

**MINUTES OF THE PLANNING BOARD MEETING OF SEPTEMBER 11, 2017
AT THE JESSE SMITH LIBRARY COMMUNITY ROOM
SUBJECT TO APPROVAL AT THE NEXT REGULAR MEETING**

I. CALL TO ORDER:

Meeting was called to order at 7:02 p.m., Jeffrey Partington, Chairman, presiding.

Members Present: Jeffrey Partington, Robert Woods, Mark Tremblay, Leo Felice, Bruce Ferreira, Michael Lupis, Dov Pick, Christopher Desjardins and Jeffrey Presbrey.

Others Present: Joseph Raymond, Building Official, Raymond Goff, Planner and Christine Langlois, Deputy Planner.

II. ATTENDANCE REVIEW:

Mr. Partington acknowledged that all members were present.

III. ACCEPTANCE OF MINUTES:

The **minutes of the Planning Board meeting of August 7, 2017** were read. *A motion to accept the minutes, as presented, was made by Mr. Ferreira, seconded by Mr. Pick and carried unanimously.*

IV. CORRESPONDENCE:

- Letter to Steere Farm Village developer regarding the maintenance bond.

V. NEW BUSINESS:

ISM Solar Development Bronco Highway Project, 600 Bronco Highway, Burrillville; Map 231, Lot 21: *Conceptual Major Land Development Plan Review:* Attorney Arthur Russo, of Hobson & Coutu, and Gregory and Michael Lucini, of ISM Solar Development LLC, were in attendance to represent the request for the property located at the corner of Lapham Farm Road and Route 102. Attorney Russo told the Board that ISM was under contract with Mr. & Mrs. Sgaggero, owners of 600 Bronco Highway (the "Smith Farm"), to lease the property for the installation of a solar farm. The property is located within a General Commercial (GC) zone and is currently used to sell hay from the existing barn. He noted that a solar array is allowed within the GC district but would require a special use permit from the Zoning Board as well as a variance regarding the lot coverage. He stated that the array proposes to occupy approximately 37% lot coverage, but the Zoning ordinance requires only 20%. He then turned the presentation to Greg Lucini.

Mr. Lucini proceeded to explain why it has taken over two years to present the proposal to the Town, noting that agreements have been established with the Pascoag Utility District as well as National Grid. He stated that the site was selected because of the minimal amount of clearing necessary for the project, the "buffer" created by the side elevations of Bronco Highway, and the elevations from Lapham Farm Road. Access to the site will be from Lapham Farm Road, providing a front setback of 50 feet, with 30 feet on the rear and 15 feet on each side. Minimal tree pruning will occur along the property lines for better southern exposure. A six-foot security fence will be provided around the perimeter of the array. The point of interconnect for the array will be at the corner of Lapham Farm Road and Bronco Highway. In regards to the solar array, piles will be driven into the ground to secure the panels and none of the array sections will be higher than ten feet. The system is sized at 3.3 Mw/dc.

The Board members raised several concerns:

- Lot coverage calculations are at 37%. The proposal appears to cover more area. *Lot coverage has been calculated on the solar panels only.* [Several members were concerned with the method used for determining the lot coverage and the intent of the Zoning Ordinance.]
- Will there be access for tree trimming? *Yes. The security fence will be placed on the lot border and the array will be placed within the setback requirements. Typically there is 20 feet from the security fence to the first array.*
- Is an underground connection proposed for the array? *The connection will be overhead. It is very expensive to place underground as the Lapham Farm Road poles where the solar array connects to are not National Grid poles and require special equipment that is very costly from an underground perspective.*
- The aerial photo submitted appears to contain a patch of trees, a few acres in size, within the northwest corner of parcel. Is this trees or brush? Would more clearing be necessary? *A determination was made by the engineer of the project that the area does not meet the state requirements for a RIPDES application. There is brush and small sapling trees that has grown up but is not considered a "forest".*
- How will the grass be maintained underneath the solar panels? *The property will be planted with a solar grass known as "New England Solar Mix" which is a seed mix used by solar developers. It will not grow very high and can be maintained once a year by mowing and weed-trimming.*
- What grounds does the application have for requesting a zoning variance from lot coverage? *The site is a great site for a solar array, appealing to adjacent property owners, but not economically feasible if having to meet the 20% lot coverage requirement.* [It was noted that a zoning variance cannot be obtained for financial reasons.]
- What is the acreage of the parcel? *Approximately 13 acres.*
- How will the proposal meet the requirements of complying with a decommissioning plan? *Funds will be set aside in a passbook in the Town's name to cover future decommissioning activities.*

As there were no further questions, Mr. Lucini thanked the Board and stated that the next plan submission would be provided for the November meeting.

Econox Renewables (Sandberg Machine), 806 Broncos Highway Solar Development, Burrillville; Map 195, Lot 4: Conceptual Minor Land Development Plan Review: Mr. Scott Milnes, of Econox Renewables, Mr. Andrew Vardakis, of Amec Foster Wheeler Environmental & Infrastructures, and Mr. Bruce Sandberg, property owner, were in attendance to represent the request. Mr. Vardakis told the Board that the property is located at 806 Broncos Highway, within a General Industrial (GI) zoning district and contains 14.7 acres. He noted the presence of an existing roadway, located in the southern portion of the property, which will be used for access to the solar array. The area will be located in the rear southern corner of the property. The solar array, which is 250 Kw, will cover approximately one acre, or 6% of the lot coverage. The applicants are seeking Planning Board approval of the project as well as a special use permit from the Zoning Board. Describing the installation,

he explained that there are seven string inverters within the array, which connect all of the panels to a single transformer. From there the power will run underground along the roadway to two new utility poles adjacent to Broncos Highway, proceeding overhead to the National Grid tie-in. A RIPDES permit has been submitted, which is currently under review. The proposed limit of disturbance is about 3.5 acres, which includes the construction of the roadway, and there will be tree clearing in the area of the proposed array. There is an existing stream and wetland area in the north of the property, which have been delineated by a wetlands scientist, flagged and 50- and 100-ft buffers established. He noted, however, that the project has been designed to remain out of the wetland and buffer areas. There will be a six-foot chain-linked fence around the perimeter of the array and all setbacks are being met. He finished by saying that they were seeking a recommendation to the Zoning Board on the project and am currently scheduled to meet with the Zoning Board tomorrow evening.

The Board expressed concerns that the applicants were seeking a recommendation to the Zoning Board on the application tonight in order to meet with the Zoning Board tomorrow night but the plan was only being reviewed tonight as a conceptual plan. Mr. Milnes explained that they had tried to submit the materials in time for the review, but the items were submitted only last week. The Board was made aware of the fact that the application required a conditional approval in order to seek the required use variance from the Zoning Board. The Board also voiced concerns with the amount of tree cutting.

As the submission did not require an approval, and sufficient materials have been submitted for review, the preliminary plan application will be reviewed at the meeting in October.

Burrillville Solar LLC, Daniele Drive, Burrillville; Map 195, Lot 15: *Conceptual Minor Land Development Plan Review:* Mr. Mitchell Jacobs, of Energy Management Inc., and Mr. Craig Olmstead, of Burrillville Solar LLC, were in attendance to represent the request. Mr. Jacobs told the Board that Energy Management was the successful bidder for the Town's proposal for a solar array on a 20-acre parcel located within the Industrial Park on Route 102. The proposal is for a 4.2 Mw facility, and Energy Management will be leasing the land for the solar array from the Town for a 20-year contract period. They just received word that a contract has been awarded for this project by National Grid. It will be developed as a "community solar project" where some of the power generated by the installation can be sold to residents, at a discount, to reduce their electrical costs.

Mr. Olmstead told the Board that the project will be located on the northern portion of this parcel with the lot coverage being under the required 20%, or approximately 12 acres. The Board noted an issue with access to the property. Mr. Jacobs stated that they are currently working on easements for access. [The frontage of the lot within the industrial park has a large wetland area across the entire access.]

The Board expressed a serious concern with the amount of tree clearing and the solar array exposure to a group of abutters adjacent to the western portion of the property. They offered several suggestions for providing a separation with the abutters and also requested additional screening for the abutters.

Mr. Jacobs told the Board that the project did not have any immediate deadlines but that they were working on preparing a more detailed submission and would incorporate the concerns of the Board into that plan.

VI. OTHER BUSINESS:

Planning Board Discussion: *Discussion on Outstanding Issues with the Steere Farm Village Development:* Chairman Partington opened the discussion by stating that the Planning Department was in receive of a correspondence from the Burrillville Sewer Commission, dated September 6, 2017, pointing out that the Steere Farm Village subdivision was not required to connect to public sewer for several reasons. The Board discussed the previous guideline that when public sewer and water were located in the roadway, a development was required to connect to the systems. The letter from the Sewer Commission suggests the opposite. As there is currently a sewer line to the neighboring elementary school from South Main Street, why was the development not required to connect to the line? Mark Bard, developer for Steere Farm Village, was present and informed the Board that he was told by the Sewer Commission that if the development could support on-site wastewater treatment systems, the development would not have to connect to the public sewer system. The Sewer Department was saving space in the sewer system for commercial and industrial development. He was able to demonstrate that the development could do just that. The Board also noted that there was an approval letter from the Harrisville Water Department for connection to the public water system located at the intersection of Lapham Farm and Steere Farm Road. Mr. Bard stated that currently there is a six-inch water main in the road and because of a pressure problem, he would have had to upgrade to the line to an eight-inch in order to connect the development. He had tried to negotiate an agreement with the water department but was unable to do so.

The Board suggested addressing the sewer connection issues during the Comprehensive Plan updating process.

Report from Administrative Officer: The Board reviewed the report from the Administrative Officer for the month of August. They noted that during August, four Certificates of Completeness were issued, two plans were endorsed and no submissions were rejected as incomplete.

Having nothing further, *a motion to adjourn was made by Mr. Tremblay at 8:55 p.m. The motion received a second from Mr. Desjardins and carried unanimously by the Board.*

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