

DRAFT Conditions:

as of August 19 2026

CATEGORIES:

Anna Maunz: Fire: A pages 1-2

Bart Niswonger: Insurance: B Page 3

Kathy Ford: Kathy Ford: Permit Review Process, Boorings and Foundations C/ E : Pg 4-7

Nestor Mathews: Setbacks and Screenings/ Highway Department: D&G Page 8

Kate Bavelock: BOH, Water Noise: F, H, I : Pages 8-10

■ Anna Maunz: Fire: A

- **A** Fire Chief: Clarification about E-Stop: Create condition: Have E-Stop at the 100' distance:
- **A** Extension time for Fire Chief to Review once equipment is selected: atleast 90 day period to review NFPA/ UL documentation prior to building permit issuance.
- **A** Extension time for Fire Chief to receive final ERP, including information on solar equipment, with a 90 day window to review prior to building permit issuance.
- **A** The Fire Chief receives a 90 day window to review electrical design prior to building permit issuance.
- **A** The Fire chief receives a 90 day window to review the final fire alarm design matrix prior to building permit issuance.
- **A, C, F** Prior to applying for building permit, any concerns addressed by the WRFD, Building Inspector, and BOH will be addressed before building permit is issued.
- **A** Requiring applicant to purchase searchable versions of the NFPA, UL or other documents on behalf of the Fire Department prior to building permit issuance.
- **A** The owner of this project will be responsible for providing annual training to the Worthington Volunteer Fire Department (and all expenses accrued in relation to those trainings).
- **A** Three 20 pound Class B and Class C Fire Extinguishers must be hosted on site in good working condition with annual assessment of their condition.
- **A** Fire Chief: Specific Items that need to be funded rather than \$7500
- **A** Completed hazard mitigation analysis and Emergency Response Plan be submitted and approved by the Fire Department prior to the issuance of a building permit

- **A** Water Source on site: 5,000 gallon tank to be filled in the Spring and drained in the Winter
- **A, G:** Area around the BESS container would need to be cleared around the container due to vulnerability of the louvre
- **A** Snow sensors on site
- **A** Blue Wave must Purchase copies of NFPA 855, 1142, NFPA 68or69, NFPA72 and others (ask Mike)
 - UL3 Bess testing standards
- **A** HMA for other equipment being used
- **A** BESS operating plans and training: typical list
- **A** Requirement of Blue Wave providing Annual fire fighting training
- **A** Transformer needs to be more than 3' from combustible sources
- **A** Fire Departments involvement in recovery plans and clean-up plans
- **A** The Emergency Response Plan must be completed prior to issuance of a building permit.
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- **A, F** Blue Wave (or the owning entity) must provide documentation every six months identifying whether there have or haven't been any health, safety, or environmental complaints during the previous period, and if any, how they were resolved and/ or their status.
- **A, F** Provide the name of the Blue Wave contact (or, if that's not possible, the named position) should someone make a complaint to the Board of Health.
- Provide evidence that this person has been trained to understand, address, and document health and safety related issues and that they understand the requirement to work in concert with the Worthington Board of Health.
- **F, A , B** How would any injuries associated with fires, maintenance, or accidents on the site be handled? Who would assure that such events were handled in accordance with legal and medical requirements? Who would pay for any needed rehab or support devices?
- **A** Condition on pumping
- **A** Fire Department has access points that they need into the property
- 4. **A, C** Prior to or with its application for the Building Permit, the Applicant shall provide the Building Inspector with documentation of (a) all requests for comments on this project made by the Applicant to the Worthington Fire-Rescue Department,
 - (b) any responses received from the Worthington Fire-Rescue Department, and
 - (c) a summary of actions taken by the Applicant in response to concerns or requirements identified by the Worthington Fire-Rescue Department.
- **A** How are the neighboring towns going to be trained to also stay safe and to also be trained in the fire department

10. **A, C** At minimum 90 days prior to or with its application for the Building Permit, the Applicant shall provide the Worthington Fire-Rescue Department Chief with (a)

NFPA 855 compliance documentation, and (b) applicable BESS UL listings.

11. **A, C** At minimum 45 days prior to or with its application for the Building Permit , the Applicant shall provide the Worthington Fire-Rescue Department Chief with (a) fire alarm and notification systems configuration, (b) a draft final Emergency Response Plan addressing solar technology, and (c) a draft final Hazard Mitigation Analysis.

12. **A** Prior to the Commercial Operation Date, the Applicant shall offer emergency response training based on the finalized Emergency Response Plan to the Worthington Fire-Rescue Department. Following the initial training, the Applicant shall offer annual refresher emergency response training to the Worthington Fire-Rescue Department.

13. **A** Prior to the Commercial Operation Date, the Applicant shall contribute \$7,500 to the Worthington Fire-Rescue Department to procure detection equipment, such as combustible gas detectors, toxic gas detectors, multi-gas meters, or thermal imaging cameras if the Worthington Fire-Rescue Department states in writing to the Applicant within 45 days after receiving the finalized Emergency Response Plan that its existing equipment is insufficient.

14. **A** Prior to the Commercial Operation Date, the Applicant shall procure and install three 20-pound Class B and three 20-pound Class C fire extinguishers on site.

■ **Bart Niswonger: Insurance: B:**

- **B** Insurance Coverage increased (both amount and type of coverage for the town)
- **B** Town needs to be listed as additionally insured rather than “certificate holder”.

- **F, A , B** How would any injuries associated with fires, maintenance, or accidents on the site be handled? Who would assure that such events were handled in accordance with legal and medical requirements? Who would pay for any needed rehab or support devices?

- **Kathy Ford: Permit Set Review Process: C:**

- **Kathy Ford: Boorings and Foundation: E:**

- **A, C, F** Prior to applying for building permit, any concerns addressed by the WRFD, Building Inspector, and BOH will be addressed before building permit is issued.
 - **C** Conditions on decommissioning
 - **C** Project must comply with all state, local and Federal Laws
 - **C** A substantial change in the Site Plan Review must then go before the Planning Board for further review.
 - **C** Requiring the Building Department and Fire Department review the details of the equipment submitted as part of the building permit application, and determine if the proposed equipment compared to the equipment information furnished to the Planning Board as part of the approval is materially different. If the Fire Department or Building Department determines that the change in equipment is materially different, the matter must be presented back to the Planning Board for further review and approval of the proposed equipment.
 - **C** Condition the approval on the submission of the identity of and experience of the chosen contractor(s) with agrivoltaic projects.
 - **C** condition requiring the development of a construction period reporting scope and cadence to the Building Commissioner by the BlueWave staff member serving as project manager, to be provided before building permit issuance.
 - **C** Planning board requires 30 days' notice to the Town of any change in ownership of the equipment, project or the ownership of the LLC.
 - **C** a condition on a potential Site Plan Approval requiring the Building Department and Fire Department review the details of the equipment submitted as part of the building permit application, and determine if the proposed equipment compared to the equipment information furnished to the Planning Board as part of the approval is materially different. If the Fire Department or Building Department determines that the change in equipment is materially different, the matter must be presented back to the Planning Board for further review and approval of the proposed equipment.
 - **C** If Blue Wave's corporate mandate legally changes (by sale or otherwise), by its parent company Axiom or any other entity, Blue Wave must provide information

detailing how the farming obligation, maintenance standards, and community commitments are to be preserved for the remaining life of the project.

- **C** Final Construction plan sets must be provided prior to building permit issuance.
- **F, C** When documents are submitted to SMART program, MDAR they will also be submitted to the Town's BOH
- **C** Planning board is able to view design before building permit is issued
- **C** Agreement between Blue Wave and Assessors/ Select board about taxation
- **C** Comply with NOI : Must adhere to Conservation Commission's conditions
- **E** Geo technical report and full analysis must be provided.
- **E** The applicant must submit the results of the geotechnical investigation to assist in determine the appropriateness of the racking system.

1. **C** Prior to or with its application for the Building Permit, the Applicant shall provide the Building Inspector and the Board with the specification sheet of the selected (a) Battery Energy Storage System, (b) inverter, (c) Single Axis Tracker, (d) racking, and (e) transformer with bio-based fuel.

2. **C** Prior to or with its application for the Building Permit, the Applicant shall provide the Building Inspector with (a) the dimensional information of the Battery Energy Storage System, (b) the specification sheet of the climate control system within the Battery Energy Storage System, if any, (c) documentation of the Battery Energy Storage System's compliance with 527 CMR 12.00 (Electrical Code), 527 CMR 1.00 (Fire Code), NFPA 855, and applicable UL listings, and (d) Safety Data Sheets associated with the Battery Energy Storage System.

3. **C, I** Prior to or with its application for the Building Permit, the Applicant shall provide the Building Inspector with a final, equipment-specific pre-construction baseline noise study. Within 6 months following the Commercial Operation Date, the Applicant shall provide the Building Inspector with a post-construction noise study, verifying compliance with 310 CMR 7.10.

4. **A, C** Prior to or with its application for the Building Permit, the Applicant shall provide the Building Inspector with documentation of (a) all requests for comments on this project made by the Applicant to the Worthington Fire-Rescue Department,

(b) any responses received from the Worthington Fire-Rescue Department, and
(c) a summary of actions taken by the Applicant in response to concerns or requirements identified by the Worthington Fire-Rescue Department.

5. **C** Prior to or with its application for the Building Permit, the Applicant shall provide the Building Inspector with the name of the proposed Engineering, Procurement, and Construction (“EPC”) contractor. Should the EPC contractor change prior the Commercial Operation Date, the Applicant shall inform the Building Inspector either prior to or within thirty days after such change having occurred.

6. **C** The Building Inspector is authorized to approve modifications to the plans and application materials approved under this Special Permit that do not alter the intent or impacts of the approved project. Any significant changes in equipment selection or the addition of more than three additional interconnection poles, shall be remanded to the Planning Board for review and approval

7. **C** Prior to or with its application for the Building Permit, the Applicant shall submit to the Building Inspector a construction reporting plan establishing the frequency, format, and content of periodic construction progress reports to be provided throughout the construction period.

8. **C,E** Prior to or with its application for the Building Permit, the Applicant shall provide the Building Inspector with a Structural Engineer’s report on racking, including design loads and calculations.

9. **C,E** Prior to or with its application for the Building Permit, the Applicant shall provide the Building Inspector with the Phase II or borings Geotechnical Report.

10. **A, C** At minimum 90 days prior to or with its application for the Building Permit, the Applicant shall provide the Worthington Fire-Rescue Department Chief with (a) NFPA 855 compliance documentation, and (b) applicable BESS UL listings.

11. **A, C** At minimum 45 days prior to or with its application for the Building Permit , the

Applicant shall provide the Worthington Fire-Rescue Department Chief with (a) fire alarm and notification systems configuration, (b) a draft final Emergency Response Plan addressing solar technology, and (c) a draft final Hazard Mitigation Analysis.

16. **C** Prior to the Commercial Operation Date, the Applicant shall provide a form of surety of removal of the Project not to exceed more than 125 percent of the cost of removal, pursuant to Worthington Protective Zoning Bylaw Section 8.5.6(E)(3).

17. **C** Following the Commercial Operation Date, the Applicant shall provide the Board with copies of annual reports filed with MDAR and DOER in compliance with SMART Program qualifications.

21. **C** Should the ownership of the equipment, project, or BWC Wades Stream, LLC change during the lifetime of the project, the Applicant shall provide the Board with 30 days' written notice.

22. **C** In the event of any sale or lease of the parcel, the Applicant shall provide the subsequent purchaser or lessee with a copy of the current agricultural plan, decommissioning requirements, and surety provisions, and shall provide evidence to the Board of having provided such materials.

23. **C** Prior to decommissioning the project, the Applicant shall provide the Board with a list of licensed recycling or disposal facilities anticipated to be used during the decommissioning process.

- **Nestor Mathews: Set Backs and Screening: D:**
- **Nestor Mathews: Highway Department: G**

1. **D** Screening: Staggered screening 5'-6' on center: Planning Board Requests the landscaping sheet
2. **G** Must be snow removal within 24 hours for Emergency Response Services
3. **D** Tree performance bond should be conditioned to replace dead or diseased screening added as part of the project approval for 3 years. (why not more than 3 years?)
4. **D** Condition: Approval on installation of the fence 6" from grade to allow passage of small animals.
5. **A, G:** Area around the BESS container would need to be cleared around the container due to vulnerability of the louvre
6. **G** Highway Superintendent: Blue Wave Solar must demonstrate that the project will not adversely affect the town's drainage infrastructure on increase maintenance responsibilities.
7. **G** If Future drainage problems, roadway damage or winter icing conditions are found to result from the projects, Blue wave solar will be responsible for correcting those issues at no cost to the town.
8. **G** Engineers from Blue Wave will provide the highway superintendent about volume change numbers flowing onto Ridge road and the culvert.
9. **D** Prior to the Commercial Operation Date, the Applicant shall install vegetative

screening on the southern portion of the parcel along Ridge Road, as depicted in the Site Plan. For three years following the date of installation of the vegetative screening, the Applicant shall maintain an annually renewing irrevocable tree performance bond with the Town of Worthington as the named bondholder in the amount of \$20,000 for the purpose of warranting this screening.

- **Kate Bavelock: Board of Health: F**
- **Kate Bavelock: Water Protection: H**
- **Kate Bavelock: Noise: I:**

1. **F,H** Water/ Well site monitoring
2. **I** Requirement that the project comply with the MADEP noise policy and the Town of Worthington Zoning By-law, with recommended noise barriers next to the proposed equipment pad inverters. The Applicant should take into consideration the anticipated sound from the chosen equipment and design the sound barriers around that

- information. The Applicant must complete a sound study during the operations phase within six months of commencing operations and install sound barriers as required to maintain compliance with the Mass DEP noise policy and the Town of Worthington ZBL.
3. **F** The Applicant will share all disposal information with the Planning Board as the information is generated.
 4. **F** From BOH (6.12.26 page 6): No machine or chemical cleaning directive of solar panels
 5. **F** “ “ “ “ : Caution regarding use of heavy equipment during maintenance and evaluation for soil compaction
 6. **F** If measures are needed to remediate soil conditions, including decompaction, Blue Wave and its contractors will complete the necessary steps to decompact.
 7. **F** Nitrogen Regulation? BOH?
 8. **I** The project must comply with MADEP noise policy and the Town of Worthington By-law with recommended noise barriers next to the proposed equipment pad inverters.
 9. **I** The applicant must complete a sounds study during the operations phase within six months of commencing operations and install sounds barriers as required to maintain compliance with Mass DEP noise policy and the Town of Worthington.
 10. **F** If a health or environmental complaint is lodged through Blue Wave it is required that the BOH be contacted immediately within 24 hours (or sooner).
 11. **A, F** Blue Wave (or the owning entity) must provide documentation every six months identifying whether there have or haven't been any health, safety, or environmental complaints during the previous period, and if any, how they were resolved and/ or their status.
 12. **A, F** Provide the name of the Blue Wave contact (or, if that's not possible, the named position) should someone make a complaint to the Board of Health.
 - a. Provide evidence that this person has been trained to understand, address, and document health and safety related issues and that they understand the requirement to work in concert with the Worthington Board of Health.
 13. **F** Include the Worthington Board of Health among the recipients of all inspection reports.
 14. **F** Prior to beginning operations, spell out the following
 - a. **I, F** How will noise be measured if residents complain? Who performs and pays for testing? What corrective actions are available?
 - b. **H, F** How will concerns about well pollution be handled? Who performs and pays for testing? What chemicals are included in test protocols? What corrective actions are available and again, who supervises and who pays?
 - c. **F, H** How will concerns about septic system flooding be handled? Who pays for an investigation? Who is responsible for arranging for, paying for, and assuring the completion of corrective actions?
 - d. **F, A, B** How would any injuries associated with fires, maintenance, or accidents on the site be handled? Who would assure that such events were handled in accordance with legal and medical requirements? Who would pay for any needed rehab or support devices?
 15. **F, H** Monitoring ground water to make sure there are no negative effects
 16. **F** Monitoring health effects by soliciting data collection

- 17. **F, C** When documents are submitted to SMART program, MDAR they will also be submitted to the Town's BOH
- 18. **F** Waste removal will be removed within 30 days
- 19. **F** Requirement that transformers use non-toxic bio based fuels.
- 20. **F** No PFAS Used in the battery
- 21. **H** Condition about Water supply: Making sure the water is not affecting the Public Golf Course/ Public Water Supply: Blue Wave must have a remediation plan of public water supply

C, I Prior to or with its application for the Building Permit, the Applicant shall provide the Building Inspector with a final, equipment-specific pre-construction baseline noise study. Within 6 months following the Commercial Operation Date, the Applicant shall provide the Building Inspector with a post-construction noise study, verifying compliance with 310 CMR 7.10.

18. **F** Following the Commercial Operation Date, the Applicant shall limit storage of debris on site. Any waste generated shall not be stored on site for more than 30 days.

19.**F** Following the Commercial Operation Date, the Applicant shall provide a report to the Board of Health via email every six months identifying whether any health or environmental complaints have been filed with the Applicant during the preceding six month period, and the status of the same.

20.**F** Following the Commercial Operation Date, the Applicant shall provide an annual inspection report to the Board of Health via email.