

**MINUTES OF THE PLANNING BOARD MEETING OF MAY 6, 2013  
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 7:00 p.m., Jeffrey Partington, Chairman, presiding.**

**Members Present:** Jeffrey Partington, Marc Tremblay, Rick Lemek, Leo Felice, Bruce Ferreira, Michael Lupis, Dov Pick, Christopher Desjardins, and Jeffrey Presbrey.

**Others Present:** Joseph Raymond, Building Official, Thomas Kravitz, Planning Director and Christine Langlois, Deputy Planner.

**II. ATTENDANCE REVIEW:**

Mr. Partington acknowledged that all members were present this evening.

**III. ACCEPTANCE OF MINUTES:**

The **minutes of the Planning Board meeting of March 4, 2013** were read. *A motion to approve the minutes, as presented, was made by Mr. Ferreira, seconded by Mr. Lemek and carried unanimously by the Board.*

**IV. CORRESPONDENCE:**

- Zoning Board Agenda for May 14, 2013;
- Correspondence from National Grid outlining responses to the Planning Board's concerns of the February 4, 2013 review of the Vegetative Maintenance Plan;

**V. NEW BUSINESS:**

**Discussion on Establishing a Solar Ordinance dealing with Solar Photovoltaic Installations** (referred by the Town Council): Mr. Kravitz told the Board that the Town Council had received several proposals for an amendment to the Town's Zoning Ordinance allowing ground-mounted solar photovoltaic installations. A formal proposal, submitted by the applicants (Benito & Jonathan Sgaggero) present this evening, was for property located at the corner of Route 102 and Lapham Farm Road. This zoning amendment request was received by the Town Council and forwarded to the Ordinance Subcommittee for review. The Ordinance Subcommittee, in turn, has referred it to the Planning Board for study, as is required by state law. He noted that the other proposal, which was withdrawn by the applicant, was for the Sweet's Hill property located on East Avenue. He pointed out that the proposals are for two different types of areas in Town: the Sweet's Hill property, within a residential area, has various topography of forest and ledge, protruding into a state management area, while the Route 102 property is commercially zoned, along a main highway, and level – lending itself well to this type of development. He added that the Sgaggero proposal will barely be visible from Route 102.

Continuing, Mr. Kravitz told the Board that the RIDEM had recently compiled a list from various cities and towns who have developed renewal energy ordinances for solar, wind and water. He had reviewed the list and, prior to the meeting, contacted the individual cities and towns in order to obtain input from them as to what they have encountered with these ordinances. He noted that most are shying away from their rural, farming, and open space districts – pushing it more towards commercial areas, which is probably

appropriate. In Burrillville, there are large tracts of land that could support this type of development, but they are not zoned commercial. Based upon the draft ordinance that he had prepared, he asked for their thoughts and comments.

The Board members had several questions and asked the following:

- How much power would be generated by a facility? (The proposal for Route 102 would generate 2-2½ megawatts, which would be sold back to National Grid.)
- How many houses would benefit from such a facility?
- Where is the line between residential generation and a commercial venture?
- What would be the footprint of such a facility?
- Would it have any effect on wetlands or wetland buffers? (Mr. Kravitz told the Board that it should definitely be set up on flat areas that can accommodate it, and it shouldn't be used as a reason to conduct "gravel pits or mining operations" all over Town.)
- Is it a "visual" issue having solar panels on a residential property vs. a commercial property?
- Does "scale" determine location? And, what is the scale?
- Shouldn't it be allowed by right in the residential-farming districts?
- Is there precedence for solar in other towns? Are we breaking new ground? (Mr. Kravitz said that only a couple towns have solar ordinances.)
- How do you control the location when a property owner is looking to install solar to augment his usage and the property is not located in an allowed area?
- What is the life expectancy of the solar panels? (20 years)
- What happens after the 20 years? (The company removes the panels and remediates the property. Or, the panels are replaced.)

Mr. Partington then proposed a scenario for discussion: allow solar within the General Commercial (with no restrictions); if not within the GC district, no more than 10% of the buildable area can be taken up for solar panels. Mr. Ferreira did not have a problem with this proposal as there are restrictions on ground slopes when building, sometimes making a lot non-buildable but may be able to support solar as the panels can be "stacked" on a hillside. Mr. Felice asked what happens in the case where a farmer may require 50% to subsidize his equipment. Mr. Partington said he could ask for a waiver.

Mr. Lemek stated that he felt if a company generates power to sell, the facility should be located in a commercial district. If it is generated for a homeowner, they should not be allowed to sell it back to the electric company. Mr. Presbrey added that residential accounts are not allowed to sell back electric – they are required to "donate" it back so it can be used for less fortunate customers. Mr. Tremblay said that he felt it should be allowed by special use permit under some sort of guidance. Mr. Partington said he preferred to review a plan to see what fits best for the property.

Mr. Desjardins questioned the amount of revenue generated with a 3-kilowatt solar farm. Mr. Kravitz said that he was told a 2-megawatts farm would generate around \$17,000-\$27,000 in terms of tax revenue. Mr. Desjardins said he was asking about profit as he

wondered if developers would be more likely to lean toward a solar farm for profit vs. housing.

Referring to the language proposed for the solar ordinance, Mr. Kravitz said that the draft conceptualizes that solar is allowed by a Special Use Permit. The Planning Board must review the project and render an opinion, which is then forwarded to the Zoning Board for their consideration when reviewing the Special Use request. There is an option of allowing solar, by right, in the General Commercial district, with a site plan review by the Planning Board. The other districts would require a site plan review by the Planning Board and a special use permit from the Zoning Board.

The Board questioned whether there was a time limit for rendering an opinion on the proposed language. Mr. Kravitz told them there was no time limit and that the applicants would be submitting a request to the state in October. He asked the Board if they would like to continue the review to the next Planning Board meeting. The Board asked to have experts (USDA, Rural Development, URI, Pascoag Utility District) at the next meeting to answer their questions in regards to construction, soil types, water tables, wetlands, - what constitutes buildable. Mr. Pick stated that he would like to think about this more, from a real estate point of view, as they may be venturing in a different or obtrusive manner.

In summary, Mr. Partington asked the Board if they all agreed that solar farms should be an allowed use in the General Commercial District, and should it require a Special Use Permit. The Board members agreed that it should be an allowed use in the GC zoning district, and it should not require a Special Use Permit. Mr. Partington asked the Board if they would consider allowing the solar farms in the open space. Mr. Lupis pointed out that if solar farms are placed in the open space areas, residents would not be able to walk the properties and therefore restrict the open space.

Referring to the Zoning map, Mr. Kravitz then added that it can be classified according to the landscape of the properties as two of the larger tracts of land are in the GC and F-5 zoning districts, with other parcels located in the F-2 and R-40 districts.

The Board questioned whether there was a limit to a particular size. Mr. Sgaggero told the Board that the State, on a yearly basis, informs the commercial solar businesses what the maximum production size, from large farms, for that year will be. National Grid can then choose which farm they deal with by comparing costs and locations. Even before the limit is establish, a business has to apply to the State for approval.

As the Board had many unanswered questions, they agreed to continue their review to a workshop scheduled within the next two weeks.

## **VI. OTHER BUSINESS:**

**Report from Administrative Officer:** The Board noted that during the months of March and April, a Certificate of Completeness was issued for: **Carl & Susan Smith and Eugene Cazeault, Jr., Eagle Peak Road, Pascoag** (Administrative – two lots).

There were no plans rejected as incomplete. The following plans were endorsed: **Carl & Susan Smith and Eugene Cazeault, Jr., Eagle Peak Road, Pascoag** (Administrative – two lots); and **Pascoag Village, South Main Street, Reservoir Road and George Eddy Drive, Pascoag** (Final Minor Subdivision – three lots).

**Planning Board Discussions:** none.

*As there was nothing further for discussion, a motion to adjourn was then made by Mr. Ferreira at 8:05 p.m. The motion received a second from Mr. Desjardins and carried unanimously by the Board.*

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