

Article XX: To see if the Town will vote to amend the Town's Protective Zoning Bylaws by adding a new Section 6.11 with revised text indicated in **Bold Underline**, to establish a one-year temporary moratorium on the siting, permitting, construction, or installation of Building Integrated Energy Storage Systems (BESS) and Data Centers, in order to allow the Town sufficient time to study, develop, and adopt appropriate zoning regulations consistent with applicable state siting and permitting requirements; or take any other action relative thereto.

6.11.1 Purpose

The purpose of this Section is to allow the Town sufficient time to study, consider, and adopt zoning regulations governing the siting, permitting, construction, installation, operation, and maintenance of Building Integrated Energy Storage Systems (BESS) and Data Centers.

The Town recognizes that the Commonwealth of Massachusetts is in the process of developing and implementing regulatory frameworks governing clean energy siting and permitting. Accordingly, this temporary moratorium is intended to provide the Town with a reasonable period to review state requirements and develop appropriate local zoning controls consistent with applicable law.

6.11.2 Authority

This Section is adopted pursuant to the Home Rule Amendment of the Massachusetts Constitution and the provisions of Massachusetts General Laws Chapter 40A, including Sections 5 and 9, which authorize municipalities to regulate land use through zoning bylaws.

6.11.3 Scope

A. During the term of this moratorium, no special permit, site plan approval, building permit, zoning permit, certificate of occupancy, or other discretionary or ministerial approval shall be issued for: Building Integrated Energy Storage Systems (BESS); or Data Centers.

B. For purposes of this Section:

Building Integrated Energy Storage Systems (BESS) shall mean one or more devices, assembled, capable of storing energy to supply electrical energy at a future time, including associated control systems, power conditioning systems, and related equipment.

Data Centers shall mean facilities primarily used for the storage, management, processing, or transmission of digital data, including but not limited to servers, networking equipment, cooling systems, and associated infrastructure.

6.11.4 Duration

This moratorium shall be in effect for a period of one (1) year from its effective date, unless extended or terminated earlier by Town Meeting vote. During the moratorium period, the Planning Board shall study BESS and Data Centers and shall consider appropriate zoning regulations for recommendation to Town Meeting.

6.11.5 Applicability

This moratorium shall apply to all property within the Town and to all applications not yet submitted as of the effective date of this Section. Any application submitted after the effective date shall be subject to this moratorium.

6.11.6 Effective Date

This Section shall take effect upon approval by the Attorney General of the Commonwealth and publication as required by law pursuant to Massachusetts General Laws Chapter 40, Section 32.

Submitted by the Planning Board

Recommended by the Select Board

Not within the purview of the Finance Committee