



October 18, 2022

Honorable Chair Zachary Bergeron  
And Members of the Planning Board  
36 Bartlet Street  
Andover, MA 01810

Re: 1320 South Street Energy Storage Facility

Dear Zachary Bergeron and Members of the Planning Board,

By this letter we are providing written responses to all of the comments and concerns presented by the board to us at our last public hearing, September 27, 2022.

1. Decommissioning Bond

**NLE Response:** There is language in the option and lease agreement that we as the Lessee are required to provide a Decommissioning Bond to the Lessor (Tes & Denise Mercedat). As we will have that in place with the landowner, we'd like to suggest that this covers the town's requirement.

2. More information on selling process

**NLE Response:** To protect the town, landowners, and future project owners, development of these projects begins with the creation of a "Project Company" South Street Energy Storage, LLC. This allows the transfer of all project documents, plans, permits, and conditions to be transferred to any future owners. Below is an excerpt from the lease showing the agreement between the landowners (Eliates Mercedat and Denise Wilson-Mercedat) and the project company.

**COVER SHEET**

**OPTION AND LEASE AGREEMENT**

Effective Date	April 1, 2022
Lease Commencement Date	<i>[To be completed on the date the option is exercised]</i>
Lessor	Eliates Mercedat and Denise Wilson-Mercedat
Lessee	South Street Energy Storage, LLC
Property Address	1320 South Street, Andover, MA 01810

55 Technology Drive, Suite  
Lowell, MA 01851

Any permits the Planning Board issues for this project should be made out to South Street Energy Storage, LLC, rather than New Leaf Energy. This ensures that the permit will apply to the project regardless of the company owning or operating the system. Additionally, as part of our normal course of business, New Leaf Energy sells development assets to ultimate Independent Power Producers who build, own, and operate the projects. We spend a lot of time vetting our partners in this space for both financial health and stability as well as a proven track record of success to ensure that the projects are being financed and constructed successfully and responsibly.

### 3. Tewksbury Involvement

#### **Tewksbury Planning Department**

- **March 22nd - IDR (Tewksbury)**

New Leaf reached out to Alex Lowder to schedule an internal design review meeting to introduce the project. This meeting was with the town of Tewksbury because of the proximity to the project. It was scheduled to gather feedback and comments before the first submission to the Town of Andover was made.

- **May 10th - IDR (Andover and Tewksbury)**

New Leaf reached out to Jacki Byerley to schedule a second internal design review meeting to provide project updates and also alert a second submittal was upcoming. This was the second meeting with the Town of Andover at this point (the first IDR meeting with Andover was March 8th).

#### **Tewksbury Fire Department**

- **May 10th - IDR**

After having an Internal Design Review meeting with both Towns of Andover and Tewksbury separately, this meeting was held with all groups to gather feedback and the primary focus seemed to be around fire design. Both Fire Departments were present.

- **July 26th - Both Departments + DFS**

Meeting held with New Leaf, Andover Fire Department, Tewksbury Fire Department and a member (Jenn Hoyt) from Department of Fire Services. This meeting was to walk through our proposed design and gather feedback and comments from both departments with representation from the State present to guide the call. New Leaf compiled all the information and sent a submittal package to the same group at a later date.

- **October 5th - Phone call with Captain Daniel Sawicki from Tewksbury**

Called to connect on a submittal package that was sent to the Tewksbury Fire Department for review. Received some verbal comments and made adjustments to design. Planning on submitting another revision to them addressing final concerns.

#### **Tewksbury DPW**

- **August 9th**

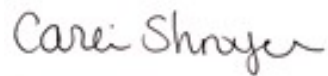
New Leaf reached out to Kevin Hardiman, PE, the Tewksbury Town Engineer on August 9 to discuss extending water main to the site and permits required as requested by the Tewksbury Fire Department. Mr. Hardiman indicated that a Water Main Permit and Sidewalk Opening Permit will be required prior to construction.

- **September 27th**

New Leaf discussed with Richard Montouri, Tewksbury Town Manager, the potential need for an Intermunicipal Agreement to use town water on Andover property. Mr. Montouri is discussing with the Assistant Town Manager and Town Engineer whether this will be required.

Thank you for your attention.

Sincerely,

A handwritten signature in cursive script that reads "Carli Shroyer".

Carli Shroyer

*Civil Engineer*

**New Leaf Energy**

55 Technology Drive, Suite  
Lowell, MA 01851