

Minutes of the Burrillville Planning Board meeting of December 2, 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: Jeff Partington(Chair), Leo Felice (Vice Chair), Steve Foy, Michael Lupis, Bruce Ferreira, Christopher Desjardins, Robert Woods, Dov Pick, Ken Raspallo

Others Present: Ray Goff, Planning Director

II. ATTENDANCE REVIEW:

Mr. Partington acknowledged Mr. Wood was absent (He arrived late at 7:15).

III. ACCEPTANCE OF MINUTES:

A motion to accept the minutes of the November 4, 2019 meeting was made by Mr. Ferreira, seconded by Mr. Foy and carried unanimously by the board.

IV. CORRESPONDENCE: None

V. OLD BUSINESS:

Yorkshire Properties/Richard O'Keefe-Reservoir Rd, Map 192 Lot 69: Preliminary Plan review, Minor Subdivision Plan, two-lot subdivision, no road. Continued from 11/4/19 meeting. Mr. Goff explained the applicant submitted an e-mailed request to continue to the January planning board meeting to allow for site engineering.

A motion to continue Yorkshire Properties/Richard O'Keefe-Reservoir Rd, Map 192 Lot 69: Preliminary Plan review, Minor Subdivision Plan, two-lot subdivision, no road to the January 6, 2020 meeting was made by Mr. Ferreira, seconded by Mr. Desjardins and carried unanimously by the board.

VI. NEW BUSINESS:

Labossiere, Michael & Gail, 303 Snake Hill Rd, AP 164 Lot 1: Pre-application, Minor Subdivision, two-lot subdivision, no road.

Mr. Norbert Therian, surveyor spoke on behalf of the applicants who were present. Mr. Therian explained the details of the pre-application plan which includes subdividing 23.85 acres with +/-625 feet frontage into two lots. Lot 1, which has the existing home on it, will be 16.85 acres with 450' frontage and the second lot will be 7 acres with 175 feet frontage. The second lot would require a variance as the F-5 zoning district frontage requirement is 450 feet. Mr. Therian stated the applicant would like to take the next steps and have survey work done, delineate and verify the wetlands and obtain the necessary permits. Before they proceed with this, the applicant would like to first confirm that The Planning board would make a favorable recommendation to the zoning board for frontage relief for lot 2 if they meet all of the application requirements. Mr. Jeff Partington stated that lot two's proposed frontage is similar to abutting properties and stated that he sees no issues with recommendations to the zoning board if all of the application requirements are met. No questions from the board.

Evergreen Estates, Colwell and Log Rd, Map 218 Lot 4, Map 219 Lot1, Map 237 Lot 5: Minor Subdivision, three lot RRC with a road. Request for a second extension of the master plan approval.

Mr. Goff explained that attorney Eric Brainski requested a second extension of the master plan approval. Mr. Goff stated that the applicant is entitled to request up to two extensions of the master plan approval.

A motion to approve the extension of the master plan approval for Evergreen Estates, Colwell and Log Rd, Map 218 Lot 4, Map 219 Lot1, Map 237 Lot 5: Minor Subdivision, three lot RRC with a road to January 1, 2021 was made by Mr. Bruce Ferreira, seconded by Mr. Dov Pick and carried unanimously by the board.

Burrillville Solar LLC. /Town of Burrillville, 0 Danielle Dr., Plat 195, Lot 15: Major Land Development

Solar Project, 4.2MW ground mounted solar field. Set decommissioning bond amount.

Mr. Raymond Goff explained a decommissioning bond amount needs to be set for this project. He suggested \$160,000 which was determined by the following calculation: $4.2 \text{ MW} \times \$30\text{K}/\text{MW} = \$126,000$. $\$126,000 \times 1\% \text{ ANN for 25 years} = \$159,986.57$. \$159,986.57 was rounded to \$160,000.

A motion to approve the decommissioning bond amount at \$160,000 for Burrillville Solar LLC. /Town of Burrillville, 0 Danielle Dr., Plat 195, Lot 15: Major Land Development Solar Project, 4.2MW ground mounted solar field was made by Mr. Jeff Partington, seconded by Mr. Bruce Ferreira and carried unanimously by the board.

Broncos Highway Solar/Going Green Realty, AP 113 Lot 11: Master Plan review, Major Land Development Solar Project, 750 kW AC 985 kW DC 91,500+/- square feet canopy solar array, no road, accessed via an existing driveway off of Broncos Highway. Public Informational Meeting.

Audie Osgood, Engineer from DiPrete Engineering and Buzz Becker, lead developer from Hexagon Energy were present to discuss the project.

Mr. Becker explained that the proposed project is an approximate 2-acre solar canopy on the "Pool Pirate property". He and Mr. Osgood have been working with the owners to bring them in line administratively with the town and have provided some clarification about their business operations/plans. Mr. Becker stated that this site is already disturbed land and would not require clearcutting.

Mr. Osgood explained that the applicant is Hexagon Energy and the owner of the property is Going Green Realty, LLC. It is located at 2205 Bronco Highway in the village commercial zone, village plan development area, community and non-community well head protection district, route 102 development management district, Blackstone River/Branch River sub basin. The site is 10.3-acre property with two active businesses on it, Pool Pirate and Northwest Trucking. Access/egress is via a driveway onto Bronco Highway to the north. The south side of the property abuts Victory Highway. To the east, is the proposed Victory Highway Solar project and to the west are two residential properties. The array will take up the maximum allowed 20% area of the property. Mr. Osgood explained that the site drains SW to NE and there is an unnamed tributary that drains into the Branch River. Slopes range from 5 percent to 2 percent on this property which is 70% to 80% cleared. Site elevations range from 340 feet in NE corner to 370 feet in SW (Old Victory Highway) corner. The array is located within all setback requirements. There is a proposed 20-25-foot vegetative buffer on the west side where there are two residential properties. Mr. Osgood has requested a waiver until the Preliminary stage to provide RIDEM verified wetland and the class one boundary.

Mr. Becker explained Hexagon is in communication with several solar canopy vendors and they will be making their selection soon. At this stage, the specifics of the design, dimensions, etc. are not yet determined. He can confirm that canopy height will be approximately 14.5 to 20 feet high to allow for tractor trailers to park under them. The length of each row will be approximately 500 feet. Width is not yet determined but will likely be 30 feet to cover the length of a cab and trailer. There will be support poles under the canopy but the spacing and layout has not yet been determined.

The Planning Board had many questions and concerns about the use of the solar canopy as well as with the lack of transparency/clarity in the plan. They include: What other uses will there be on this property? Are there future site development or subdivision plans? What are all of the proposed storage uses under the canopy? How many trucks will be stored under this array? What will the traffic pattern be inside and around the property? Will there be an increase in traffic in and out onto busy Route 102? Does the entrance need to be modified to accommodate a turning lane into the site? Will there need to be re-grading onsite and at the entrance? What impact will drainage/have on the property and the adjacent wetlands? With the 30-foot elevation change, how will this impact visibility for the southern abutters?

Because the property is ever changing and has been operating without development plan review approval and does not have zoning approval for current operations, the Planning Board will require a revised definitive and clear plan for this solar canopy project as well as for the current and future business endeavors of the property owners. This detailed plan must include a clearly identified use and/or future development plan for each area of the property. The board members are also requesting a traffic pattern study and a drainage plan.

A motion to continue the Broncos Highway Solar/Going Green Realty, AP 113 Lot 11: Master Plan review, Major Land Development Solar Project, 750 kW AC 985 kW DC 91,500+/- square feet canopy solar array, no road, accessed via an existing driveway off of Broncos Highway. Public Informational Meeting was made by Mr. Stephen Foy, seconded by Mr. Bruce Ferreira and carried unanimously by the board.

Solar Zoning Amendments: Consider and act upon the solar amendment concerns from the Ordinance Subcommittee.

Mr. Goff explained that the Ordinance Subcommittee has asked the Planning Board to address some concerns they have with the current ordinance. Mr. Goff met with consultant, Jeff Davis and zoning official, Joe Raymond to discuss language changes. Changes include: focus of the ordinance to address land use vs. power output; glare is now addressed in both primary and accessory solar system sections; accessory ground mounted allows for 1,500 square feet land area by right in lots less than one acre. Anything over 1,500 square feet and up to 2,500 square feet is allowed in parcels over one acre; building mounted accessory now includes solar shingles and siding and currently is not limited in the ordinance but it is limited by National Grid to 125% of use; A provision has been added to principal solar to prevent the subdivision or combining of lots to gain more buildable land while staying within National Grid's output max of 5 MW.

Mr. Goff then reviewed some questions posed by consultant Jeff Davis: Should fencing be required for accessory solar systems? Should they be required around the mechanicals/transformers only? Should we require them to be enclosed in a structure? Chairman Jeff Partington stated that the current ordinance states they must be enclosed within a fence or structure and feels as though the ordinance should stay as is. There were no objections by the Board.

Mr. Goff asked if Utility notification should be required for accessory solar systems? The Planning Board agreed to not require a utility notification for accessory solar systems.

Mr. Goff asked if a decommission plan/bond should be required for accessory solar systems? The planning Board agreed to not require this for accessory solar systems.

Mr. Goff stated that he will be changing the verbiage in solar ordinance 30-201 Development Plan/Site Plan Review section 10 to read all "Principal" Solar Energy Systems. This would require principal solar projects to go through Development Plan Review.

Questions from the Planning Board: How to differentiate principal vs accessory canopy? There is a square footage of 1,500-2,500 sq. feet range for accessory ground mounted. Item number 5 states Principal solar projects to not exceed 10 feet. Does this pertain to canopies? If not, they would like ground mounted inserted for clarification. Mr. Goff agrees to insert this verbiage to clarify. The Board asks to review the requirements of 50% net buildable area with no more than 20% clear cut. Mr. Goff explained the words net and buildable were taken out to allow for arrays to be placed on sloped land.

Mr. Richard Dionne of the Conservation Commission suggested to include pollinating plants/flowers as a preferred ground cover. Mr. Goff agreed with no objection from the Board.

A motion to approve the solar zoning amendments and make recommendation of approval to the Town Council was made by Mr. Bruce Ferreira, seconded by Mr. Dov Pick and carried unanimously by the board.

OTHER BUSINESS:

2020 Planning Board Meeting Calendar: review and adopt

A motion to approve was made by Mr. Jeff Partington, seconded by Mr. Stephen Foy and carried unanimously by the board.

Burrillville Solar LLC. /Town of Burrillville, 0 Danielle Dr., Plat 195, Lot 15: Major Land Development Solar Project, 4.2MW ground mounted solar field. Mr. Goff stated that the applicant has requested the relocation of the second access gate to 20 to 30 feet into the entrance off of Danielle Drive. Mr. Goff stated that the gate relocation has already been approved by the fire department and asked the planning board if they have opposition to this proposal. There was no opposition from the Board.

Administrative Reports:

Certificates of Completions: 2, Incomplete Submissions: 1, Endorsements: 1

**Jeffrey Partington, Chairman
Burrillville Planning Board**

Having nothing further, a motion to adjourn was made by Mr. Bruce Ferreira at 9:05 p.m., seconded by Mr. Dov Pick and carried unanimously by the Board.



Nicole Stockwell, Administrative Aide