

# **ELECTRIC VEHICLE CHARGING STATIONS WORKING GROUP**

**December 22, 2022**

**Via Webinar**



## **WESTFORD ELECTRIC VEHICLE (EV) CHARGING STATIONS WORKING GROUP**

### **MEETING AGENDA**

**Thursday, December 22, 2022**

**7:00 PM Meeting**

**Via Webinar**

**Please see instructions for participation below**

1. Call to order
2. Old/New business
3. Discuss Memo and Presentation to Planning Board
4. Set date, time, and scribe for next meeting
5. Approve minutes: November 29, 2022
6. Adjournment

#### **Instructions for participation:**

You can access the meeting at this link:

<https://westfordma.gov.zoom.us/j/86401802779>

If you do not have access to this method of participation, please submit written comments to Sierra Pelletier, Assistant Planner, [spelletier@westfordma.gov](mailto:spelletier@westfordma.gov) by 12:00 pm on December 22, 2022.

If any member of the public wishing to attend this meeting seeks special accommodations in accordance with the Americans with Disabilities Act, please contact the Town Manager's Office at 978-692-5501 extension 1 or email to [tmaa@westfordma.gov](mailto:tmaa@westfordma.gov).

## Old/New business

## Sierra Pelletier

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**Subject:** Draft Minutes for the EVSC WG meeting of November 29.

**From:** Tom Teller <[tteller@earthlink.net](mailto:tteller@earthlink.net)>

**Subject: Re: Draft Minutes for the EVSC WG meeting of November 29.**

**Date:** December 8, 2022 at 3:33:18 PM EST

**To:** Sierra Pelletier <[no-reply@zoom.us](mailto:no-reply@zoom.us)>

**Cc:** Chauncey Chu <[k1ope@msn.com](mailto:k1ope@msn.com)>

OK, this is the last one today. I also researched "occupancy classification groups in the Mass code. Group "R" include various RESIDENTIAL uses and Group "B" include various BUSINESS uses. There are several other groups - but these are the two that get specific handling by 225 CMR 23 Commercial.

Tom

On Dec 8, 2022, at 3:28 PM, Tom Teller <[tteller@earthlink.net](mailto:tteller@earthlink.net)> wrote:

Sierra and Chancey,

I wanted to add, to the information and discussion reported in the draft minutes, that I have researched "uses" as discussed in our meeting in the zoning bylaws of several area towns, including specifically Acton, Chelmsford, Concord and Littleton. I found quite a variety of "uses", both principal and accessory, variously defined, including many NOT included in the Westford ZBL. I found NO INSTANCES or references to "electric vehicle charging or charging stations.

Tom

On Dec 8, 2022, at 2:56 PM, Tom Teller <[tteller@earthlink.net](mailto:tteller@earthlink.net)> wrote:

Hello Sierra,

The draft minutes are attached.

Tom

<EVWG Minutes 2022-11-29\_Draft.docx>

**From:** [Sierra Pelletier](#)  
**To:** ["Chauncey Chu"](#)  
**Cc:** [Thomas Teller](#)  
**Subject:** RE: Charging Stations as a Use  
**Date:** Thursday, December 22, 2022 10:24:07 AM

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Hi Chauncey,

Thank you for sharing. Glad to see this happening!  
Presently the zoning bylaw does not have a use of "gasoline station" – It would fall under "motor vehicle services." The Building Commissioner is the final authority on this, but in reading the definition, it appears that EV charging would be captured in that and there would be no change of use. The zoning bylaw does not need to be updated at this time.

Best,  
Sierra


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**From:** Chauncey Chu <K1OPE@msn.com>  
**Sent:** Wednesday, December 21, 2022 9:57 AM  
**To:** Sierra Pelletier <spelletier@westfordma.gov>  
**Cc:** Thomas Teller <tteller@earthlink.net>  
**Subject:** Charging Stations as a Use

Hi Sierra

Ran across this January, 2022, article concerning Shell Oil converting their gasoline stations over to electric charging.

[Shell Station Converted to EV Charging Is a Glimpse of the Future \(autoweek.com\)](#)

	<p><a href="#">Shell Station Converted to EV Charging Is a Glimpse of the Future - Autoweek</a></p> <p>Shell converts UK gas stations to EV charging, featuring nine 175-kW chargers, demonstrating a way for stations to adapt to the EV age. The 175-kW chargers can charge most EVs from 0% to 80% state ...</p> <p><a href="http://www.autoweek.com">www.autoweek.com</a></p>
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A separate article said Shell would later turn its efforts to the US.

There is one Shell station at 498 Groton Road.

I am not going to mention the numerous pros and cons of such an effort but wanted to pose a

rhetorical question to the Planning Board:

As Tom points out there is no mention of charging stations in our zoning bylaws.

If this Shell station wanted to change to charging stations, would it have to submit a request for a change in use? If so, what would the Planning Board's process be since charging stations are not mentioned as a use?

Thanks,

Chauncey

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**From:** Tom Teller <[tteller@earthlink.net](mailto:tteller@earthlink.net)>

**Sent:** Thursday, December 8, 2022 3:28 PM

**To:** Sierra Pelletier <[no-reply@zoom.us](mailto:no-reply@zoom.us)>

**Cc:** Chauncey Chu <[k1ope@msn.com](mailto:k1ope@msn.com)>

**Subject:** Re: Draft Minutes for the EVSC WG meeting of November 29.

Sierra and Chancey,

I wanted to add, to the information and discussion reported in the draft minutes, that I have researched "uses" as discussed in our meeting in the zoning bylaws of several area towns, including specifically Acton, Chelmsford, Concord and Littleton. I found quite a variety of "uses", both principal and accessory, variously defined, including many NOT included in the Westford ZBL. I found NO INSTANCES or references to "electric vehicle charging or charging stations.

Tom

## **Discuss Memo and Presentation to Planning Board**

**From:** [k1ope@msn.com](mailto:k1ope@msn.com)  
**To:** [Sierra Pelletier](#)  
**Subject:** Item for EVWG Meeting Dec 22  
**Date:** Monday, December 12, 2022 1:19:21 PM

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Hi Sierra

Here is a draft of the note I would like to send to the Planning Board.

Would you distribute to the EVWG for discussion at our Dec 22 meeting?

Could I also get on the Planning Board's January meeting agenda to go over this note?

Thanks, and stay warm,

Chauncey

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Dylan O'Connon  
Chair, Westford Planning Board  
Board Members

On September 23, 2022, the Massachusetts Department of Energy Resources (DOER) released final language for its Stretch Energy Code and Specialized Municipal Opt-in Code. To maintain the designation as a Green Community Westford will adopt this new building code.

These new codes accomplished the main goal of the Electric Vehicle Working Group (EVWG).

As of 2023, the Stretch Energy Code provides EV and related definitions and requires a certain number of parking spaces be EV ready for any new residential and commercial projects.

During this past summer the EVWG followed the finalization of this new code. We submitted comments directly to the Department of Energy Resources through their public hearing and via an email.

We pointed out:

1. Better clarifications could be made for the code's definitions, and
2. Provisions should be added to allow some flexibility to the required number of affected parking spaces.

We forged ahead to address the differences between the Westford zoning bylaws and the new codes.

However, town counsel discouraged us from proposing any zoning changes that went beyond the requirements of the new code. Town counsel felt such deviations from the Stretch Code could be unfavorably challenged by the Attorney General.

As such, the EVWG decided not to move forward with any proposed zoning bylaw



amendments.

The EVWG would like to go inactive at this time.

As the new code is implemented some of our concerns, e.g., definitions; establishing a zoning “use”, may highlight the need for zoning involvement.

The EVWG would like to provide input in these instances.

I’d like to thank the EVWG, Jerimy Arnold, Gerry DiBello, Sierra Pelletier, Bob Shaffer, and Tom Teller for their tireless efforts these past twelve months. They have spent many hours researching EV charging stations, the applicable zoning, and implementation.

We have learned quite a bit.

We also wish to thank the Planning Board for putting together this group and drafting our charge.

All of our research is available on the website <https://www.westfordma.gov/1445/Electric-Vehicle-EV-Charging-Stations-Wo> and would encourage your perusal of the documents. There are various approaches taken by many other municipalities.

Thank you again.

Chauncey Chu

Chair, Westford EV Charging Stations Working Group

# Minutes



## **WESTFORD ELECTRIC VEHICLE (EV) CHARGING STATIONS WORKING GROUP Meeting of November 29, 2022**

A meeting of the Westford Electric Vehicle (EV) Charging Station Working Group (WEVCSWG) was held at 7:00 PM on November 29, 2022, via Zoom.

The following WG members were present: Chauncey Chu, Jerimy Arnold, Gerry DiBello, Tom Teller.  
Town Staff present: Sierra Pelletier, Assistant Planner

### **1. Call to order**

The meeting was called to order at 7:06 PM by Chair, Chauncey Chu.

\*Items 2-5 were discussed in tandem\*

### **2. Old/New Business**

### **3. Any updates on the MA DOER Stretch Codes?**

### **4. Discussion of potential Zoning Bylaw updates**

### **5. Approach and timeline to Planning Board of proposed zoning changes/adds**

- Sierra reported that she had made several updates to the working group webpage to make it a little more user friendly and to add links to much of the research and resources referenced by the working group. The changes are live on the webpage and included as .pdf in meeting packet.
- Gerry inquired whether anyone has seen any new updates to the “Stretch Code” – nothing new seen on DOER website.
  - Tom reported his understanding that the code language previously reported is the “final version” and has been reported to the Senate TUE Committee, but the full and final versions incorporating the full text of the codes, with the new updates, has not yet been published but is expected before the end of the calendar year.
- Chauncey reminded us that any changes we wish to propose to the Planning Board need to be submitted by January 24 for consideration by the Board and time for public hearing which begins on March 6.
  - Sierra confirmed the timing, noting that we could submit amendments to the Planning Board earlier if ready before that deadline.
- Gerry inquired about changes proposed to Appendix A (Principal Uses, Other Commercial Uses, item 26 “Electric Vehicle Charging Station”) and Appendix B (Accessory Uses, General Accessory Uses, item 6 “Electric Vehicle Charging Station”) included in the meeting packet.
  - Sierra reported that she had spoken with Town Counsel again and they had reaffirmed previous guidance that “charging station” is not a use so Appendix A and B don’t actually need the proposed changes.
  - Tom noted that the intent of the proposed changes was to establish such a use.

- Sierra advised that it would not be recommended to create a new use, especially when one does not now exist, and that it might not “pass the smell test” for adoption. So at this time Appendices A and B should not be changed.
  - Tom expressed the view that the WG should include in our report to the Planning Board that EV charging should still be included in the zoning bylaws.
- Chauncey proposed that we take no action on proposed changes to Appendices A and B and move on to consideration of proposed changes to Appendix D.
  - Chauncey noted that the proposed requirements seem excessive for some uses, and suggested we may wish to propose changes.
  - Sierra reaffirmed that it is really not permissible to propose changes that would do LESS than what the stretch code requires. We could propose changes that could do MORE than what the stretch code requires, but this is presently uncharted waters and it is unclear whether such changes would be approved by the AG’s office; not to suggest they would not, but that we cannot be sure at this time.
  - Jerimy noted that the new stretch code is doing pretty much exactly what we want.
- There was discussion about details of what the stretch code requires in the definitions and the specific provisions of the code (225 CMR 22 Residential Low-Rise, section R404.4 and 225 CMR 23 Commercial, section C405.13).
  - A careful reading of these provisions suggests that the Residential Low-Rise code requires fully ready EV space, with the wiring run terminating in either NEMA receptacle or SAE J1772 connector, while the Commercial code requires wiring suitable for AC Level II EVSE but seems to stop short of actually requiring outlets and connectors. Tom agreed to follow up on these points with DOER.
- Discussion moved on to discussion of definitions linked to EV and EV charging proposed to be added to the Westford ZBL Section 10.2 General Definitions, some of which need to be updated given the WG discussion of the provisions of the Stretch Code.
  - Sierra reminded the WG that Town Counsel advised that any definitions repeat exactly what is in the Stretch Code, then reference the code. Town Counsel would add wording to the effect of “...as defined and as may be amended.”
- After further discussion, the WG decided to propose NO CHANGES to the Westford ZBL definitions and Appendices A, B and D.
  - Appendices A, B, and D should not be changed as the Stretch Code is binding and the group is generally satisfied with its new requirements.
  - The ZBL should not include definitions for things that are not regulated by the ZBL.
- The Working Group still needs to produce a report to the Planning Board to summarize our work, including our recommendation for no changes to the Westford ZBL.
- The group noted that we could see if any other municipalities make ZBL changes in the coming months or years relative to EV and revisit potential updates in the future.

## **6. Set the date, time, and scribe for next meeting**

After some discussion the WG set the date/time for the next meeting consistent with our current practice: Thursday, December 22, 2022 at 7:00 PM via Zoom. Gerry will serve as scribe for the minutes.

**7. Approve minutes: October 13 ,2022**

- Motion to accept minutes made by Tom, second by Jerimy. Motion to accept passed unanimously.

**8. Adjournment**

- Motion to adjourn by Gerry, second by Jerimy. The meeting was adjourned at 7:56 PM.

Respectfully submitted,

Tom Teller

12/8/2022

DRAFT