



**Town of Walpole**  
**Commonwealth of Massachusetts**  
**Zoning Board of Appeals**

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*John Lee, Chair*  
*Bob Fitzgerald, Clerk*  
*Jane Coffey, Member*  
*Drew Delaney, Member*  
*David Anderson, Member*  
*Judith Conroy, Assoc. Member*  
*Mark Major, Assoc. Member*  
*Timothy Hoegler, Assoc. Member*

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**MINUTES**  
**WALPOLE ZONING BOARD OF APPEALS**  
**October 6, 2021**

Present: John Lee (Chair), Robert Fitzgerald (Clerk), Drew Delaney, and Judith Conroy (Associate Member), Mark Majors (Associate Member), and Timothy Hoegler (Associate Member)

Absent: Mary Jane Coffey and David Anderson

Also in attendance were Patrick Deschenes (Community & Economic Development) and Fabiola Lozoya (Tesla Retail Development Team)

Mr. Lee called the meeting to order at 7:00pm.

**Case No. 21-11, Tesla, 295 Union Street, Special Permit Requests under Section 5.B.4.dd. and Section 11 (continued from 9/15/21)**

Mr. Lee opened the continued hearing for Case No. 21-11. Present and representing the applicant was Fabiola Lozoya from Tesla.

Ms. Lozoya addressed the questions posed previously by the Town Engineer Carl Balduf. She submitted a land survey and a schedule of business hours (M-F, 8-5).

Mr. Lee suggested that deliveries that take place outside of normal business hours should follow routes that avoid residential areas in Walpole. The board agreed that this restriction was reasonable.

Mr. Lee suggested the condition that all vehicles must be offloaded onsite. Ms. Lozoya agreed.

Ms. Conroy asked if there should be one spot designated onsite for all offloading. Ms. Lozoya stated that they do lease part of the area to other trucking companies, but all offloading done by Tesla will be done within a designated area.

Mr. Delaney asked if painting will only take place in the painting booth and whether the air in the booth would be filtered before being released. Ms. Lozoya answered in the affirmative to both questions.

Mr. Delaney asked about new signage being put up. Ms. Lozoya clarified that they are putting no new signage on the building itself, just a sign designating parking spaces with access to charging stations.

Mr. Fitzgerald suggested a condition that requires all paint fume emissions to comply with all applicable laws, and Mr. Lee agreed. Mr. Fitzgerald suggested a condition that Tesla be required to use the lowest-VOC (Volatile Organic Compounds) paint available, and Ms. Lozoya stated that they already do.

Ms. Conroy asked, since the address 295 Union Street encompasses two separate parcels of land, would the other parcel be relevant to this special permit discussion. Mr. Lee clarified that the other parcel at 295 Union Street is not relevant to the discussion because the permit only applies to Tesla's parcel.

Ms. Lozoya stated that she notified all nearby abutters of this process, including those in the city of Norwood.

Mr. Major asked about how Tesla would handle waste management. Ms. Lozoya stated that they are currently filing for a proper waste management permit and that will be the next step after this.

Mr. Lee asked if the new power transformer onsite would be located inside or outside. Ms. Lozoya stated that it will be located outside, with safety bollards surrounding it to protect it from vehicles.

Ms. Conroy asked where in the zoning book that car washing stations are allowed onsite. The answer was not established, but later it is specified that it does include bylaws regarding auto body repair and auto body painting.

Ms. Conroy asked if the power-lifters and tire-changing machinery are essential to the operation. Mr. Lozoya stated they are and explained their uses.

Ms. Conroy asked if the chemical storage cabinets will be fireproof. Ms. Lozoya stated that if that is specified in any regulations then they will be.

Ms. Conroy asked if any non-Tesla vehicles will be able to utilize the car-washing or detailing stations, and Ms. Lozoya answered that they will only be for Teslas.

Mr. Delaney asked if Tesla has a designated area to store electric batteries. Ms. Lozoya stated that the vehicles shouldn't require frequent battery swaps, but when they do they will be handled offsite.

Ms. Lozoya stated that the sprinkler system will use water, not foam, as is recommended.

Mr. Majors asked if Tesla will store their cars indoors or outdoors, and Ms. Lozoya stated that Tesla typically utilizes both indoor and outdoor storage for vehicles.

**Mr. Lee listed the zoning board's conditions to the special permit:**

- The power transformer will be protected by safety bollards
- After hour delivery access will only be from Route 1
- All delivery of items will take place onsite
- Paint booth emissions will comply with state and federal regulations
- All storage of paint solvents will meet fire code
- Paint fumes will be low VOC
- A Tesla representative must be present for all after-hours deliveries
- Electric vehicle battery storage shall be maintained at the minimum reasonably required for the delivery of new vehicles

Ms. Conroy asked if there are restroom facilities onsite, and Ms. Lozoya stated that there are.

Ms. Conroy asked if this type of auto body work requires a specific type of sprinkler system. Ms. Lozoya stated that the type of sprinkler system they are required (S1) is the standard for all warehouses.

The board stated that Town Engineer Carl Balduf has not had the opportunity to respond to Tesla's response from September 29<sup>th</sup> regarding his previous questions and concerns.

Mr. Lee suggested a condition that the sewer connection will comply with all requirements from the Board of Sewer and Water and the Town Engineer.

Ms. Conroy asked whether the upcoming hearing with the Conservation Commission will have any relevance to the Zoning Board's decision. Mr. Lee clarified that the Conservation Commission's business has no bearing on the Zoning Board's.

Mr. Lee asked if the transformer is elevated, considering that it is located on the flood plain. Ms. Lozoya stated that it will be placed on a concrete pad, they will make sure to comply with all flood plans.

Ms. Conroy suggested designating specifically where diesel trucks may on load and offload to avoid oil spillage, but Mr. Lee stated a condition like that would be focusing too much on minute details.

**Motion** by Ms. Conroy and seconded by Mr. Fitzgerald to close the public hearing for Case 21-11. The motion carried 5-0-0 (Lee-aye; Fitzgerald-aye; Delaney-aye; Conroy-aye; Majors-aye)

**Motion** by Mr. Fitzgerald and seconded by Mr. Delaney to approve a special permit under section 5.B.4.dd. and section 11 of the ZBL to allow Tesla to build their Tesla pre-delivery center in Walpole based on the most recent plans submitted September 29<sup>th</sup> 2021, subject to the conditions discussed, The motion carried 5-0-0 (Lee-aye; Fitzgerald-aye; Delaney-aye; Conroy-aye; Majors-aye)

### **Minutes Review 7/21/21; 7/28/21; 8/9/21; 9/15/21**

**Motion** by Mr. Delaney and seconded by Mr. Fitzgerald to approve the minutes of July 21<sup>st</sup>, July 28<sup>th</sup>, and August 9<sup>th</sup>.

The motion carried 3-0-0 (Lee-aye; Fitzgerald-aye; Delaney-aye)

The minutes from September 15<sup>th</sup> will be reviewed at the next ZBA Meeting.

### **Adjournment**

Motion by Mr. Fitzgerald and seconded by Mr. Delaney to adjourn.

The motion carried 6-0-0 (Lee-aye; Fitzgerald-aye; Delaney-aye; Conroy-aye; Major-aye; Hoegler-aye)

Meeting was adjourned at 8:05 P.M.

Respectfully Submitted: Kevin Sanderson