

**MINUTES OF THE PLANNING BOARD MEETING OF APRIL 2, 2018  
AT THE JESSE SMITH LIBRARY  
SUBJECT TO APPROVAL AT THE NEXT REGULAR MEETING**

**I. CALL TO ORDER:**

**Meeting was called to order at 7:00 p.m., Jeffrey Partington, Chairman, presiding.**

**Members Present:** Jeffrey Partington, Christopher Desjardins, Marc Tremblay, Dov Pick, Michael Lupis, and Bruce Ferreira.

**Members Absent:** Leo Felice and Robert Woods.

**Other Present:** William Dimitri, Town Solicitor, Joseph Raymond, Building Official, Ray Goff, Planning Director and Christine Langlois, Deputy Planner.

**II. ATTENDANCE REVIEW:**

Mr. Partington acknowledged that both Mr. Felice and Mr. Woods were excused.

**III. ACCEPTANCE OF MINUTES:**

The minutes of the Planning Board meeting of March 5, 2018 and the Comprehensive Plan workshop of March 12, 2018 were read. *A motion to accept both sets of minutes, as presented, was made by Mr. Ferreira, seconded by Mr. Pick and carried unanimously.*

**IV. CORRESPONDENCE:** There was no correspondence received for discussion.

**V. NEW BUSINESS:**

**Econox Renewables, (Sandberg Machine), 806 Broncos Highway Solar Development, Burrillville; Map 195, Lot 4: *Final Minor Land Development Plan Review; Financial Security Bond Amount for Decommissioning Established:*** In attendance to represent the final plan submission was Stephen Kerr, of Econox Group. Referencing his staff report, Mr. Goff noted a few issues to be addressed with the final plan:

- An original application must be provided to the Planning Department as only a photocopy has been received;
- Additional information should be listed on the recording plan set as follows:
  - The property owner's name and address should be listed in the General Notes area on the plan;
  - A statement that the property does not lie within any aquifer overlay district should be listed in the General Notes;
  - A statement that the property does not lie within an historic district should be listed in the General Notes;
  - The decommissioning bond amount should be corrected to \$9,523;
  - A page should be added to the final plan set which would contain the Operations & Maintenance schedule and the Decommissioning Plan.

Having nothing further for discussion, *a motion was made by Mr. Ferreira to approve the Final Minor Land Development plan for Econox Renewables with the following Findings of Fact:*

1. *The Land Development is consistent with the Town's Comprehensive Plan, specifically, Chapter VII Economic Development, Policy VII.1.b. "Support the use of renewable energy for both commercial and residential interests".*
2. *The Land Development complies with the Town's Zoning Ordinance, specifically Section 30-211. Roof and Ground-mounted Solar Photovoltaic Installations, (e)*

*Standards: [1] Planning Board approval – which will be granted with this action; [2] Access – provided via Bronco Highway; [3] Lot Coverage – the proposed solar field will encompass approximately 0.94 acres of land or 6% of the total lot area (14.74A), which is in conformance with the 20% maximum requirements; [4] Setbacks – the proposed field is located within the prescribed setbacks; [5] Maximum height – the proposed facility will not exceed ten (10) feet; [6] Screening – solar panels are positioned to be setback from Bronco Highway so that they will not be visible; [7] Security – a proposed six (6) foot fence will surround the solar array and associated structures providing security; [8] Land Clearing – limited to only the area needed for the solar facility; and a special use permit has been issued by the Zoning Board of Review on October 10, 2017.*

- 3. The Land Development will have no significant environmental impacts as the solar facility has been sited to avoid any wetlands and their associated buffers.*
- 4. The Land Development will not result in the creation of an unbuildable lot as the solar installation is an accessory use of the property.*
- 5. The Land Development will have adequate and permanent physical access to a state road (Bronco Highway).*
- 6. And to include the stipulations for the final plan record plans previously outlined by the Planning Director in his staff report to the Planning Board.*

*The motion received a second from Mr. Tremblay and carried unanimously by the Board.*

**Discussion/Recommendation to Town Council on Request for Amendment to Zoning Ordinance, specifically Section 30-71. Zoning District Uses, Section 4. Public and Semipublic use, 17:** Nicole Martucci, of Kelly, Sousa, Rocha & Parmenter Law Office, was in attendance to present the request. She stated that their request represents a text amendment to the zoning ordinance, specifically Section 30-71, which deals with the zoning district uses, to permit, by way of special use permit, large-scale solar energy systems in an F-5 district. She noted that the ordinance currently allows for small-scale systems, by right, and medium-scale systems, by special use permit, within the F-5 district. She proceeded to distribute a planning report prepared by an expert at Kelley Morris Law, LLC in support of the request and outlined pertinent details contained within the report she felt was in support of the zoning amendment request. Discussions ensued as to the Board's thought-out efforts in developing and amending the current solar ordinance, and in addressing the welfare and comfort of the residents. Several members voiced concerns with attempting to modify the existing ordinance that would affect a large portion of the Town in light of the recent concerns throughout the state, and New England in general, with farms and woodlands being cleared for large-scale solar installations. Not to mention that half of the Town is serviced by the Pascoag Utility District, which would negate any solar project at this time. It was pointed out that the Board had focused on where this type of development made sense for the Town.

*A motion was then made by Mr. Tremblay to render a negative recommendation to the Town Council regarding the requested zoning amendment with the following Findings of Fact:*

- 1. The Burrillville Town Council adopted the Roof and ground mounted solar photovoltaic installations ordinance (30-211) on August 28, 2013 and amended the same on May 24, 2017.*

2. *Since the last amendment to the ordinance, there have only been three (3) applications discussed with the Planning Board.*
3. *The Town does allow large-scale solar in the commercial and industrial zones of the Town and, only one project has been applied for, and it was approved.*
4. *Expansion of large-scale solar projects to the F-5 zone without first investigating the need to expand medium- and commercial-scale projects would be out of sync and ill advised.*
5. *No large scale, or even medium- or commercial-scale, projects have been presented to the Planning Board which was not well received.*

*Further, the Board does not support the expansion on the Medium-, Commercial- or Large-scale solar in other zones with the Town at this time. The motion received a seconded from Mr. Desjardins. The motion carried with five (5) in favor [Tremblay, Desjardins, Pick, Lupis, Partington] of the negative recommendation and one [Ferreira] opposed.*

**VI. OTHER BUSINESS:**

**Report from Administrative Officer:**

The Board reviewed the report from the Administrative Officer for the month of March regarding Certificates of Completeness, incomplete submissions and endorsed plans.

*Having nothing further, a motion to adjourn was made by Mr. Ferreira at 7:54 p.m. The motion received a second from Mr. Pick and carried unanimously by the Board.*

Recorded by: *M. Christine Langlois*  
M. Christine Langlois, Deputy Planner

