



Burrillville Planning Board Meeting Minutes-November 2, 2020 7:00PM

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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=eW1FYUJpc2VFVFFPQjA5TmZXWExBZz09>

CALL TO ORDER: Chairman Bruce Ferreira called the meeting to order at 7:00 pm.

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

ACCEPTANCE OF MINUTES: October 5, 2020 minutes

Stephen Foy made a motion to accept the October 5, 2020 minutes. The motion was seconded by Ken Raspallo and carried unanimously by Bruce Ferreira, Stephen Foy, John Bonin Jr., Christopher Desjardins, Michael Lupis, Dov Pick, and Ken Raspallo.

CORRESPONDENCE:

Chairman Ferreira stated that the Board received the following letters of correspondence:

- Letter from Abutter Jeanette Runey Re: Clear River Farms Preliminary Plan. Received September 17, 2020.
- Email from David Brunetti of the Environment Council of RI expressing his concern for greenfield solar siting and invitation to attend webinars on Smart Solar Siting for New England. Dated October 8, 2020.

OLD BUSINESS: None

NEW BUSINESS:

- **Clear River Farms, 860-900 E. Wallum Lake Rd., AP 121 Lot 1:**

Request for extension of Preliminary Plan approval set to expire in December 2020. Burrillville Subdivision Regulations 15-6.4b.

Planner Goff and Chairman Ferreira explained that there is a current 2+ year legal dispute between the abutter Jeanette Runey and the applicant involving the easement for the existing home. The Board agreed that this matter is not of concern to them in regards to the granting the Preliminary Plan extension.

Stephen Foy made a motion to extend the Preliminary Plan approval for Clear River Farms. The motion was seconded by Christopher Desjardins and carried unanimously by Bruce Ferreira, Leo Felice, Stephen Foy, John Bonin Jr., Christopher Desjardins, Michael Lupis, Dov Pick, and Ken Raspallo.

- **East Ave Solar, Pole 5½ East Ave, AP 162, Lot 32, Public Hearing:**

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

Paul Vanasse of John Somyk of Andromeda Real Estate, Joanna Achille of TJC Esq. Law Firm and Stuart Flanagan, Principal from Newport Renewables were present to discuss the Plan.

Attorney Achille explained that the Zoning Board granted approval for a Special Use Permit for the solar array and they are here this evening for the next stage of review. Chairman Ferreira explained that, at the Preliminary Plan stage, all engineering and design work should be completed and available for review and questioning from the Board. The Board reviewed the following concerns with the plan that need to be addressed:

- 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 proposed. 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.

Paul Vanasse explained that the Zoning Board made it a condition that the East Ave access location be shifted south, further away from Route 102 to meet setback requirements and that entrance is subject to DEM granting a Physical Alteration Permit. The applicants questioned the relocation of the array and access road. They also stated that the suggested changes may not be the most environmentally sensitive and cost effective design for this site as they would further impact the heavily wooded area of the site, would impact more abutters and would require additional buffering due to the elevation change. All items discussed will be reviewed at the site visit, which was unanimously decided by those in attendance to be

held on November 21, 2020 at 9am with a rain date of November 28, 2020 at 9am. This will be posted in accordance to state regulations.

Chairman Ferreira opened the Public Portion of the Meeting. First to speak was Valerie Copeland of 985 East Ave Road who expressed concern for her well which she described as close to the East Ave access road. She also expressed concern with the 18 feet of clearing needed to build the access road. These trees currently provide buffering between her property and Route 102. The Board requested that the well be identified on the plans and stated that her concerns will be reviewed at the site visit. Planner Goff stated that the Public Hearing Portion of the meeting will continue to December to address her concerns after the site visit. Next to speak was Diana Dutremble, lot 28 who expressed concern for water runoff. Planner Goff stated that a drainage plan will be required of the applicant who is responsible for, at minimum, maintaining existing runoff conditions.

Having nothing further, Ken Raspallo 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 Christopher Desjardins and carried unanimously by Bruce Ferreira, Leo Felice, Stephen Foy, John Bonin Jr., Christopher Desjardins, Michael Lupis, Dov Pick, and Ken Raspallo.

- **Proposed Amendments to General Ordinances-Chapter 30 Zoning, Home Occupations**

Planner Goff explained the proposed amendment, which is a modified version of Jeff Davis's North Kingstown ordinance, identifies and expands on the current home occupations that are currently allowed in Burrillville. Planner Goff explained that Zoning Official Joe Raymond has reviewed the draft and is satisfied with the more defined parameters this version offers. The Board suggested adding cell phone repair to the list. Planner Goff recommended the Board continue their review and discussion to the December meeting and then, when finalized, the revised ordinance will be forward to the Town Council along with a recommendation to consider its adoption.

OTHER BUSINESS:

- **Administrative Reports: None**

- **2021 Planning Board Meeting and Submission Deadline Calendar:** review and accept

Planner Goff reviewed the 2021 calendar with the Board who were in agreement with the scheduled dates.

Having nothing further, a motion to adjourn was made by Dov Pick at 8:50 p.m. The motion was seconded by Chris Desjardins and carried unanimously by by Bruce Ferreira, Leo Felice, Stephen Foy, John Bonin Jr., Christopher Desjardins, Michael Lupis, Dov Pick, and Ken Raspallo.

Bruce Ferreira, Planning Board Chairman



Nicole Stockwell, Administrative Aide