



Burrillville Planning Board

Meeting Minutes-December 7, 2020

7:00PM

Phone (401) 568-4300 ext. 130
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This meeting was held in accordance with the provisions of the Governor's Executive Order 20-46. All members of the Burrillville Planning Board participated remotely. Members of the public attended via means listed below:

Zoom Meeting ID#: 929 5659 8156 **Password:** 232688 **Phone:** 833 548 0276 (Toll Free)

Link: <https://zoom.us/j/92956598156?pwd=eW1FYUJpc2VFVFZFPQjA5TmZXWEzBZz09>

CALL TO ORDER: Chairman Bruce Ferreira called the meeting to order at 7:04 pm.

ATTENDANCE REVIEW: Bruce Ferreira (Chairman), Leo Felice (Vice Chairman), Stephen Foy (Secretary), John Bonin Jr., Christopher Desjardins, Krista Iacobucci, Michael Lupis, Dov Pick and Ken Raspallo were present.

ACCEPTANCE OF MINUTES: November 2, 2020 and November 21, 2020 minutes

Dov Pick made a motion to accept the November 2, 2020 minutes. The motion was seconded by Stephen Foy and carried unanimously by Bruce Ferreira, Stephen Foy, John Bonin Jr., Christopher Desjardins, Krista Iacobucci, Michael Lupis, Dov Pick, and Ken Raspallo.

Leo Felice made a motion to accept the November 21, 2020 minutes. The motion was seconded by Stephen Foy and carried unanimously by Bruce Ferreira, Stephen Foy, John Bonin Jr., Christopher Desjardins, Krista Iacobucci, Michael Lupis, Dov Pick, and Ken Raspallo.

CORRESPONDENCE: None

OLD BUSINESS:

East Ave Solar, Pole 5½ East Ave, AP 162, Lot 32, Public Hearing: (Continued from Nov. 2nd)

https://www.burrillville.org/sites/g/files/vyhlf2886/f/uploads/east_ave_solar-preliminary_plan_application.pdf

Preliminary Plan Review, Major Land Development: 1.5-acre 250kW ground mounted solar energy system.

Paul Vanasse of Andromeda Real Estate and Joanna Achille of TJC Esq. Law Firm were present to discuss the Plan. Paul Vanasse stated that they are here to request a continuance to the February 1, 2021 meeting as he has nothing new to present this evening. Any modifications to the Preliminary Plan are pending National Grid's response to the request to access the array from the existing easement. If granted access via National Grid's easement, the entrance off East Avenue will not be necessary and may allow for the repositioning of the array and access road. The board reminded Mr. Vanasse that regardless of National Grid's answer, the Preliminary Plan must show the following as requested at the November meeting:

- Identify a total area to be cleared to develop site.
- Identify total area, "fenced in area" of solar field.
- Provide adequate screening of the solar array to abutting properties. Particularly for AP 162/85 which has a clear view to the solar array. Due to topography, a mound with trees may have some benefit to this site. Remove Note #13 as there are proposed buffer trees. Show detail of proposed planting plan for buffer trees.
- Remove note at top of site plan "No vegetative clearing will take place within property line setbacks"

- Buffer trees, fencing and part of the drive turn around are proposed within the National Grid ROW. Acknowledgement and approval of the proposed encroachment must be obtained from National Grid in order to move forward with this plan.
- Show a soil erosion control plan with details since there are steep slopes on this property.
- Fencing is proposed around the entire solar field. It includes a gate at driveway, but no specifications for the fencing or gate.
- Access and egress to the solar arrays must accommodate emergency vehicles. No comments have been provided to the Board from the Fire Department to date.
- The access proposed from East Avenue:
 - This driveway will be within 40 feet of the neighboring home. No buffering has been proposed
 - The entrance is proposed to have a chain gate. I suggest having a steel gate installed rather than chain.
 - For construction, a rip-rap tire cleaning pad be installed at the entrance.
 - Suggesting that the first 20 feet of the driveway be paved. This should be included in the soil erosion control plan.
- Provide drainage in the proposed plans. Suggesting that a qualified engineer provide drainage calculations and a design.
- A panel layout change was suggested to further shift the array away from the National Grid Easement and from lots 84 & 85 (Kinsley and Misiazek).
- An access road design change was suggested to allow for the panel layout change. It was suggested to either run it along the southern perimeter of the array or be eliminated and use the existing National Grid Easement (if allowed).
- A site visit was recommended prior to making any decision on the Preliminary Plan.

Members of the Board questioned potential shading issues and Mr. Vanasse mentioned that both he and his engineers have done extensive research to ensure proper placement. Planner Goff suggested the possibility of reducing the 50-foot setbacks off 102. Mr. Vanasse stated that he will be working on plan modifications pending a response from National Grid and requested a continuance to the February 1, 2020 meeting.

Having nothing further, Dov Pick made a motion to continue the Preliminary Plan Review and Public Hearing for East Ave Solar to the December 7, 2020 meeting. The motion was seconded by Chris Desjardins and carried unanimously by Bruce Ferreira, Leo Felice, Stephen Foy, John Bonin Jr., Christopher Desjardins, Krista Iacobucci, Michael Lupis, Dov Pick, and Ken Raspallo.

NEW BUSINESS:

Burrillville Solar, Standard Solar, 0 Daniele Drive, AP 195 Lot 15: Reset of the Decommissioning Bond

Planner Goff explained that this project is near completion. The Town of Burrillville owns the land and is leasing to Burrillville Solar who has requested an extension of the lease for an additional 10 years, making the lease a 35-year lease. Planner Goff added that in order to maintain the decommissioning bond for another 10 years, additional funds should be carried. He explained that he used a 1% inflation rate to come to a figure of \$177,000.00 and recommended that the board set the decommissioning bond for this amount. The Board had no concerns.

Dov Pick made a motion to reset the Burrillville Solar Decommissioning Bond-extending 10 years and set for \$177,000.00. The motion was seconded by Chris Desjardins and carried unanimously by

Bruce Ferreira, Leo Felice, Stephen Foy, John Bonin Jr., Christopher Desjardins, Krista Iacobucci, Michael Lupis, Dov Pick, and Ken Raspallo.

**Harrisville Village/MCVB Developers, Steere Farm Rd & Mowry Street, Map 160 Lot 34:
Release of the Improvement Guarantee Bond. Article 15-7.2B**

Developer Mark Bard was present to request the release of the improvement Guarantee Bond. He stated that he has been working with Kelly Mager, President of the Harrisville Village Condo Association to complete a list of concerns. Mr. Bard stated most of the 18 tasks have been completed. Ms. Mager was virtually present but was having sound issues and was unable to speak during the discussion. The Board reviewed an e-mail from Ms. Mager listing out the remaining concerns from the Association: 1.) Patch the road where there was a water issue, 2.) Discard wood debris, 3.) 2 Light posts on Liberty not working, 4.) A few curb returns stop before reaching the sidewalks, 5.) Sprinkler issues on Liberty, 6.) Produce a \$350.00 check for striping the parking lot, 7.) Crushed stone on the right side of the road exiting Mowry Street. Mr. Bard explained that he has been working with Ms. Mager to resolve most of these issues. He requested that the existing curbing/returns be left as is because they do not pose any concerns other than esthetically as they do not wrap all the way to the sidewalk. Some of the Board agreed that the returns should remain as is because the solution would involve cutting and creating seams. Mr. Bard stated that he is working on the lighting and sprinkler issues that relate to construction and installation. He requested that any maintenance issues be taken care of by the Association. The Board recommended to continue this request to release of the Improvement Guarantee Bond to the January 4, 2021 meeting so Mr. Bard and Ms. Mager can resolve the remaining improvement items.

Ken Raspallo made a motion continue Harrisville Village release of the Improvement Guarantee Bond to the January 4, 2021 meeting. The motion was seconded by Michael Lupis and carried unanimously by Bruce Ferreira, Leo Felice, Stephen Foy, John Bonin Jr., Christopher Desjardins, Krista Iacobucci, Michael Lupis, Dov Pick, and Ken Raspallo.

**Nason Mill Landings, LDD Enterprises, LLC, 770 Douglas Pike, Map 114, Lot 16:
Extension requested of the Preliminary Plan Approval**

Planner Goff stated that he recently met with the owners of the mill and an interested buyer/developer. They discussed the existing Preliminary Plan and incentives in place to renovate the property. The mill owner requested an extension of the Preliminary Plan that will be picked up by the buyer if/when a transaction occurs. The Board did not have any concerns with the extension request.

Findings of Fact:

Pursuant to such a hearing and testimony by appropriate representatives of the land owner and/or developer, the Burrillville Planning Board, upon careful deliberation and in accordance with the provisions of RIGL Section 45-23-30 and 45-23-60 Required Findings, has arrived at and agreed upon the following findings of fact by majority vote:

- The development is consistent with the Town of Burrillville's Comprehensive Plan;
- The Subdivision and Land Development Regulations are the same as they were at the time of original approval;
- The zoning of the parcel is the same as it was at the time of original approval;
- Physical conditions on the parcel are the same as they were at the time of original approval; and,

- Any applicable State or Federal Regulations are the same as they were at the time of original approval.

Based upon the testimony and evidence gathered by the Burrillville Planning Board in written and oral form at and before the above-referenced hearing, the following motion is hereby recorded as the official action of the Burrillville Planning Board in the above cited matter:

Motion by Dov Pick and seconded by Chris Desjardins that the request to extend the Preliminary Plan approval for Nason Mill Landings be approved with the following conditions:

- 1.) **That the petitioner is subject to all conditions of the original approval and that all the state approvals must also be reinstated, including but not limited to RIDEM Wetlands and OWTS.**

The motion carried with Bruce Ferreira, Leo Felice, Stephen Foy, John Bonin Jr., Christopher Desjardins, Krista Iacobucci, Michael Lupis, Dov Pick and Ken Raspallo in favor.

**Evergreen Estates, Log Road AP 218 Lot 4, AP 219 Lot 1 & AP 237 Lot 5:
Extension requested of the Master Plan Approval**

Planner Goff stated that this Major Subdivision plan is an alternate development plan for the site should Zoning deny a use variance for Log Road Solar, which is currently the owners preferred development plan, and will be heard by Zoning on 12/8/2020. The Board did not express any concerns with this request.

Findings of Fact:

Pursuant to such a hearing and testimony by appropriate representatives of the land owner and/or developer, the Burrillville Planning Board, upon careful deliberation and in accordance with the provisions of RIGL Section 45-23-30 and 45-23-60 Required Findings, has arrived at and agreed upon the following findings of fact by majority vote:

- The development is consistent with the Town of Burrillville's Comprehensive Plan;
- The Subdivision and Land Development Regulations are the same as they were at the time of original approval;
- The zoning of the parcel is the same as it was at the time of original approval;
- Physical conditions on the parcel are the same as they were at the time of original approval; and, any applicable State or Federal Regulations are the same as they were at the time of original approval.

Based upon the testimony and evidence gathered by the Burrillville Planning Board in written and oral form at and before the above-referenced hearing, the following motion is hereby recorded as the official action of the Burrillville Planning Board in the above cited matter:

Motion by: Stephen Foy and seconded by Dov Pick that the Petition for an extension of the Master Plan for Evergreen Estates be approved with the understanding that the petitioner is subject to all conditions of the original approval recorded on May 27, 2009 Book 680 Page 136.

The motion carried with Bruce Ferreira, Leo Felice, Stephen Foy, John Bonin Jr., Christopher Desjardins, Krista Iacobucci, Michael Lupis, and Ken Raspallo in favor. Dov Pick denied the motion and stated that he denied the original Master Plan years ago and will now deny the extension. He stated that this is not an appropriate site for development and this development plan does not comply with the Town's Comprehensive Plan.

Musso, Albert 1160 Tarklin Rd AP 199 Lot 8: Preliminary Plan Review, Minor Subdivision
https://www.burrillville.org/sites/g/files/vyhlif2886/f/uploads/20-043_musso_-_preliminary_minor_subdivision-proposed.pdf

Albert and Diane Musso were present. Planner Goff stated that the proposed plan is to subdivide a 10.5-acre parcel into two lots. Lot 1 is 5.5-acre with 344.09 feet of frontage and Lot 2 is 5.0-acre with 459.01 feet of frontage. Lot 1 will require a 105.91 Frontage Variance approval from the Zoning Board of Review as the F5 frontage requirement is a minimum of 450 feet. The Board felt that the subdivision would be in keeping with the neighboring lots and did not have any concerns with forwarding a positive recommendation to Zoning for a frontage variance.

Findings of Fact:

Pursuant to such a hearing and testimony by appropriate representatives of the land owner and/or developer, the Burrillville Planning Board, upon careful deliberation and in accordance with the provisions of RIGL Section 45-23-60 Required Findings, has arrived at and agreed upon the following findings of fact by majority vote:

- The subdivision is consistent with the Town's Comprehensive Plan, specifically Chapter V Housing, Implementation Action V.1.a.1.
- The subdivision will comply with the Zoning Ordinance as both parcels meet the minimum area requirements for the F-5 Zone. Lot 2 (Parcel B) meets the frontage requirement, Lot 1 (Parcel A) has 344.09 feet of frontage and will require a variance of 105.91 feet to meet the 450 foot F-5 zone requirement.
- The subdivision will have no significant environmental impacts if built according to the approved plan.
- The subdivision will not result in the creation of an unbuildable lot.
- The subdivision lots will have adequate and permanent physical access to Tarklin Road.

Motion by Stephen Foy and seconded by Christopher Desjardins that the Petition for the Preliminary Plan submission for Albert Muso 1160 Tarklin Rd AP 199 Lot 8 be approved with the following conditions and/or waivers:

- **Conditioned upon a variance approval from the Zoning Board**
 - **The Administrative Officer may conduct the review and approval of the Final subdivision plan.**
- The motion was carried unanimously by Bruce Ferreira, Leo Felice, Stephen Foy, John Bonin Jr., Christopher Desjardins, Krista Iacobucci, Michael Lupis, Dov Pick, and Ken Raspallo**

OTHER BUSINESS:

Administrative Reports:

- **Mountford Construction & Harris, David, Wallum Lake Rd & Manly Dr. AP 138 Lot 35 & AP 137 Lot 6:** Administrative Subdivision: Accept for the record.
- **Guilmette, Steven 555 Log Rd AP 237 Lot 4:** Administrative Subdivision. Accept for the record.
- **Labossiere, Michael & Gail, 303 Snake Hill Rd, AP 164 Lot 1:** Administrative Final, Minor Subdivision, Rural Residential Compound, two lots, no road. Accept for the record.

Leo Felice made a motion to accept the administrative reports for the record. The motion was seconded by Chris Desjardins and carried unanimously by Bruce Ferreira, Leo Felice, Stephen Foy, John Bonin Jr., Christopher Desjardins, Krista Iacobucci, Michael Lupis, Dov Pick, and Ken Raspallo.

Having nothing further, a motion to adjourn was made by Stephen Foy at 8:46 p.m. The motion was seconded by Dov Pick and carried unanimously by Bruce Ferreira, Leo Felice, Stephen Foy, John Bonin Jr., Christopher Desjardins, Krista Iacobucci, Michael Lupis, Dov Pick, and Ken Raspallo.

Bruce Ferreira, Planning Board Chairman

Nicole Stockwell

Nicole Stockwell, Administrative Aide