. 15-25, at 135-36 n.117.

A petitioner qualifies as a public service corporation when it proposes a facility that will meet the Commonwealth’s or the region’s energy needs. “Pursuant to Department and Siting Board precedent, ‘any corporation that owns generating assets in Massachusetts, and makes

those assets available to serve the New England market, is a public service corporation.” Exelon West Medway, LLC, EFSB 15-01/D.P.U. 15-25, at 136; NRG Canal 3 Development LLC, EFSB 15-06/D.P.U. 15-180, at 142-43 (finding the petitioner to be a public service corporation where it and its parent company were “in the business of acquiring, owning, and operating electric generation facilities, including facilities in Massachusetts, that serve the needs of the Commonwealth and of the New England region” and a proposed facility would be used to meet capacity needs); Russell Biomass LLC, D.T.E./D.P.U. 06-60, at 15 (finding the petitioner to be a public service corporation where it “planned to make the output of [a generating] facility available to the New England energy market”); Berkshire Power Development, Inc., D.P.U. 96-104, at 26-36 (explaining the importance of extending public service corporation status to non-franchise monopoly participants in the electric power industry).

Based on the above legal precedent, Cranberry Point is a public service corporation. Specifically, Cranberry Point is proposing to construct a 150 MW/300 MWh BESS generating facility to provide capacity to the Southeast Massachusetts zone that ISO-NE has deemed necessary to meet future electricity demand for 2024-2031, pursuant to FCA 15. As the Petitioner intends to make the output of its generating facility available to the New England wholesale market, Cranberry Point respectfully requests that the Department find that the Company is a public service corporation.

**B. Cranberry Point Requires a Comprehensive Zoning Exemption from the Operation of the Town of Carver Zoning Bylaw.**

As described above, the Project consists of Cranberry Point’s 150 MW/300 MWh BESS and Eversource’s Switchyard, which is a 115 kV three-breaker ring bus that interconnects the BESS 115kV line with the Eversource 115kV transmission system. The Project is designed to utilize lithium-ion batteries, which will be located in approximately 116 above-ground enclosures

on an approximately 6-acre parcel of undeveloped land that is currently under an Option to Lease with the Company. The Eversource Switchyard will be located on the Project Site. Transmission structures will also be constructed by Eversource to interconnect the BESS with the regional electric grid. The transmission structures will be located on Eversource's existing right-of-way, which is adjacent to the Project Site. The Project Site is located in the Town's RA district. *See* Town of Carver Zoning Bylaws Article II, § 2100, which allows battery energy storage systems in the RA district after receipt of a site plan review approval and special permit by the Town. *Id.* at 2100 (C).

On March 23, 2021, the Carver Planning Board voted to extend the period of use of the approved site plan review and special permit to March 31, 2023. On June 26, 2021, the Carver Planning Board approved a minor modification of the Site Plan, which changed the location of some components of the Project to provide ample space for the Project's Switchyard that will be constructed, owned and operated on the Project Site by Eversource.

Subsequently, on December 20, 2021, ten residents of the Town of Carver petitioned the Select Board to adopt a temporary 11 ½ month moratorium, to March 26, 2023, on the new use of land for Battery Storage effective immediately upon the Town vote approving the moratorium. The moratorium was approved by the Carver Town Meeting on April 12, 2022. In addition, pursuant to the warrant article that was approved, the Town "shall adopt new zoning bylaws for battery storage and undertake a planning process that addresses the current and future impacts of battery storage facilities on Carver's residents, consider the long-term objectives for additional battery storage facilities in the town and their impact on health, safety, and welfare of the town."

G.L. c. 40A, § 6, in pertinent part, provides: "A zoning ordinance or by-law shall provide that construction or operations under a building or special permit shall conform to any subsequent

amendment of the ordinance or by-law unless the use or construction is commenced within a period of not more than 12 months after the issuance of the permit and in cases involving construction, unless such construction is continued through to completion as continuously and expeditiously as is reasonable.”

Although no individual zoning exemptions are required for the Project (given the Project’s Site Plan Review Approval and Special Permit), based on G.L. c. 40A, § 6, it could be argued that because the applicant has not commenced construction or operations of the Project (or any of its subcomponents) prior to the implementation of the moratorium halting the construction of a BESS, or, because the applicant may not be able to commence construction within 12 months after the issuance of the Special Permit, that future construction or operations under the applicant’s special permit issued by the Town of Carver will have to conform to any subsequent amendment of the Town of Carver’s ordinance or by-law. Therefore, the Company’s prior Town approvals for the Project appear to be in jeopardy.

The applicant has worked diligently with the Town during the permitting process and now have the Site Plan Review and Special Permit approval. And, typically, minor modifications to an approved site plan occur between land use/zoning permit award and a building permit award due to engineering plan finalization. Now, with the politicization of battery storage, the applicant is concerned that minor modifications, which would normally be handled administratively, could be subject to new zoning bylaws and delay construction of the project. To the extent that the moratorium invalidates the Site Plan Review Approval and Special Permit already obtained for the Project, or otherwise prevents the construction or operation of the Project, and results in changes to the Zoning Bylaw that would preclude obtaining local approval for the construction and operation of the Project, the Company seeks a comprehensive exemption from the operation of the



Zoning Bylaw on the Project.

**C. The Project Meets the Standards for the Issuance of a Comprehensive Exemption.**

The Company respectfully requests a comprehensive exemption from the operation of the Zoning Bylaw with respect to the Project. The grant of a comprehensive zoning exemption is based on the specifics of each case (NSTAR Electric Company d/b/a Eversource Energy and New England Power Company d/b/a National Grid, EFSB 15-04/D.P.U. 15-140/15-141, at 150 (2018) (Eversource/NEP Woburn-Wakefield); Eversource Walpole Holbrook 98; Eversource Woburn at 41. The Department will consider a request for comprehensive zoning relief when issuance of a comprehensive exemption is imminently needed to avoid substantial public harm. Eversource/NEP Woburn-Wakefield at 150; Eversource Walpole Holbrook at 98; Eversource Woburn at 41.

The Department has cited additional factors as relevant in making a determination to grant a comprehensive exemption including, but not limited to, whether: (1) the project is needed for reliability; (2) the project is time sensitive; (3) there are multiple municipalities involved that could have conflicting zoning provisions that might hinder the uniform development of a large project spanning these communities; (4) the project proponent has actively engaged the communities and responsible officials to discuss the applicability of local zoning provisions and address local concerns; and (5) the communities affected by the project do not oppose the issuance of a comprehensive zoning exemption. Eversource Woburn-Wakefield at 150; Eversource Walpole-Holbrook at 98.

The grant of a comprehensive zoning exemption is distinct from the grant of individual zoning exemptions, as the two types of zoning exemptions serve different needs. An individual zoning exemption relates to specific provisions in the Zoning Bylaw currently in effect that have

the potential to conflict or be inconsistent with, prevent, delay or obstruct the construction or operation of the Project. On the other hand, a comprehensive zoning exemption goes beyond the provisions in the current Zoning Bylaw (from which an individual zoning exemption may be granted), to exempt the Project from any future zoning enactment that comes into effect that has the potential to jeopardize the Project (in the same manner described above for individual zoning exemptions).<sup>3</sup> The very purpose of a comprehensive zoning exemption is thus to provide a mechanism for relief from local zoning that would not be available if only individual zoning exemptions were able to be secured.

The Project satisfies the standards for the grant of a comprehensive zoning exemption. As described in detail below, the Project is necessary for system reliability and the timing of the need is imminent. As discussed above, while no individual zoning exemptions are needed, the recently-adopted moratorium and the directive from Town Meeting that the Town “shall adopt [during the moratorium] new zoning bylaws for battery storage and undertake a planning process that addresses the current and future impacts of battery storage facilities on Carver’s residents, consider the long-term objectives for additional battery storage facilities in the town and their impact on health, safety, and welfare of the town” is exactly the type of zoning enactment that would come into effect after the Project received its Site Plan Review Approval and Special Permit and that could jeopardize the construction and operation of the Project. The Company has actively engaged the responsible officials in Carver about the Project and has obtained the local zoning relief

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<sup>3</sup> A comprehensive zoning exemption is also necessary regarding provisions currently in effect because zoning bylaws and ordinances are rarely written with unique energy infrastructure facilities in mind. The lack of clearly defined and specific regulation of electric infrastructure in the Zoning Bylaw, and the vague and subjective terms and provisions of the Zoning Bylaw result in an imprecise, at best, application of the zoning provisions to the Project. The Company interprets the provisions of zoning ordinances and bylaws conservatively, in the hope that it is requesting individual zoning exemptions for all the provisions that could reasonably be said to apply to a project. The grant of a comprehensive exemption removes any doubt as to the ability of the Project to move forward without violating any current terms of the Zoning Bylaw.

currently required by the Zoning Bylaw to construct and operate the Project in the RA zoning district, which is final with all appeal periods having passed. Moreover, after the Town Meeting vote to adopt the moratorium and direct future zoning amendments during the moratorium, the Company notified the Interim Town Administrator of its intent to seek a comprehensive zoning exemption from the Department to ensure that the Town Meeting action does not delay, hinder or otherwise prevent the construction and operation of the Project per the Site Plan Review Approval and Special Permit already obtained.

In sum, a comprehensive zoning exemption from the operation of the Zoning Bylaw would ensure the timely construction of this important Project.

**D. The Project is Reasonably Necessary for the Public Convenience or Welfare.**

When making a determination as to whether a petitioner's present or proposed use is reasonably necessary for the public convenience or welfare, the Department examines (1) the present or proposed use and any alternatives or alternative sites identified; (2) the need for, or public benefits of, the present or proposed use; and (3) the environmental impacts or any other impacts of the present or proposed use. The Department then balances the interests of the general public against the local interest and determines whether the present or proposed use of the land or structures is reasonably necessary for the convenience or welfare of the public. Boston Gas at 2-6; Tennessee Gas at 5-6.

1. The Company has demonstrated that its proposed use is consistent with the public convenience or welfare. Moreover, the Company has evaluated alternatives before choosing the Project Site.

Cranberry Point's Project has the capability of serving multiple applications interchangeably, including providing capacity supply, peak shaving, peak shifting, system resilience, renewable intermittency mitigation and ancillary services. In certain instances,

Cranberry Point's Project may be able to achieve some of these applications simultaneously, thereby, combining multiple streams to benefit the public.

Moreover, consistent with the Department's Standard of Review, the Company has fully evaluated alternatives to the Project in addition to several sites before selecting the Project location and route. *See* EFSB Petition at Section 7.

2. The Company has demonstrated the need for Project's proposed use and the public benefit that results from meeting that need.

As detailed in the EFSB Petition at Section 1, and incorporated herein by reference, the need for the Project was determined when ISO-NE awarded Cranberry Point a capacity supply obligation in the Forward Capacity Auction (FCA) 15, based upon its ability to provide 150 MW/300 MWh of capacity at the clearing price. Thus, the Project supports ISO-NE in meeting the future capacity needs of the Southeastern New England ("SENE") zone, which is comprised of Northeastern Massachusetts, Greater Boston, Southeastern Massachusetts, and Rhode Island. In addition, to meet the state's aggressive climate change goals, the new battery storage facility, as proposed by Cranberry Point, is absolutely essential to meet the electricity requirements of the Commonwealth's consumers and businesses in a reliable manner and to further the development of renewable energy resources.

3. Any environmental impacts from the Project will be mitigated.

The Company has conducted detailed analyses of the environmental impacts of the Project and has proposed measures to minimize the impacts associated with the construction and operation of the Project. Overall, the Company's Analysis, including detailed reports, demonstrates that the Project will achieve an appropriate balance among conflicting environmental concerns.

**E. Cranberry Point Has Conducted Significant Outreach with Town of Carver Staff and Residents.**

The Company and the Town have undergone more than three years of discussions regarding zoning and/or the local approval process. Outreach with the Carver administration, its elected officials and the community at large regarding the local land use process began in 2018. Recent communication outlined below and discussed in detail in the EFSB Petition at Section 7.

1. 2020 - 2022 Project Public Outreach to Local & State Agencies<sup>4</sup>

A. Neighbor Open House for abutters within ¼ mile: July 13, 2021

B. Carver Planning Director/Town Planner, Jim Walsh

- March 3, 2021: Call with Rick LaFond and Jim Walsh to update on project
- March 23, 2021: Call to discuss permit extension
- March 23, 2021: Call to discuss minor modification application
- June 15, 2021: Site walk with Jim Walsh, and members of the Planning Board (Chairman Maki, Cornelius Shea and Richard Dionne) (requested during Public Planning Board Meeting)
- June 16, 2021: Call with Jim Walsh to discuss project
- March 9, 2022: Call with Interim Town Planner, Thomas Bott, via Zoom, to discuss project

C. Carver Fire Department

- April 29, 2021: Met in person with Deputy Chief Eric Germaine and Assistant Deputy Fire Chief Jesse Boyle for a presentation of site design
- June 14, 2021: Met in person with Deputy Chief Eric Germaine and Assistant Deputy Fire Chief Jesse Boyle to review site design and review safety plans
  - June 22, 2021: Met in person with Deputy Chief Eric Germaine and Assistant Deputy Fire Chief Jesse Boyle to review site design and safety plans
  - July 13, 2021: Met in person with Deputy Chief Eric Germaine and Assistant Deputy Fire Chief Jesse Boyle; attended Cranberry Point's open house
  - November 1, 2021: Met in person with Deputy Chief Eric Germaine and Assistant Deputy Fire Chief Jesse Boyle to discuss safety plans
  - January 6, 2022: Met in person with Deputy Chief Eric Germaine and Assistant Deputy Fire Chief Jesse Boyle to discuss safety plans
  - March 8, 2022: Met in person with Deputy Chief Eric Germaine to discuss safety plans


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<sup>4</sup> 2018 - 2020: Additional outreach occurred with the Town of Carver as part of the project's Site Plan Review and Special Permit applications review.

- D. Carver Town Administrator
- February 9, 2021: Call to update Town on status of Project development
  - June 15, 2021: Met in person to update Town Administrator, Rick LaFond, on status of Project development
  - June 22, 2021: Site walk with Town Administrator, Rick LaFond
  - March 9, 2022: Call with Interim Town Administrator Bob Fennessy, via Zoom, to discuss project
- E. Carver Conservation Commission (CCC)
- December 2020: Call to update CCC on project status
  - December 2, 2020: CCC approval of update via CCC Meeting
  - June 2021: Met Brooke Monroe, Carver Conservation Commission Agent, in person to discuss site design
  - December 17, 2021: Submitted Order of Conditions (OOC) Extension Application
  - January 6, 2022: Received approval of Extension Application from CCC
- F. Building Department
- March 10, 2022: Met in person with Building Commissioner, Paul Boucher, to discuss site design and project status

**WHEREFORE**, Cranberry Point respectfully requests that pursuant to G.L. c. 40A, § 3, and after due notice and a public hearing, the Department determine that the construction of the Project as herein described is reasonably necessary for the convenience and welfare of the public, and that the Project Site, the uses to be made of it, and the structures to be built and maintained thereon for the Project as herein described shall be comprehensively exempted from the operation of the Carver Zoning Bylaw, to the extent applicable thereto.

Respectfully submitted,  
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Dated: May 11, 2022