

# Southborough Zoning Board of Appeals

## AGENDA

Wednesday, January 21, 2026 at 7:00 P.M.

McAuliffe Hearing Room

17 Common Street

May be watched or may participate in the meeting remotely with the meeting link at:

<https://www.southboroughma.gov/674/Virtual-Meetings>

### PUBLIC HEARING

7:00 PM 250 Turnpike Road, 0 Parkerville Road – FD 250 Turnpike LLC – Comprehensive Permit

The petitioner is seeking a Comprehensive Permit under MGL Chapter 40B, Sections 20-23 and 760 CMR 56 to construct 32 town homes. The property is located in the Residence A zoning district.

### Other Business Properly Before the Board (Board may vote)

1. Discussion & Vote on Decision – 150 Cordaville Road, Special Permit to allow multiple uses on one lot
2. Approval of Meeting Minutes – December 10, 2025
3. ADU Bylaw Discussion
4. Administrative Updates
  - a. Upcoming Schedule
  - b. Annual Town Meeting

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David Williams, Chair

  
**Town of Southborough**  
**BOARD OF APPEALS**  
SOUTHBOROUGH, MASSACHUSETTS 01772

9 CORDAVILLE ROAD  
SOUTHBOROUGH, MASSACHUSETTS 01772-1662  
508-485-0717 ext. 1

James F. Hegarty  
Town Clerk  
Town House  
17 Common Street  
Southborough, Massachusetts 01772

DATE

**Notice of Decision of an Application for a Special Permit**

**Property Address:** 150 Cordaville Road, Southborough, MA 01772

**Map/Lot:** Map 28, Lot 16

**Book/Page:** Book 47215, Page 30

**Petitioner:** Blue Sky Utility, LLC

**Application Filed:** November 3, 2025

**Public Hearing:** December 10, 2025 at 7:00 P.M.  
McAuliffe Hearing Room, 17 Common Street

**Sitting as a Board:** David Williams, Chair  
Michael Robbins, Clerk  
Paul Drepanos  
Doris Cahill  
Jamie Mieth  
Doug Manz, alternate

**For the Petitioner(s):** Charles Jenkins, Blue Sky Utility  
Jennifer Crawford, Crawford & Associates  
Shannon Boyce, Capital Group Properties

**Procedural History:**

1. An application for a Special Permit was filed in the Office of the Southborough Town Clerk and the office of the Southborough Building Department on November 3, 2025.
2. The application for the Special Permit is to allow multiple uses on one lot. Relief was requested under the Southborough Zoning Bylaw Section 174-8 C (2) and Section 174-9.
3. The record owner of the subject property is 150 Cordaville Road LLC, 259 Turnpike Road, Suite 100, Southborough, MA, 01772.
4. A public hearing before the Zoning Board of Appeals was duly noticed in the MetroWest Daily News on November 26, 2025, and December 3, 2025.
5. The applicant was heard at the December 10, 2025 Zoning Board of Appeals meeting after describing that they are seeking to place a Battery Energy Storage System (BESS) and a private vehicle charging station on a site with an existing light manufacturing building.

6. The public hearing opened on December 10, 2025 and closed the same evening.

**Plans/Documents:**

1. Special Permit Application Form, signed by Bill Hilliard, Blue Sky Utility, LLC, and William Depietri, 150 Cordaville Road LLC, dated October 20, 2025
2. Owner's Limited Consent Statement, signed by William Depietri, 150 Cordaville Road LLC, dated October 20, 2025
3. Project Narrative, prepared by Jennifer Crawford, P.E., Crawford & Associates
4. Quitclaim Deed, Book 47215, Page 30
5. Photographs of subject property
6. Site Plan titled "150 Cordaville Road, Site Plan, Existing Conditions", prepared by Crawford & Associates, dated October 28, 2025, signed and stamped by Jennifer S. Crawford, Electrical, P.E. No. 55819
7. Site Plan titled "150 Cordaville Road, Site Plan, Proposed Conditions", prepared by Crawford & Associates, dated October 28, 2025, signed and stamped by Jennifer S. Crawford, Electrical, P.E. No. 55819
8. Building Elevations titled "150 Cordaville Road, Building Elevations", prepared by Crawford & Associates, dated October 28, 2025, signed and stamped by Jennifer S. Crawford, Electrical, P.E. No. 55819
9. Certified Abutters List – 150 Cordaville Road
10. Legal Ad Billing Agreement
11. Letter from Melissa Danza, Conservation Agent, dated November 19, 2025
12. Letter from Chief Andrew Puntini, Southborough Fire Chief, dated December 8, 2025
13. Letter from Taylor West, Health Department Director, dated December 8, 2025
14. Email from Marnie Hoolahan on behalf of the Southborough Planning Board, dated December 8, 2025

**Findings:**

1. The proposal requires a Special Permit under the Town of Southborough Zoning Bylaw, Section 174-8 C (2).
2. The property is located in the Industrial District.
3. The property has an existing building with light manufacturing uses.
4. The applicant is seeking to install a 14.616 MWh Battery Energy Storage System (BESS) and a private vehicle charging station on a lot with an existing light manufacturing building.
5. The proposed BESS will be used for storage of electricity that may include electricity from solar energy sources, and, accordingly, the proposal enjoys the benefits of G.L. c. 40A, Section 3.
6. The applicant submitted that the former Building Commissioner, Gene Novak, classified the BESS as fuel storage, which is a permitted use up to 50,000 sq ft in the Industrial District. Town Counsel Attorney Jay Talerman does not fully agree with that classification but noted that BESS systems are an allowed use under G.L. c. 40A, Section 3 if they include solar generated storage.
7. The applicant submitted that there is no environmental impact during normal operations of the BESS, inclusive of light and noise disturbance; and the Board found the applicant's presentation on this issue to be credible.
8. The applicant submitted that they will provide impact protection around the proposed BESS, which the Board found to be a valuable safety measure.

9. Southborough Fire Chief Andrew Puntini stated that even though the risk of a fire is low, he has concerns regarding the toxic gas emissions and the challenge of evacuating a heavily retail area that includes a daycare. The Applicant has pledged to follow or exceed all current requirements and standards for fire protection.
10. The Board finds that Site Plan Approval through the Planning Board, Energy Storage System Permitting through the Fire Department and permitting through Conservation are required.
11. The proposal and evidence presented meet the criteria to grant the Special Permit:
  - a. The Board finds the use sought and its characteristics are in harmony with the intent and purpose of Chapter 174 of the Southborough Zoning Bylaw, is not in conflict with public health, safety, convenience, and welfare, and will not be substantially more detrimental or offensive to the neighborhood or destructive of property values therein. The Board makes this finding subject to compliance with ESS permitting through the Fire Department and Site Plan Approval through the Planning Board.
  - b. Location
    - i. The Board finds that the proposal is located near similar uses as the area is in the Industrial Zone, with Eversource and the transfer station located across the street.
    - ii. The Board finds that providing adequate water and drainage for this location will pose no special public problems.
    - iii. The Board finds that the site is able to accommodate the proposal without substantial environmental damage due to wetland loss, habitat disturbance or damage to valuable trees or other natural assets subject to compliance with any required permitting through the Conservation Commission.
  - c. Activity Type & Mix
    - i. The Board finds the proposal is nonresidential and will contribute to the diversity of services available locally.
  - d. Visual Consequences
    - i. The Board finds that scenic views from public ways and developed properties will be considerably treated in the site arrangement and building design through the installation of a fence around the proposed BESS. The Board finds that further visual consequences will be appropriately addressed through the Site Plan Approval process.
    - ii. The Board finds that visibility of the proposed service areas from public streets will be minimized through site arrangement, and such areas will be screened from abutting premises. The Board finds that further screening and visibility impacts will be appropriately addressed through the Site Plan Approval process.
  - e. Access
    - i. The Board finds that access to the location will not increase existing traffic as the proposed BESS is unmanned and will require minimal maintenance.
    - ii. The Board finds that pedestrian and vehicular movement to, from and within the site will be safe and convenient and arranged so as not to disturb abutting properties through the installation of a fence and adequate impact protection, to be designed and installed to the satisfaction of the Planning Board and Fire Department.
12. There were no objections from the public regarding this application, which is in harmony with the intent of the bylaw.

**Decision and Vote of the Board:**

At its meeting on December 10, 2025, the Zoning Board of Appeals voted (4-1-0) to grant the Special Permit pursuant to the Southborough Zoning Bylaw Section 174-8 C (2) to allow multiple uses on one lot, to include a light manufacturing building and a Battery Energy Storage System (BESS) and private vehicle charging station with the following conditions:

1. The applicant shall provide adequate protections and safeguards for public health and safety to address the potential for toxic releases in the event of a fire, with respect to the proximity to the road, retail businesses & daycare, to the satisfaction of the Southborough Fire Chief, including but not limited to:
  - a. Energy Storage System Code Compliance
  - b. Impact protection
  - c. Emergency Response Plan
  - d. Hazard Mitigation Plan
  - e. Hazardous Materials Emergency Plan
  - f. Operations & Maintenance Plan
  - g. Fire Department training

No installation of the BESS system may occur prior to the satisfaction of these conditions and receipt, by the Building Commissioner, of approval by the Fire Department.

2. No installation of the BESS system may occur prior to execution, by the Town and the Applicant of Decommissioning Plan & Agreement in a form to be approved by Town Counsel.

After review of all evidence and facts presented at this hearing, and after deliberation of the same, the Board voted (4-1-0) on a motion made by Mr. Robbins and seconded by Mr. Drepanos, with members voting by roll call as follows to grant the requested Special Permit:

Jamie Mieth	Nay
Paul Drepanos	Aye
Doris Cahill	Aye
Michael Robbins	Aye
David Williams	Aye

**Pursuant to the vote taken by the Zoning Board of Appeals on September 20, 2023, the following signatures are made in accordance with M.G.L. c.110G and pursuant to said Board's electronic signature authorization vote recorded on November 6, 2023, with the Worcester Registry of Deeds, Book 69850, Page 154.**

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David Williams, Chair

Signing on behalf of the Zoning Board of Appeals

*Notice: Appeals, if any, shall be made pursuant to MGL c. 40A, Section 17, and shall be filed within twenty (20) days after the filing of this notice in the Office of the Southborough Town Clerk. Further, no special permit, variance, or any extension, modification or renewal thereof, shall take effect until a copy of the decision bearing the certification of the city or town clerk that twenty days have elapsed after the decision has been filed in the office of the city or town clerk and no appeal has been filed, or that if such appeal has been filed, that it has been dismissed or denied, or that if it is a special permit or variance which has been approved by reason of the failure of the permit granting authority or special permit granting authority to act thereon within the time prescribed, a copy of the petition for the special permit or variance accompanied by the certification of the city or town clerk stating the fact that the permit granting authority failed to act within the time prescribed, and no appeal has been filed, and that the grant of the petition resulting from such failure to act has become final, or that if such appeal has been filed, that it has been dismissed or denied, is recorded in the registry of deeds for the county and district in which the land is located and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title.*

*Pursuant to the Town of Southborough Zoning Bylaws, Section 174-9, if the rights authorized by a special permit are not exercised within two years from the date of grant thereof, they shall lapse, and a new petition, notice and hearing will be required for their reestablishment.*

**\*\* NOT VALID FOR RECORDING UNTIL CERTIFIED BY THE TOWN CLERK OF SOUTHBOROUGH\*\***

In accordance with Sec. 11 of Ch. 40A of Massachusetts General Law, I hereby certify that twenty (20) days have elapsed after the within decision was filed in the office of the Southborough Town Clerk, and that no appeal has been filed, or that if such appeal has been filed, that it has been dismissed or denied.

Attest: \_\_\_\_\_

Date: \_\_\_\_\_

James F. Hegarty, Town Clerk  
1775196.1 09569.001

# SOUTHBOROUGH ZONING BOARD OF APPEALS

## MEETING ADMINISTRATIVE MINUTES

**MEETING DATE:** Wednesday, December 10, 2025 at 7:00 P.M.

**LOCATION:** McAuliffe Hearing Room, 17 Common Street

### MEMBERS SITTING/PRESENT:

R/A		
R	Mr. David Williams, Chair	Present
R	Mr. Michael Robbins, Clerk	Present
R	Ms. Doris Cahill	Present
R	Mr. Paul Drepanos	Present
R	Ms. Jamie Mieth	Present
A	Mr. Doug Manz	Remote Participant
	Ms. Lara Davis, Admin	Present
	Attorney Jay Talerman, Town Counsel	Present

Regular/Alternate

Sitting/Present/Absent

Chairman Williams called the meeting to order at 7:03 P.M.

### **Public Hearing – 150 Cordaville Road, Blue Sky Utility, LLC – Special Permit**

Ms. Davis read the public hearing notice into the record.

Charles Jenkins (Blue Sky Utility LLC), Jen Crawford (Crawford & Associates), and Shannon Boyce (Capital Group Properties) were present.

Mr. Jenkins explained that they were in front of the Board to allow multiple uses that would include a Battery Energy Storage System (BESS). He explained what a BESS is, noting it is used to store energy for peak demand response to help strain on the infrastructure during peak demand. Mr. Jenkins described the benefits of a BESS, specifically that they are better for the environment, can allow for municipalities and hospitals to stay up and running during emergency situations, and can prevent costly utility upgrades.

Mr. Williams stated he attended the Planning Board meeting that included a presentation on BESS and noted that he wanted to open the discussion to the Board before getting to the concerns of the Fire Department and Board of Health. Ms. Crawford stated she is the civil engineer for this project, but she is also a volunteer firefighter, and she takes the safety concerns very seriously. She stated they have a lot of materials to present and have already consulted with the fire department, and they are looking forward to continuing those conversations.

Ms. Boyce stated she represents the owner of 150 Cordaville Road, and that the owner is generally in support of this application due to the benefits. She stated the property is in the Industrial District, and the use is an allowed use in that district. Ms. Boyce explained that the property does not have any immediate residential abutters. She stated that she spoke with the Conservation Agent, noting the Orders of Conditions for 146 Cordaville Road are not relevant as they are not attaching the BESS to the solar panels at 146 Cordaville Road. Ms. Boyce stated that she intends to discuss the Order of Conditions

for 150 Cordaville Road, noting that the BESS facility will not be encroaching on any buffer. She stated that they do not see any disturbance to their tenants or the everyday use of the existing building at 150 Cordaville Road. Ms. Boyce stated they do not anticipate any increase in traffic, noise levels, or light levels. She explained that the facility is unmanned and only maintained one to two times a year. Mr. Williams noted that it is a completely contained unit, weatherproof, and with a lot of monitoring equipment. He noted that he works for Analog Devices, who makes battery management systems that go into a Teslas, so he understands the concept. Mr. Jenkins stated that there are robust and redundant monitoring systems to prevent thermal runaway and would shut down the entire facility. He explained they have also moved away from Chinese batteries and are using US made ones.

Ms. Mieth asked about how they contract with utility companies. Mr. Jenkins stated they work with the local utility. Ms. Mieth asked how often they see these systems catch fire, and if there are any studies about health impacts during normal operations. Ms. Crawford stated that during normal operations there are no gas emissions, use of water or discharge of water, and thus no impact to the environment. She stated they will have a nice architectural fence to screen the system, and they could provide sound data. Ms. Crawford noted that the concerns from the Fire Chief are consistent with what is in their typical emergency response plan, noting that the 300-ft evacuation distance in the event of a fire is the same for a propane leak, so it is similar to the built environment that we currently live in. Ms. Mieth asked if there were any setback or buffer issues. Ms. Crawford stated they are not in front of the Board for that, and they are planning to maintain the 50-foot front yard setback. She stated they are not in front of the Board to seek a permit for the battery, noting they still need to coordinate with Conservation, they still need to get an ESS permit from the Fire Department, and they will need to go through Site Plan Approval.

Mr. Drepanos stated he did not have any questions at this time.

Ms. Cahill asked about the solar panels on the neighboring property. Ms. Boyce stated they have no lease with the applicant to connect to the solar panels. Ms. Cahill stated her biggest concern is safety and asked why the applicant chose this site in particular, noting it is a tight site, and voiced concerns about the proximity to the water, a busy intersection, and the possibility of vehicular impact. Mr. Jenkins stated the contour of the site is such that if a vehicle were to come over the guardrail, they would go into a gully and there is no clear pathway to get to the BESS. He stated they could also install bollards to protect against impact from the roadway. Ms. Crawford corrected that there is no gully at this site, but they will provide suitable impact protection. Mr. Jenkins stated they choose their sites based on the available infrastructure and hosting capacity, and that they also need to make sure they are not going to create a public safety hazard. Ms. Crawford stated one of the attractions of the site is that it is already zoned Industrial, which is preferable to a neighborhood. Ms. Cahill stated she still had significant safety concerns in the event of a fire as well as noise concerns. Ms. Crawford stated the systems typically have an HVAC system and a transformer and are not large noise generators. Ms. Cahill asked if Ms. Crawford was a sound engineer, to which Ms. Crawford stated she is not but that they have data from the manufacturers that describe the sound. Ms. Cahill asked how big the system would be. Mr. Jenkins stated it would be approximately the size of a tennis court and noted he has visited a site with a system installed at Brockton Hospital and he could hardly hear anything from the system. Ms. Cahill asked if they would have safety lighting. Ms. Crawford stated they would likely not have safety lighting, but rather cameras for security and lights that would be used only if they needed to maintain it at night. Mr. Jenkins stated if they did have lighting, it would be dark sky lighting.

Mr. Robbins asked to clarify the proposed use. Ms. Crawford noted that the Building Inspector stated that it was categorized as fuel storage. Ms. Davis noted fuel storage is an allowed use in the Industrial District, Section 174-8.7 B(3).

Mr. Williams asked how the Dover Amendment factored in. Atty Talerman stated that he is hesitant to characterize the proposed BESS as fuel storage. He stated he assumes a portion of the energy being stored comes from solar sources. Ms. Crawford confirmed to the extent that that is the composition on the grid at the time. Atty Talerman stated under the new case law that is all that is required to be protected under the Dover Amendment. He stated that he isn't sure the intent of the bylaw was for this to be considered fuel storage, but that doesn't matter because of the Dover protection.

Mr. Williams stated that his questions were about how the system is managed and thermal runaway is prevented. He noted he received information from the Fire Chief, noting that there have been several instances but that they were all on systems at least 4 years old and it appears the industry has been learning from the fires. Mr. Williams asked what safety components are included in the system. Mr. Jenkens stated they will be dealing with these types of questions as they move through the permitting process. Ms. Crawford stated they had reached out to Captain Dano in the Fire Department prior to the meeting to have an ongoing Q&A. She stated they have a lot of answers from the manufacturer on a specific model, which is not the same as the systems seen on the news. Ms. Crawford stated the fire code is very mature on this topic and it requires them to obtain an energy storage permit from the head of the Fire Department.

Mr. Manz stated he is generally in support of battery storage in the right locations, noting he does share concerns about decommissioning as it gets towards the end of its useful life. He noted it is prominent due to its location at the front of the site, and it does feel like they're putting a lot onto the site, and he has a preference for it to not be near the shopping plaza.

Mr. Williams read a note from the Planning Board where they requested the proponent provide an emergency response plan, Fire Department annual training, and a decommissioning plan. Ms. Crawford stated they may have provided examples of those plans to Captain Dano already.

Chief Andrew Puntini (Chief of the Southborough Fire Department) stated he is overall pro renewable energy, but his concern is strictly the proximity to the other retail space including a daycare. He stated he agrees that the likelihood of a fire event is extremely low, but should an event occur, one of the gases released from a lithium-ion battery is hydrogen fluoride, which is extremely toxic. Chief Puntini stated he heard a reference to propane having the same evacuation distance but noted that the levels of propane immediately dangerous to life or health is 2100 parts per million, carbon monoxide is 1200 parts per million, and hydrogen fluoride is just 30 parts per million. He stated the surrounding businesses have limited exit paths and it would be a taxing event. Ms. Crawford stated she shares the Chief's concerns regarding hydrogen fluoride but pointed out that not all lithium-ion chemistries produce hydrogen fluoride, and they have asked the manufacturer. Chief Puntini stated that typically any gas released from a lithium-ion battery is incredibly toxic. He stated they recently responded to a lithium-ion battery fire in a commercial building in a mutual aid town, and they found corrosive effects to their gear within hours afterwards. He stated they are protected and trained, but the public is not, and that is where his concern lies. Ms. Crawford asked for details on the lithium-ion battery that they responded to the fire for. Chief Puntini stated he can provide them.

Ms. Mieth asked what would happen if everything around the BESS was on fire and no one can fight the fire because of the toxic air. Ms. Crawford stated the proposed site doesn't have a lot of fuel load around it, and the fire code requires they maintain a 10-ft perimeter of no vegetation around the BESS to provide a fire break. She stated there are measures in the design that mitigate the potential of an external fire affecting the system. Ms. Mieth asked Chief Puntini to respond. Chief Puntini stated a fire extending beyond the unit is not his major concern, and while it would be something they would need to deal with, his biggest concern is the smoke travel and volume of smoke that could be released, along with trying to evacuate the area.

**MOTION:** Mr. Robbins made a motion to close the public hearing. Seconded by Ms. Mieth, the motion carried 5-0-0 by roll call vote: Mieth – aye; Drepanos – aye; Cahill – aye; Robbins – aye; Manz – aye; Williams – aye.

Ms. Mieth asked if this should have gone through site plan and conservation before coming to ZBA. Mr. Williams stated the ZBA's charge is determining whether the proposed use is detrimental to the surrounding area, and his opinion is that it is zoned Industrial with businesses and the transfer station across the street, and while the safety concerns are legitimate, he does not think it is detrimental. He noted it is an allowed use within the district. Mr. Williams stated he appreciates Chief Puntini's perspective, and noted the applicant has a lot more work to do. Ms. Mieth stated she feels they typically have more renderings and it is clearer what is being requested. Ms. Crawford stated they are just trying to get approval for two uses and there is a lot more she needs to do to put together a full site plan application. Ms. Mieth stated it is difficult to understand if it's detrimental without seeing all that information.

Ms. Cahill stated the proposal is not very close to the other buildings, so she doesn't see that as detrimental. She noted her concern is if something were to happen in one of the nearby intersections, and in her mind that it is detrimental. Ms. Cahill stated she wishes the proposal was a little further along in the process, so she doesn't know if she can assess the safety. Mr. Williams stated procedurally they couldn't go through site plan review and come back to ZBA because it's a big investment, and the ZBA can ultimately say no. Ms. Crawford stated they understand that if they are unable to satisfy the Fire Chief during the energy storage permit process, they would not get a permit. She stated they have to provide a hazard mitigation plan.

Mr. Robbins stated he has no objection to the proposal, noting it is consistent with zoning given the location, and it is an allowed use. He stated he thinks it is consistent with the bylaws and not a detriment to the industrial area, pointing out the transfer station across the street. Mr. Robbins stated the safety concerns are under other departments' purviews. Mr. Williams agreed. Ms. Cahill stated she appreciated the careful thought that went into choosing the site.

Ms. Mieth voiced her opposition while noting that she's not against the project itself. She stated there appears to be more information that could have been provided to help them decide if it is detrimental or not. Ms. Mieth stated she feels like she does not have enough information at this point. Ms. Cahill stated she had similar concerns about the location. Mr. Manz stated the ZBA has purview over this because it is multiple uses on one lot, and there is already a lot going on within this property. He stated he understands the transfer station and other uses, but that the area is not really industrial as it tends to lean more to mixed use. Mr. Manz asked about the number of utility poles nearby, noting there appeared to be six or seven. Ms. Crawford stated they can confirm with the electrical engineer prior to site plan approval, noting there is a lot of equipment the utility and customer require. He stated he

understood Mr. Williams' point that they are not giving guidance on location but rather use, but the location is prominent and feels different in character from the other uses.

Atty Talerman stated the multiple uses invokes the special permit criteria within the bylaw which includes concerns with respect to public health and safety among other things. He stated that since this is a Dover-protected use, the public health and safety is what the Board can focus on rather than aesthetics, which will also be addressed by the Planning Board. Atty Talerman stated they can structure the decision to focus on the items mentioned by Chief Puntini to make sure they are addressed to his satisfaction. He explained that a special permit is stronger than a site plan and includes more authority to condition than the site plan. Atty Talerman stated they can include conditions to satisfy the Southborough Fire Department with respect to toxic releases, O&M plan, hazmat plan, and other items. Ms. Mieth asked about the Planning Board's authority. Atty Talerman stated that Site Plan Review is essentially designing good sites, but it is a non-discretionary permit that cannot be denied. Ms. Crawford added that her understanding is that the energy storage permit required by the Fire Code is also discretionary. Atty Talerman stated that they could not include conditions that impose a higher degree of safety than what is required by code, but they could include a condition that says code compliance has to directly address any and all issues for the Fire Chief. He noted this proposal is unique in that it is closer to other uses than typically seen. Mr. Williams asked to clarify a condition that the applicant meets the Fire Chief's requirements. Atty Talerman stated they could identify the risks they would like the Fire Chief to address with the applicant during permitting. Mr. Williams noted the Planning Board requests. Atty Talerman stated they can require a decommissioning plan through the special permit process. He stated he has a standard decommissioning agreement that he can work with the Fire Department on. Atty Talerman stated that he and Ms. Davis could work on the draft decision and the Board can pick it up at their next hearing to make sure it has all the appropriate safeguards included.

Ms. Davis asked about the procedural timelines. Mr. Williams stated they can discuss the draft at the January meeting.

**MOTION:** Mr. Robbins made a motion to approve the Special Permit with conditions as discussed. Seconded by Mr. Drepanos, the motion carried 4-0-1 by roll call vote: Mieth – nay; Drepanos – aye; Cahill – aye; Robbins – aye; Williams – aye.

**Public Hearing – 250 Turnpike Road & 0 Parkerville Road, FD 250 Turnpike Road – Comprehensive Permit**

The applicant was not present. Ms. Davis stated they requested a continuance without testimony. She stated their original intent was to address the remaining wetlands and environmental concerns, noting the wetland scientist and wetland peer reviewer had a working session. Ms. Davis stated they have not received revised materials and she believes the applicant was waiting on Board of Health approval on the septic. She stated she asked about an extension and has not received a response, noting the current deadline to close the public hearing is February 4, 2026.

**MOTION:** Mr. Williams made a motion to continue the public hearing to January 21, 2026 at 7:00 PM. Seconded by Ms. Cahill, the motion carried 6-0-0 by roll call vote: Mieth – aye; Drepanos – aye; Cahill – aye; Robbins – aye; Manz – aye; Williams – aye.

## **Business Properly Before the Board**

### **Approval of Meeting Minutes – November 19, 2025**

Ms. Cahill made two corrections: page one, about changes to the existing porch; page five, to change “get some” to “work toward”.

**MOTION:** Ms. Cahill made a motion to approve the minutes as amended. Seconded by Mr. Robbins, the motion carried 4-0-2 by roll call vote: Drepanos – aye; Cahill – aye; Robbins – aye; Williams – aye; Mieth – abstain; Manz – abstain.

### **ADU Bylaw Discussion**

Mr. Williams stated he doesn’t think the discussion has gone further with the Planning Board. Ms. Davis stated she did not think it was one of their focuses for the Spring Town Meeting, noting they are working on a few other bylaws. The Board discussed the size limitations within the existing bylaw and how they negatively impact smaller homes. Ms. Cahill asked if they could do it as an administrative update, noting the inequity that exists. The Board discussed simplifying the size of allowed ADUs. Ms. Davis stated it would be more than administrative as they would need to add something into the bylaw to allow larger units than what is allowed by-right through the State. She explained that the way our bylaw is currently written it defaults to the State regulations, and what was approved at the Fall Town Meeting was updating definitions and getting rid of the 5% cap. Ms. Davis stated the ZBA has proposed warrant articles in the past if they wanted to take that route. Ms. Cahill discussed ADUs versus two-family homes and tiny homes. Mr. Williams stated that as the Special Permit Granting Authority, they have jurisdiction over what to approve. Ms. Davis stated they are restricted to what is within the bylaw, and the way it was passed at Town Meeting is that they can only apply for a special permit if it’s over 900 sq ft, so people with homes less than 800 sq ft who are restricted to the 50% gross floor area cap have no avenue for a special permit. Ms. Cahill noted those homes would need to construct an addition to have a larger ADU. Ms. Davis pointed out that the math gets complicated if you have a larger house and want an ADU larger than 900 sq ft because you’d be restricted to 25% of the square footage.

### **Administrative Updates**

#### **Upcoming Schedule & 2026 Meeting Dates**

Ms. Davis stated the next meeting is January 21, 2026. She asked the Board to decide a date for February as their regular meeting would fall within a vacation week. The Board decided to hold their meeting on February 11, 2026. The Board changed their meeting date in May to May 27<sup>th</sup>.

#### **Annual Report**

Ms. Davis stated she wanted to provide the Board with an update on the contents of the Annual Report, noting they had their busiest year since 2008. She called out the tenure of Mr. Drepanos and Mr. Williams.

**MOTION:** Mr. Drepanos made a motion to adjourn the meeting. Seconded by Ms. Cahill, the motion carried 6-0-0 by roll call vote: Mieth – aye; Drepanos – aye; Cahill – aye; Robbins – aye; Manz – aye; Williams – aye.

List of Documents and Other Exhibits used at the December 10, 2025 Meeting:

1. 150 Cordaville Road Special Permit Application Packet
2. Planning Board Email to ZBA – 150 Cordaville Road
3. 2026 Proposed Meeting Schedule

***Respectfully Submitted by: Lara Davis, Principal Assistant to the Zoning Board of Appeals***

*Approved at the **INSERT DATE HERE** Zoning Board of Appeals meeting*

## **ADU BYLAW – Working Draft**

### **General Considerations:**

1. Do we want to include language for short-term rentals? Our bylaws are currently silent on this.
2. Site plan review – do we want to include it or keep the process the same? Pros/cons of both? What makes it less of a barrier to entry for homeowners?
3. Special Permit Granting Authority – remain with ZBA?
4. Timeline – warrant closes for Annual Town Meeting on 3/10, will be signed by the SB on 3/17. This will require public hearings with the Planning Board, so we will need to keep the public hearing notice deadlines in mind. Is this too tight of a turnaround? Should we look to put it on a fall special town meeting?

### **174-8.2 (Residence A District) A (11)**

(11) Accessory dwelling unit that is not larger in gross floor area than ½ the Gross Floor Area of the Principal Dwelling or 900 Sq. ft., whichever is smaller.

### **174-8.2 (Residence A District) B (1)**

(1) Accessory dwelling unit whose gross floor area is greater than 900 sq. ft

**Commented [LD1]:** This is what is allowed by right. All other districts reference uses allowed in RA, so this would need to be the only section changed for by-right ADUs if allowing larger than state regs by right.

### **174-8.4 BV (Business Village District) D. (1)**

(1) Accessory dwelling unit whose gross floor area is greater than 900 sq. ft

### **174-8.5 BH (Highway Business District) C. (2)**

(2) Accessory dwelling unit whose gross floor area is greater than 900 sq. ft

### **174-8.7 ID (Industrial District) C. (2)**

(2) Accessory dwelling unit whose gross floor area is greater than 900 sq. ft

### **174-8.8 SP (Research, Scientific and Professional District) B. (1)**

(1) Accessory dwelling unit whose gross floor area is greater than 900 sq. ft.

### **174-8.12 (Downtown District) D (1) to the following:**

(1) Accessory dwelling unit whose gross floor area is greater than 900 sq. ft

### **174-9 Special permit requirements (B) to:**

## **ADU BYLAW – Working Draft**

B. Accessory dwelling units. Special permits for accessory dwelling units exceeding state law dimensional standards (MGL c. 40A, §1A) may be issued upon referral of the application and receipt and consideration of a report, or after 35 days elapse without such report, from the Board of Health, certifying that adequate provisions have been made in accordance with the requirements of the Board of Health for drainage and for the disposal of sewage and waste generated by the occupancy of the apartment, and from the Planning Board, describing the lot on which the dwelling is located, the neighborhood where it is located and the effect of the proposed apartment thereon, the adequacy of ingress and egress provisions, the recommendations of the Planning Board as to the advisability of granting the special permit and any restrictions that should be imposed as a condition thereof and the provisions for off-street parking in a manner consistent with the character of the premises. If the decision of the Board of Appeals differs from the recommendations of the Planning Board, the reasons therefore shall be stated in the decision. The accessory dwelling unit shall comply with the following conditions and requirements:

(1) The habitable floor area of the accessory unit shall not exceed 25% of the habitable floor area of the entire dwelling plus that of any accessory building used for the accessory dwelling.

(2) There is no other accessory dwelling unit on the lot on which the accessory dwelling unit is proposed.

(3) Not more than the required minimum exterior alterations have been or will be made to the one-family house and to any accessory buildings, and the site plan of the lot and floor plans of the dwelling thereon have been filed with the Building Inspector prior to the application to the Board of Appeals.

UPDATE 174-13.8 Adaptive reuse of historic buildings (B) (1) (a) [1-4] to:

(a) Accessory dwelling units. The accessory dwelling unit shall be subject to site plan review and shall also comply with the following conditions and requirements:

[1] The habitable floor area of the accessory dwelling unit shall not exceed 35% of the habitable floor area of the entire dwelling, plus that of any accessory building used for the accessory dwelling unit.

[2] There is no other accessory dwelling unit on the lot on which the accessory dwelling unit is proposed.

[3] Not more than the required minimum exterior alterations will be made to the single-family house and to any accessory buildings as determined by the SPGA upon written recommendation of the Historical Commission.

**Commented [LD2]:** Update if changing the by-right size limits as they currently align with state standards.

**Commented [LD3]:** Do we want to keep this section? Do we edit to include a different "site plan" process?

**Commented [LD4]:** Potential for putting an upper limit? Not % of sq ft but "shall not exceed 1200 sq ft" as an example in order to keep ADUs proportional

**Commented [LD5]:** Is this necessary if a) doing some form of site plan review or b) does this limit the ability for homeowners to construct additions or detached structures for ADUs?

**Commented [LD6]:** Same consideration as above. This was put in as an incentive for people to reuse historic buildings, but if we increase the limit for all homes, we will need to address this so it doesn't become more limiting.