



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

Approved on 12/22/2022

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 to the stretch code we wish to incorporate into the zoning bylaw changes need to be included by January 24 for consideration by the Planning 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.
 - Jeremy 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