

To the Editor:

Title: Why the Tewksbury Conservation Commission Must Lead

With the Massachusetts Energy Facilities Siting Board (EFSB) granting approval for the Hillman Battery Energy Storage Project, many Tewksbury residents feel left behind by state-level decisions. However, while the state has granted the developer broad exemptions from local zoning, state approval is not a blank check to bypass local environmental and public health protections.

This point was raised during the Conservation Commission meeting on August 12th. As established in the MassDEP Stormwater Management Standards, local stormwater bylaws must be enforced by the municipality; therefore, state exemptions do not relieve the developer from complying with local stormwater regulations. EFSB Condition 47 regarding stormwater runoff specifically mandate that the developer adhere to Tewksbury Conservation Commission's rules.

Now more than ever, our community requires the Tewksbury Conservation Commission to act as a rigorous, uncompromising watchdog. At the conclusion of the August 12th meeting, Chairman Daniel Ronan moved to close the public hearing despite unresolved questions. Public hearings should not be reduced to a procedural formality where residents express concerns only to have key issues left unaddressed. Requesting a continuation when the administrative record remains incomplete is precisely what a sound regulatory process demands. Furthermore, transparency remains a significant concern, as key documents have not been made available on the town website for public review. The committee did vote to continue the public hearing and the next scheduled meeting will be Sept. 2nd.

While the EFSB approval includes 104 binding conditions, their effectiveness depends entirely on diligent local oversight. State regulators will not be inspecting the site weekly - our local board will.

Under the Massachusetts Wetlands Protection Act, the Tewksbury Conservation Commission holds vital regulatory authority. Because the proposed Hillman project borders sensitive wetland resource areas, including isolated vegetated wetlands and potential vernal pools, the Commission must ensure that:

Stormwater Systems Comply Standard Regulations: The current site design places batteries over gravel, creating a risk that contaminated runoff will infiltrate directly into the groundwater. We are advocating for a fully contained, paved surface equipped with a modern drainage system to capture and treat runoff before it can reach adjacent wetlands.

Wetland Replication Standards Are Enforced: The developer must strictly meet all replication mandates, including achieving the required 75% benchmark for indigenous plant growth.

Enforcement Actions Are Immediate: Stop-work orders and monetary penalties must be promptly issued if sediment, heavy machinery, or land clearing breaches approved boundary lines.

The Siting Board may have cleared the path for construction, but authority over local enforcement rests firmly with municipal officials. We urge the members of the Conservation Commission to exercise the full extent of their authority through rigorous peer reviews, unannounced site inspections, and unwavering enforcement to hold the developer fully accountable.

The protection of our local environment and the well-being of Tewksbury residents depends on their vigilance.

Sincerely,

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