

COMMONWEALTH OF MASSACHUSETTS
ENERGY FACILITIES SITING BOARD

Petition of Moraga Storage, LLC
Pursuant to G.L. c. 40A § 3 for an Exemption
From the Zoning By-law of the Town of
Oakham, MA

EFSB 25-07

TOWN OF OAKHAM'S COMMENTS ON TENTATIVE DECISION

The Town of Oakham ("Town") submits the following comments on the Tentative Decision which the Presiding Officer served on the parties on June 15, 2026.

1. Legal conclusions and rulings on pages 26-27 and 131-135. The Town respectfully disagrees with the Board's conclusions as to matters of law and reserves the right to file a written petition seeking that the rulings be set aside in whole or in part within twenty days after the date of service of the final decision, with entry of appeal in the Supreme Judicial Court within ten days after filing the petition with the Siting Board.
2. Page 6 – "On November 12, 2022... Moraga gained control of the Project Site..." It is still not clear when the Company gained control of the Project Site. One reason for this, among others, is the Board's allowing the Company to refuse to produce its Purchase and Sale Agreements with the owner.
3. Page 10 – "Community Outreach." The Town disputes that the Company's so-called "Community Outreach" was in good faith and contests that it can support the conclusion that it is entitled to a blanket zoning exemption, which will be further addressed in the written petition referenced in paragraph 1.

4. Page 11 – Table 1, “Community Outreach Communications Prior to Petition Filing.”
Same comment as paragraph 3.
5. Page 23 – “Moraga expects the Project would generate revenues to the Town of Oakham through local property taxes or a payment in lieu of taxes (“PILOT”) agreement, the latter of which may result in Town revenues of to \$1,000,000 per year...” First, and most importantly, the Town does not seek money from the Company. It seeks to preserve its rural-residential character. Secondly, the statement that property taxes or a PILOT “may result in Town revenues up to \$1,000,000 per year” is meaningless. The Town requested information from the Company on how it derived its tax estimate, but the Company refused to provide anything meaningful in response.
6. Page 23, footnote 13 – “The Siting Board takes administrative notice of documents cited by the Company in its Petition as evidence of state policy.” The Board should have granted the Town’s Motion to Strike extraneous evidence which the Company submitted for the first time in its Post-Hearing Brief filed after the close of the evidentiary record. Footnote 13 confuses information in the Company’s Petition with information presented for the first time post-hearing. This additional evidence on the central issues of whether the Company qualifies as a “public service corporation” under the 2024 Climate Act and the “need for, or public benefit” of the proposed use should have either been stricken or the evidentiary record should have been reopened so the Town could explore the evidence through limited further discovery. Further, a state “policy” does not equate to project need which must be determined by actual supporting evidence.

7. Page 27 – “The Town did not provide any evidence for its claims that the Project would be unrelated to renewable energy...” This is the Company’s burden, not the Town’s. The Town specifically requested the Company provide evidence of how the stand-alone BESS was related to renewable energy, i.e. tied to solar or wind energy by percentage of energy source or otherwise, versus strictly fossil fuel derived sources. The Company conceded it could not provide such evidence.
8. Pages 38, 42-43, 44-45 – “Construction Company Community Outreach Plan,” augmentation and decommissioning plans. The Town appreciates the Board’s conditions, but requests addition of a standard construction management plan to be developed in coordination with the Town once a construction contractor has been selected.
9. Page 46 – “... significant reduction in traffic compared to its prior use...”; “... recently approved special permit for the site,...” The so-called prior use was a pre-existing non-conforming use as an auto salvage yard with minimal traffic in and out, which any event was decommissioned more than eight years ago, in 2018. The special permit, never exercised, would have permitted extension of the prior use as an internet vehicle sales business, with no on-site repair or other work permitted. Neither are comparable to an otherwise impermissible large scale industrial project such as the standalone BESS facility proposed.
10. Pages 52-53 – Road-way Related Conditions. The Town appreciates the roadway-related conditions and will cooperate with the Company on implementation if the project is ultimately permitted to proceed.

11. Page 55 – Tree Removal. The Town respectfully disagrees that clear-cutting six acres of trees which are at least 25 years old is consistent with climate-related energy policy as expressed in the 2024 Climate Act, particularly where the clear-cutting is tied to a large-scale industrial project which has no connection to solar or wind energy.
12. Page 56 – “... the Company proposed to conduct the appropriate wildlife habitat evaluation and submit the findings with the Notice of Intent for Order of Conditions to the Oakham Conservation Commission.” The Company has submitted a Notice of Intent to the Commission for driveway-related improvements it needs for the Project but has otherwise made no such filing.
13. Pages 61, 62, 88 – Same comment, the Company’s Notice of Intent does not cover the scope described in the Tentative Decision. In fact, the Commission issued an Enforcement Order for a Notice of Intent for assessment and remediation of the property consistent with the Board’s findings on wetlands and potential hazardous waste plainly visible on the Project site. The Company’s response was to sue the Commission in Worcester Superior Court, currently pending.
14. Page 78, Footnote 36 – Board of Health jurisdiction on noise and other issues. Please see Exhibit A for comments in response to footnote 36 on Board of Health jurisdiction.
15. Pages 94, 95 – Conditions on Environmental Assessment and Remediation. The Town appreciates the Board’s conditions but respectfully requests amendment of the deadline for compliance from “within one year of commercial operations” to forthwith, with a Notice of Intent seeking approval to proceed on the ordered activities within thirty days, and completion of remediation prior to any site disturbance related to commencement of

the Project. The Town also requests that the Board order the Company to provide funding for a qualified LSP to provide LSP peer review to the Oakham Conservation Commission, consistent with conditions ordered in the Board's Southcoast Wind decision.

16. Pages 117 through 122 – Fire Safety. If the Project is ultimately permitted to proceed, the Town will cooperate with the Company to implement the fire safety/emergency response conditions the Board orders in this section.
17. Pages 138 through 146 – Conditions. The Town requests amendment of, or additions to, the conditions consistent with the Town's foregoing comments, including those stated in Exhibit A, and those stated and further clarified in Exhibit B, and that notice to the Town is required for any ordered reporting or communications between the Company and the Siting Board.

TOWN OF OAKHAM

By its attorney,



George X. Pucci (BBO# 555346)
KP Law, P.C.
Town Counsel
101 Arch Street, 12th Floor
Boston, MA 02110-1109
(617) 556-0007
gpucci@k-plaw.com

Date: June 23, 2026

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CERTIFICATE OF SERVICE

I, George X. Pucci, hereby certify that on the date below, I caused a copy of the foregoing *Town of Oakham's Comments on Tentative Decision* to be served upon all parties of record in this proceeding in accordance with the requirements of 220 C.M.R. 1.05(1) (Department's Rules of Practice and Procedure) by electronic filing.

Dated: June 23, 2026



George X. Pucci

Exhibit A

EXHIBIT A – BOARD OF HEALTH CONDITIONS

In response to footnote 36 of the Tentative Decision, indicating certain action of the Town's Board of Health is "likely impermissible because of its inconsistency with the decision of the Siting Board," the Town comments and respectfully contends that the Board of Health has jurisdiction independent of zoning and not subject to waiver by the Siting Board. This includes jurisdiction over nuisance or other conditions injurious to public health, including noise and cleanup of contaminated properties under G.L. c. 111, Sections 122-125, jurisdiction over noisome trades under G.L. c. 111, Section 143, and abatement of nuisance conditions involving junkyards under G.L. c. 140B, Section 7. The Town is willing to cooperate with the Siting Board in seeking clear, enforceable, pre-construction conditions requiring full investigation, characterization, and abatement of the former automobile junkyard conditions at the Project Site before the Company undertakes any clearing, grading, excavation, construction-road work, stormwater-basin work, foundation work, battery-pad preparation, transformer-pad preparation, or other ground disturbance.

The issue as to Board of Health jurisdiction is not whether the Siting Board has authority to grant zoning exemptions. The issue is whether a large-scale industrial battery facility should be permitted to break ground on a former automobile graveyard, containing known remaining automobile debris and potentially contaminated materials, still visible on the surface, and invisible within the soils, before the public-health nuisance and contamination risks are fully investigated and abated.

Under independent Town Board of Health jurisdictional authority, the Town requests that the Siting Board reconsider and/or modify the Tentative Decision at the least by adding an express condition prohibiting any Project-related ground disturbance or construction mobilization until the Project Site has been fully and meticulously inspected, characterized, remediated, and documented under a Board of Health-noticed process, with Licensed Site Professional oversight, MassDEP coordination, and direct service of all related documents upon the Oakham Board of Health. The Town seeks to supplement and streamline, not unduly duplicate or confuse, requested conditions under Conservation Commission jurisdiction which are stated elsewhere in the Town's Comments on the Tentative Decision which address related site assessment and remediation issues.

I. THE RECORD ESTABLISHES THAT THE PROJECT SITE IS A FORMER AUTO SALVAGE AND RECYCLING FACILITY WITH REMAINING AUTOMOBILE DEBRIS AND UNRESOLVED PUBLIC-HEALTH QUESTIONS

The Tentative Decision acknowledges that the Project Site was formerly used as an auto salvage and recycling facility for approximately fifty years. The decision further acknowledges that the site is not a pristine undeveloped parcel, but a former automobile-related commercial site

containing abandoned structures, historic vehicle-handling areas, and remaining debris associated with the former salvage operation that is openly strewn across multiple locations throughout the 42-acre parcel.

The record includes references to visible metal drums, cars, car parts, tires, chassis, and other debris, including debris in or near wetland resource areas and along the boundary shared with land under the jurisdiction of the Department of Conservation and Recreation. The Board of Health considers these conditions directly relevant to its statutory duties because such materials may constitute or contribute to nuisances, sources of filth, causes of sickness, potential oil or hazardous-material release conditions, fugitive dust risks, runoff risks, groundwater risks, and threats to nearby private wells, wetlands, watershed resources, and surface waters. The Board of Health, through its regional coalition support, has also requested full access to the property to thoroughly inventory all areas of concern, that are alleged but not yet documented. However, the property owner has thus far rebuffed these requests. As such the full extent of illegal dumping, land filling and contamination is not accurately defined or quantified by the Board of Health or any other enforcement authority as of now.

The Tentative Decision further notes that the SWCA Phase I Environmental Site Assessment recommended removal and proper disposal of aboveground oil tanks, drums and containers containing petroleum products, and waste vehicle fluids observed near the office/garage building, truck scale shed, and former auto crusher area. That recommendation alone is sufficient to establish that pre-construction disturbance of the Project Site implicates public health and environmental concerns requiring a defined, enforceable, pre-construction protocol.

The Town's Board of Health is particularly concerned that the Tentative Decision presently relies upon the Company's proposed targeted cleanup and future consultation with an LSP, rather than imposing a full pre-construction condition that prohibits ground disturbance until the former junkyard conditions have been investigated, characterized, remediated, and documented to the satisfaction of appropriate public-health and environmental authorities.

II. THE TENTATIVE DECISION SHOULD NOT RELY UPON TARGETED CLEANUP ALONE

The Tentative Decision states that the Company committed to a targeted cleanup of automobiles and debris and to working with regulatory bodies to address related preexisting violations. The Town respectfully submits that this is insufficient.

A targeted cleanup may be appropriate only after the site has been fully inspected, mapped, characterized, and evaluated by qualified professionals in consultation with public health and environmental authorities. Targeted cleanup before full characterization risks leaving behind

buried debris, petroleum-impacted soil, vehicle fluids, drums, tanks, tires, batteries, stained soil, or other materials that could later be disturbed during construction.

The risk is amplified by the scope of the proposed work. The Project would involve clearing, grading, construction-road work, installation of stormwater infrastructure, installation of foundations or pads, movement of heavy equipment, creating of lay-down and staging areas, and significant alteration of the former automobile graveyard property. Such work may mobilize contaminated soil, disturb buried debris, create fugitive dust, alter runoff pathways, and bring workers and residents into contact with materials that should be identified and abated before construction begins.

The Town, under independent jurisdictional authority of the Board of Health, therefore requests that if the final decision approves the Project, it must distinguish clearly between general construction mitigation and pre-construction public-health abatement. Construction-phase BMPs, erosion controls, SWPPP measures, and post hoc LSP consultation are not a substitute for a pre-construction investigation and abatement process.

III. THE FINAL DECISION SHOULD REQUIRE A NO-GROUND-DISTURBANCE CONDITION UNTIL THE FORMER JUNKYARD CONDITIONS ARE INVESTIGATED AND ABATED

The Town requests the following conditions:

No site clearing, grading, excavation, grubbing, construction-road work, stormwater-basin construction, foundation work, battery-pad preparation, transformer-pad preparation, laydown preparation, utility trenching, or other ground disturbance shall occur at the Project Site until Moraga Storage, LLC has completed a pre-construction public-health and environmental investigation and abatement process for the former auto salvage and junkyard conditions at 358 Coldbrook Road.

At a minimum, that process shall include:

1. Comprehensive site walkovers and inspections with notice to and inclusion of the Oakham Board of Health, Oakham Conservation Commission, Oakham Fire Department, MassDEP, DCR, the Project LSP, and the Conservation Commission's peer review LSP.
2. GPS mapping and photographic documentation of all visible automobile debris, tires, drums, tanks, containers, vehicle parts, chassis, stained soil, suspected dumping areas, and suspected buried debris areas within the Project Site and along abutting boundaries affected by the former auto salvage operation.
3. Identification of all former vehicle-fluid handling areas, former crushing areas, former storage areas, former disposal areas, former repair areas, former tank or drum storage

- areas, land alteration areas and any other areas reasonably associated with petroleum products, waste vehicle fluids, solvents, metals, batteries, or other hazardous materials.
4. A soil, groundwater, and, where appropriate, sediment and surface-water sampling plan prepared and/or approved by the Company's LSP and the peer review LSP and provided to the Oakham Board of Health, Conservation Commission and MassDEP before implementation.
 5. Waste characterization and quantification of all drums, tanks, containers, tires, batteries, vehicle parts, stained soil, and debris proposed for removal.
 6. A written remediation and debris-removal plan identifying the means and methods for removal, staging, transportation, disposal, dust suppression, runoff control, worker protection, wetland protection, and emergency response.
 7. A construction health and safety plan addressing fugitive dust, vapor, contaminated soil, debris handling, stormwater contact, and exposure prevention.
 8. Disposal documentation, including manifests, bills of lading, weight slips, facility acceptance records, and records identifying licensed receiving facilities.
 9. A private well and groundwater risk evaluation addressing whether construction activity could mobilize or expose contaminants that may affect nearby drinking-water supplies.
 10. Final LSP certification that the pre-construction investigation and abatement have been completed and that the identified junkyard nuisance conditions and contamination risks have been removed, remediated, or controlled before construction begins.
 11. Direct service upon the Oakham Board of Health and Conservation Commission, not merely general notice through Town channels, of all reports, plans, test results, LSP opinions, MassDEP filings, correspondence, field notes, disposal records, and certifications related to the pre-construction investigation and abatement process.

IV. THE FINAL DECISION SHOULD AFFIRM THE BOARD OF HEALTH'S CONTINUING PUBLIC-HEALTH AUTHORITY

In accordance with the jurisdictional issues noted above, footnote 36 of the Tentative Decision should be deleted.

V. THE BOARD OF HEALTH SHOULD BE MADE A DIRECT RECIPIENT OF HEALTH-RELATED CONDITION COMPLIANCE DOCUMENTS

The Oakham Board of Health should be specifically designated as a direct recipient and reviewing local authority for documents involving public health, nuisance, contamination, noise, emergency response, firewater, hazardous materials, site cleanup, augmentation, decommissioning, and incident reporting.

At a minimum, the Oakham Board of Health should be directly copied by the facility's owner/operator on:

1. All LSP reports, opinions, MCP filings, sampling data, and correspondence concerning the former auto salvage and junkyard conditions.
2. All site cleanup, waste characterization, debris removal, soil management, dust control, and construction health and safety plans.
3. All stormwater pollution prevention plans and runoff-control documents insofar as they relate to contaminated soil, debris, firewater, or public-health exposure pathways.
4. All Hazard Mitigation Assessment, Emergency Operations Plan, and Emergency Response Plan documents.
5. All firewater containment, testing, discharge, and disposal protocols.
6. All incident reports involving smoke, fire, explosion, thermal events, chemical release, runoff, firewater, odor, vapor, contaminated soil, dust, or first-responder notification.
7. All post-construction and post-augmentation noise studies and raw monitoring data.
8. All annual safety and complaint reports.
9. All augmentation plans.
10. All decommissioning plans and updates.
11. All post-construction noise sampling and results.

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Exhibit B

EXHIBIT B – FURTHER REQUESTED CONDITIONS

The Town requests further revision/additions to the conditions stated on pages 138-146 of the Tentative Decision, as follows (Town's requests in red):

B. The Siting Board directs the Company to submit an application within 120 days of Project's commercial operation to register the Project as an eligible resource with the Clean Peak Program, committing 100% of the facility's maximum capacity of electricity storage to the Clean Peak Program, and to submit confirmation of acceptance into the program to the Siting Board once received.

D. The Siting Board directs the Company to limit construction to the hours of 9:00 a.m. to 5:00 p.m. Monday through Friday. Should the Company need to extend construction work beyond the above-noted hours and days, with the exception of emergency circumstance on a given day necessitating extended hours, the Siting Board directs the Company to seek written permission from the Oakham Board of Selectmen before the commencement of such work, and to provide the Siting Board with a copy of such permission. If the Company and municipal officials are not able to agree on whether such extended construction hours should occur, the Company may request prior authorization from the Siting Board and shall provide the relevant municipality with a copy of any such request and authorization, if granted.

M. The Siting Board directs the Company to (1) conduct pre- and post-construction visual inspections of the Town roadways and culverts along the travel route of Project construction vehicles, equipment, and deliveries; (2) maintain or improve the condition of such roadways and culverts as established before beginning construction; and (3) provide funds for repaving projects or road repairs to compensate for any road damage or accelerated deterioration caused by construction traffic. (4) Should any dispute arise from any request by the town for reimbursement from the Company of the cost of repairing road damage caused by the company or its contractors, the Company must first seek resolution from the Oakham Highway Superintendent. If the Company is not satisfied with the Superintendent's decision, the Company may seek a public hearing from the Oakham Board of Selectmen (BOS). Not more than 10 days of the completion of a hearing with the BOS, a decision must be issued to Company. The BOS decision and order shall be final and there shall be no further avenues of appeal.

The Siting Board directs the Company to submit a report to the Siting Board and to the Town documenting the results of the pre-construction survey, which shall be submitted 60 days prior to the start of construction, and the post-construction survey, which shall be submitted no later than 60 days after the completion of construction. The post-construction survey report shall include a description of any documented road damage or accelerated deterioration arising from Project construction, along with a plan for providing appropriate compensation to the Town.

R. The Siting Board directs the Company to finalize its engineering specification details for all construction elements and facility, access ways, and ancillary structures, and its associated Stormwater Pollution Prevention Plan ("SWPPP") and to ensure the SWPPP addresses winter deicing activities to prevent impacts on water resources and wetlands. The Siting Board directs the Company to submit the SWPPP to the Board at least 60 days before the start of Project construction.

U. The Siting Board directs the Company to impose a 40 percent fan throttling limit on all BESS units throughout the duration of operation. Any exceedance of this 40 percent limit shall be deemed a violation of this requirement. All violations of this condition must be reported by the Company to the Siting Board and the Town of Oakham's Board of Health within 24 hours of occurrence.

V. The Siting Board directs the Company to conduct sound testing with all BESS units operating at maximum sound conditions (at 40 percent fan speed and maximum charge rate) during nighttime charging hours within 10 days of the Project's commercial operation and within 10 days of any augmentation to the Project, and to submit a report to the Town of Oakham and the Siting Board showing consistency with the limits set forth in the MassDEP Noise Policy. The Company's sound study, testimony and statements of commitment relative to noise issues relied upon the MassDEP Noise policy as it is presently written and established for the past 30 years. Therefore, should the MassDEP Noise Policy ever be revised in such a way that favors the Company and disadvantages the Town and its residents, the Company shall be required to nevertheless comply the MassDEP Noise Policy as it now stands- (No Pure Tones, No noise exceedance above 10 dBA of natural ambient levels at any sensitive receptor sites.). The Siting Board further directs the Company to provide upon request from the Town, reimbursement for a pre-construction ambient sound level study at up to 10 discreet locations chosen by the Town's Board of Health at the dates/times and by the vendor of their choosing.

W. The Siting Board directs the Company to engage with a licensed site professional to ensure the Project complies with the Massachusetts Contingency Plan ("MCP") throughout Project construction, prior to the engagement of any construction activities or other property alterations, including all associated cleanup efforts, and when appropriate or required by the MCP during Project operations, future augmentation, and decommissioning.

X. The Siting Board directs the Company to complete the following actions prior to the engagement of any construction activities or other property alterations, no later than within one year of commercial operations: (1) remove and properly dispose of the aboveground oil tanks, drums/containers containing petroleum products, and waste vehicle fluids, as identified and recommended for removal by the SWCA Phase I ESA; (2) adhere to any regulatory action or remediation requirement related to debris within the entire property and along the northern all boundaries of the property Project Site; (3) schedule a site visit for the Oakham Conservation Commission to investigate this violation and cooperate with any subsequent enforcement actions for remnant auto parts and chassis within the BVW in the southeastern part of the Project Site; and (4) remove and properly dispose of all automobile debris, including large, discrete pieces of visible surface debris (e.g., cars, chassis, tires, car parts, metal drums, or other debris exceeding a diameter of six inches) within the entire property Project Site. The Siting Board further directs the Company to submit a status report to the Siting Board on these activities at least 30 days before Project's commercial operation, and thereafter, every three months until the conclusion of these cleanup activities.

AA. The Siting Board directs the Company to provide the final Hazard Mitigation Assessment and Emergency Operations Plan to the Town of Oakham and the Siting Board at least 120 days before the start of Project construction.

CC. The Siting Board directs the Company to provide the final Emergency Response Plan (“ERP”) at least 120 days before the Project’s commercial operation. The Company shall include in its final ERP, at minimum, the following:

- The facility’s equipment types and layouts, without compromising critical energy or electric infrastructure information;
- Procedures for safe shutdown, de-energizing, or isolation of equipment and systems under emergency conditions to reduce the risk of fire, electric shock, and personal injuries;
- Procedures for safe start-up following cessation of emergency conditions;
- Procedures for inspection and testing of associated alarms, interlocks, and controls;
- Procedures to be followed in response to notifications from the BESS management system, when provided, that could signify potentially dangerous conditions, such procedures to include shutting down equipment, summoning service and repair personnel, and providing agreed upon notification to fire department personnel for potentially hazardous conditions in the event of a system failure;
- Emergency procedures to be followed in case of fire, explosion, release of liquids or vapors, damage to critical moving parts, or other potentially dangerous conditions. Procedures may include sounding the alarm, notifying the Town of Oakham’s Fire Department, evacuating personnel, de-energizing equipment, and controlling and extinguishing the fire;
- Procedures for dealing with BESS equipment damaged in a fire or other emergency event, including maintaining contact information for personnel qualified to safely remove damaged BESS equipment from the facility;
- Training for local first responders on the contents of the plan, and protocols and schedules for conducting drills of the above procedures;
- A communications plan for nearby residents who may be impacted by an emergency event that shall outline the parties responsible for contacting nearby residents;
- Evacuation and shelter-in-place protocols for residents near the Project;
- The names and phone numbers of local, state, and federal agencies and officials to be contacted in the event of an emergency.

EE. The Siting Board directs the Company to provide contact information (and maintain its accuracy whenever there are changes), for the designated Company personnel, subject matter experts, and Tesla Network Operations Center available on site for first responders and provide this listing to the Siting Board and to the Oakham Board of Selectmen.

II. The Siting Board directs the Company to provide the Town of Oakham with an annual report by November 1 of each year detailing (1) any safety incidents that required notification of local first responders along with any changes the Company made in response to each incident, and (2) an itemized log and a narrative summary of Project complaints received by the Company, including the nature and source of the complaint, the Company’s response to the complaint, the dates of the complaint receipt and response, and the Company’s resolution of the complaint.

Town of Oakham: The Town requests the following additional conditions imposed by the EFSB if approved:

M.M. The Siting Board directs the Company to provide by the 15th of each month a report on the prior month’s facility operations detailing the actual percentage of energy collected, stored and discharged by the BESS facility to/from the grid that was “Clean Energy” generated. Such report shall be provided by a

representative the Company/Operator and furnished to the Siting Board and to the Oakham Board of Selectmen.

N.N. The Siting Board directs the Company to secure a right of way or easement and to construct and maintain a secondary access road to the Project Site from a public way separate from Coldbrook Road for use in the event of an emergency.

O.O. The Siting Board directs the Company to construct and maintain a ring road around the outer perimeter of the facility no less than 30 feet wide, fitted with a non-combustible material and to include a further 25 foot outer buffer zone maintained with zero vegetation and/or any other combustible material.

P.P. The Siting Board directs the Company to situate the BESS and transformer equipment in a fully indoor facility, or alternatively, fully covered by a hard shell canopy structure. This is necessary to reduce the risk of weather related and other airborne damage and pre-mature degradation of equipment, and to reduce noise emissions.

Q.Q. The Siting Board directs the Company to provide and maintain full video surveillance of the facility's equipment and structures and to provide real time and recorded access to such video footage to the Oakham Police and Fire Departments. The company is further directed to obtain and maintain recorded footage of all emergency/malfunction incidents at any and all locations and durations.

R.R. The Siting Board directs the Company to provide onsite water storage for firefighting use of no less than 150,000 gallons and provide a plan for the construction and charging of this water storage facility to the Siting Board and the Oakham Fire Department no less than 60 days prior to Project construction initiates.

S.S. The Siting Board directs the Company to prepare and submit a plan to the Oakham Planning Board to improve the appearance of and modify the signage for the property's main entrance point at Coldbrook Road to comport with Town ordinary requirements and conform to the rural nature of the neighborhood location. Final specifications and timelines for entrance-way remediation shall be issued at the discretion of the Planning Board with input from the Police and Fire Departments, with no further avenue of appeal for the Company.

T.T. The Siting Board directs the Company to reimburse the Town at a time and amount of their request to fund a part-time town employee to serve as the chief coordinator of all BESS related Town operations, monitoring, enforcement, planning and information management.

U.U. The Siting Board directs the Company to draft and submit for consideration to the Oakham Board of Selectmen a new zoning bylaw (or suitable revision) that would serve to create a new Industrial District in the Town that would permit and regulate Land Use consistent with that of a BESS facility. Should the Oakham BOS find the proposed language acceptable, they may present the proposed legislation to the voters at the next Annual Town Meeting for their consideration.