

Minutes of the Burrillville Planning Board meeting of September 9, 2019, at the Jesse Smith Library, 100 Tinkham Lane, Harrisville subject to approval at the next regular meeting.

I. CALL TO ORDER:

The meeting was called to order at 7:00 pm, Jeffrey Partington, Chairperson, presiding.

Members Present: Bruce Ferreira, Christopher Desjardins, Steve Foy, Michael Lupis, Dov Pick, Ken Raspallo and Robert Woods

Others Present: Ray Goff, Planning Director and Jeffrey Davis Planning Consultant from Horsley Witten Group

II. ATTENDANCE REVIEW:

Mr. Partington acknowledged that Robert Woods and Leo Felice were absent/excused.

III. ACCEPTANCE OF MINUTES:

A motion to accept the minutes of the August 5, 2019 meeting was made by Mr. Partington, seconded by Mr. Ferreira and carried unanimously.

IV. CORRESPONDENCE: None

V. OLD BUSINESS: None

VI. NEW BUSINESS:

Zoning Amendments Workshop – Renewable Energy Policies

Jeffrey Davis led a presentation and discussion involving the creation or adaptation of the following ordinances:

- A. **Power Plant/Electric Generating Facilities:** Jeff Davis discussed the idea of prohibiting power plants/electric generating facilities in all zoning districts and creating an overlay zone. Any expansion will be made by Special Use Permit only. Ray Goff stated that prohibiting power plants/electric generating facilities would put constraints on the existing power plant, Ocean State Power. Ray recommends looking at the parcels they own and consider creating a district that is appropriate for their operations. National Grid also owns parcels in this area. One to the left of the Ocean State Power parking lot and one the right of the plant. The parcels are bordered by West Ironstone Road, Douglas Pike and Sherman Farm Road and it is suggested that these roads be the boundary of the overlay district. **Board Discussion/Concerns:** Dov Pick and Jeff Partington ask how we can protect/exempt Ocean State power who already has permitted use there. What if they ask to put a new plant or expand on existing plant? Stephen Foy asks how to mitigate risks. **Outcome:** The board sees no new risk with the proposed changes to the zoning ordinances and use table and it was agreed to prohibit Power Plants/Electric Generating Facilities in all zones. In an effort to protect Ocean State Power, it was agreed to create an overlay zone bordering West Ironstone Rd, Douglas Pike and Sherman Farm Rd. The board agrees to the requirement of a Special Use permit when there is

a change of use or the addition of any new associated uses. The requirement of a Special Use permit will afford some protection to abutters. These changes to our zoning district and use table will dictate where Power Plant/Electric Generating facilities are allowed in our town and, in addition, will allow us mitigate any changes in the future. The zoning and ordinance changes will be presented for vote at the October meeting.

B. Energy Storage Facilities:

Jeff Davis discussed defining accessory use as 80kWh or less capacity for home/business use and not regulated. He also discussed adding “energy storage facility” under section 13 (accessory uses) in the zoning district uses table. Jeff also discussed the idea of any facility with wattage over 80kWh be allowed by special use permit in the GC, GI and LI zones (where solar is currently allowed) and prohibit in all other zones, unless on Town and/or Pascoag Utility owned or controlled property. **Board Discussion/Concerns:** The board asked the following questions: Should we keep in commercial zone or allow in all zones or start conservatively and add? Should we change verbiage regarding the land ownership to include “owned as of this date”. Should we put wattage limits on facilities? **Outcome:** The Board agreed to the defining and addition of primary and secondary energy storage facility to the use table energy. The board requested the addition of a deadline on the land ownership date. The board agreed with the requirement of a special use permit for larger units or facilities in the GC, GI and LI zones and prohibit in all other zones, unless it is on Town and/or PUD controlled property. To board agreed with no cap to wattage with limits on land use. These zoning and ordinance changes will be drafted for a second review at the October meeting.

C. Renewable Energy Survey Results Summary:

Jeff Davis shares the results of the survey

- Majority support allowing small accessory solar facilities in all zoning districts with performance standards for setbacks and coverage.
- Most are open to larger scale as long as it doesn't result in the harming or cut down of trees and have performance standards for setbacks and coverage
- Most support wind energy in concept but overall have more concerns the environmental impact on forests and other environmentally sensitive area. Also, most were not comfortable with allowing this on residentially zoned land.
- Number one issue is most actively oppose any renewable development that would result in the clear cutting of trees.

D. Policy Discussion:

Accessory Solar Energy Systems- Jeff Davis asked the following questions regarding ground mounted accessory solar systems: Is 20% land area limit per parcel still appropriate? How should it be measured? Should there be an absolute cap on the land area covered by a system? How tall should the ground mounted accessory system be allowed to be? How should uses be approved? Are there certain smaller uses that should be allowed as a matter of right with just a building permit? **Board Discussion/Concern:** The board asks the following questions: Should we change verbiage to net buildable. Setback rule? Current F5 setback is 40 to the front, 40 to the rear and 15 on the side with buffer. Should we follow current industrial or residential setback rules? Should we increase current setback standard? Maintenance of ground? **Outcome:** The board agreed to 20% of net buildable area with a 5,000sq feet cap, anything over 5,000sq feet would require a special use permit. The board agreed to a height cap of 10ft above finished grade with ground cover. These zoning and ordinance changes will be drafted for a second review at the October meeting.

Primary Solar Energy Systems- Jeff Davis asked the following questions regarding ground mounted primary solar systems: Is the 20% land area limit per parcel still appropriate? How should this be measured? Should there be a cap on the land area covered by a system? How should such uses be approved? Should we prohibit parcels from being subdivided with the intent to install solar energy systems? Should these systems be allowed anywhere outside the commercial and Industrial zoning districts? If so, where? The survey showed general support for locating these uses on disturbed areas, even if located in residential zones. If this is desired, how can specific sites be identified? Once identified, how should they be zoned? Should active farms be allowed to use up to a certain percentage of their property for ground-mounted solar, regardless of underlying zoning district? Do the additions to the standards section provide adequate protections? **Board Discussion/Concern:** The board asked the following questions: Should the fence and buffer include the 20%? No clearcutting vs limiting clearcutting. How to control this? Jeff Partington– suggests change 20% to 50% of buildable land and allow a 10% clear cut with anything over by special use permit. Appropriate buffers? Allow on farms? Jeff P. would that be primary or accessory use? **Outcome:** The Board agreed to upping percentage to 50% of buildable land and allow a 10% clear cut in the commercial and industrial zone districts. The board agreed to no cap to square footage with a special use permit required for anything over 50%. The board does not want to allow primary solar energy systems in the F5 zone. The board agreed to include in performance standards: EMS access, clearly marked shut off, screening where necessary. Screening trees should be 10 feet deep and must be 1.5x height of the finished panel at max growth, screening of the fencing must be installed while trees are maturing where necessary, no glare on neighboring property, mechanical equipment must be indoors or fenced, ground cover to consist of pollinating plants, grass or gravel. These zoning and ordinance changes will be drafted for a second review at the October meeting.

Wind Energy Systems- Jeff Davis asks the following questions regarding wind energy systems: Should wind energy systems be allowed? If allowed, in which zoning districts? **Board discussion/Concern:** Does Burrillville have sustainable wind speeds in any area for either accessory or primary use? Noise? **Outcome:** The board does not want to allow wind energy systems in all zoning districts. Since wind energy systems are not listed in the use table and are therefore prohibited, no further action is needed.

VII. OTHER BUSINESS: None

Report from Administrative Officer: None

Having nothing further, a motion to adjourn was made by Mr. Partington at 8:39 p.m. The motion received a second from Mr. Ferreira. and carried unanimously by the Board.



Nicole Stockwell, Administrative Aide