**DRAFT PERMIT CONDITIONS – 0 ROUTE 25**

**THE GRANTING OF SITE PLAN APPROVAL IS SUBJECT TO THE FOLLOWING CONDITIONS:**

1. Construction shall be in substantial conformity with the approved plans, entitled "Site Plans – Proposed Large-Scale Ground-Mounted Solar Photovoltaic Installation, 0 route 25, Wareham, Massachusetts” prepared for Wareham PV I, LLC by VHB,” dated August 2, 2021 with latest revision date of January 20, 2023.
2. Inspections of each site shall be made by the Planning Board and/or the Board’s representative for all site work including the following:
3. Initial site clearing and grading of each location,
4. Stockpiling of loam and topsoil to be maintained on site for future site restoration,
5. Access road construction (all roads) of initial clearing, grading, placement of base material and dense graded surface material, swales and loam and seed of slopes,
6. Loaming and seeding of all areas in accordance with the approved plans,
7. Array fencing, gates, turning areas and final cleanup.
8. Calls for inspections in accordance with Item 2 above shall be with a minimum of 24 hours’ notice that an inspection is requested. Failure to call for timely inspections may result in a delay in approval of work completed and may require correction before proceeding.
9. A copy of the recorded Site Plan Approval as recorded at the Plymouth County Registry of Deeds shall be submitted to the Planning Board for the file.
10. No changes in the approved site plans shall be made without approval of the Planning Board. In addition, no solar panels other than First Solar solar panels shall be installed without approval of the Planning Board (and without limiting the foregoing, no replacement solar panels shall contain PFAS). The Board may, at its discretion, determine if changes proposed require a public hearing to modify the Site Plan Approval or if the changes proposed are minor in nature and would require no public hearing to approve. Any subsequent modification to Site Plan Approval issued by the Planning Board shall be recorded in a similar manner to the original Site Plan Approval with a copy of the recorded document(s) provided to the Planning Board by the Petitioner.
11. The Planning Board may require the posting of security if an Occupancy Permit is requested prior to the completion of all work shown on the approved plans. The Board may limit the amount of time required to complete unfinished items under the terms of the security posted.
12. The Decommissioning Plan, revised as of February 3, 2023, prepared for Wareham PV I, LLC by Stantec Consulting Services Inc. (the “Decommissioning Plan”), is on file at the Town of Wareham Planning office and is hereby incorporated by reference in its entirety in this Site Plan Approval.
13. Notwithstanding the Decommissioning Plan’s initial decommissioning cost estimate in the amount of $643,706.00 prepared by applicant’s qualified engineer, the Planning Board determines that the initial decommissioning cost estimate should be $1,778,000 and the corresponding initial decommissioning financial assurance amount should be $2,222,500 (125% of $1,778,000), subject to the conditions that:
    1. the decommissioning cost estimate and corresponding decommissioning financial assurance amount shall be reviewed and adjusted if necessary, every five years following the date of this Site Plan Approval; and
    2. the decommissioning financial assurance amount (or updated decommissioning financial assurance amount, as applicable) shall be increased by three percent (3%) on each anniversary of the date of this Site Plan Approval.
14. The form of security to be posted for decommissioning shall be approved by Town Counsel and shall be automatically renewable with the Town of Wareham cited as a beneficiary of security proceeds in the event of default by the owner or successor(s) in title to the facilities.
15. A landscape buffer performance bond shall be established in the amount of $[\_\_\_\_\_\_] for a period of five years starting from the issuance of a Certificate of Occupancy. This performance bond shall be used to add to the existing buffer where necessary to create a more substantial visual block and to replace vegetation that dies before the time is complete. It shall be at the sole discretion of the Planning Board the need for, and what constitutes, a substantial visual block.
16. In the event of plantings in multiple phases, the condition of plantings in each phase will be reviewed and approved before the next phase will begin.
17. The battery energy storage equipment shall be designed and installed in compliance with applicable provisions of 780 CMR, the Massachusetts State Building Code, and 527 CMR 1.0, the Massachusetts Comprehensive Fire Safety Code (together, the “Massachusetts Codes”).
18. To the extent not inconsistent with the Massachusetts Codes, the battery energy storage equipment shall be designed and installed in compliance with all other applicable codes and requirements, including without limitation, NFPA 855, *Standard for the Installation of Stationary Energy Storage Systems*. It is the Board’s understanding that NFPA 855 requires, among other things, that the owner undertake a Hazard Mitigation Analysis, prepare an Emergency Response Plan and train first responders on an as-needed basis as determined by the first responders.
19. The Emergency Response Plan shall include but not be limited to: emergency contacts and their responsibilities; safety guidelines; first responder response outline for emergencies; and response procedures.
20. The battery energy storage equipment shall include smoke detection and gas detection systems. The detection systems shall be monitored and notification given to the fire department in the event of an activation.
21. Emergency response notice and coordination with Fire Dept. and Medical Emergency.
22. This Site Plan Approval does not authorize construction of a standalone battery energy storage facility, nor does it authorize the installation of battery energy storage equipment that is primarily charged from the grid. The Project’s battery energy storage equipment shall be primarily charged from the Project’s solar arrays.