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**TOWN OF HOPKINTON
PLANNING BOARD**

**Wednesday, May 3, 2017
7:00 P.M.**

**Hopkinton Town Hall
One Town House Road, Hopkinton, Rhode Island 02833**

10 **CALL TO ORDER:**

12 The May 3, 2017 meeting of the Hopkinton Planning Board was called to order at 7:00 P.M. by Al DiOrio.

14 **MEMBERS PRESENT:**

16 Al DiOrio, Amy Williams, Frank Sardone, Tom Holberton, and Josh Bedoya were present.

18 Also present were: John Pennypacker, Conservation Commission, James Lamphere, Town Planner; Kevin McAllister, Town Solicitor; and Sean Henry, Planning Board Clerk.

20 **APPROVAL OF MINUTES:**

22 MS. WILLIAMS MOVED TO APPROVE THE MARCH 1, 2017 MEETING MINUTES.

MR. SARDONE SECONDED THE MOTION

24 MS. WILLIAMS, MR. SARDONE, MR. HOLBERTON, AND MR. BEDOYA APPROVED.

MR. DIORIO ABSTAINED.

26 MS. WILLIAMS MOVED TO APPROVE THE APRIL 5, 2017 MEETING MEETING.

28 MR. HOLBERTON SECONDED THE MOTION.

MR. DIORIO, MS. WILLIAMS, MR. SARDONE, MR. HOLBERTON, AND MR. BEDOYA APPROVED

30 **OLD BUSINESS:**

32 None

34 **NEW BUSINESS:**

36 **Minor Subdivision** – Preliminary Plan Stage – 2 Lot Minor Subdivision – AP 17 Lot 10 – Spring Street –Triple C, LLC, applicant.

38 Christine Austin was present representing Triple C, LLC. She described the project as a
40 two-lot subdivision on Spring Street being created from her existing 37-acre lot.

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2 Questions from the Planning Board:

4 Ms. Williams: What is happening with the rest of the property?

6 Ms. Austin: I have no further plans at this point. We intend to use the property for our horses, maybe create one or two more lots in the future.

8 Mr. Holberton: You still have enough frontage to create more lots, if you'd like to?

10 Ms. Austin: I do, but the most of the rest of the property is open space. I'd like to get into the Farm program, and have riding trails and a pasture for our horses.

12 Mr. Holberton: Have you been advised properly that what you're doing may prevent certain options in the future from being available?

14 Ms. Austin: Yes, absolutely. I bought the acreage for personal use, but decided to break off a two-acre parcel in order to get a little more money to do what we need to do. Creating just the two-acre lot was more expensive than I had expected.

16 Mr. Sardone: You don't have any other new lots planned maybe two or three years down the road?

18 Ms. Austin: No, not right now. We had DEM come and flag all of the wetlands on the property. I don't have any plans right now.

20 Mr. Lamphere: I don't see any problems with the application as it is. I will note, with the driveways situated as they are, getting a Physical Alteration Permit from the state might be problematic in the future for any additional lots.

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24 There were no questions from the public

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28 MS. WILLIAMS MOVED THAT THE PLANNING BOARD, MAKING POSITIVE FINDINGS OF FACT WITH REGARD TO CONSISTENCY WITH THE COMPREHENSIVE PLAN, EACH LOT CONFORMS WITH THE TOWN'S ZONING ORDINANCE, THERE ARE NO SIGNIFICANT NEGATIVE ENVIRONMENTAL IMPACTS FOR THE PROPOSED DEVELOPMENT, THE SUBDIVISION WILL NOT CREATE UNBUILDABLE LOTS, ALL PROPOSED LOTS WILL HAVE ADEQUATE AND PERMANENT LEGAL ACCESS TO A PUBLIC STREET, EACH SUBDIVISION SHALL PROVIDE FOR SAFE CIRCULATION FOR PEDESTRIAN AND VEHICULAR TRAFFIC, FOR SURFACE WATER AND RUNOFF CONTROL AND SUITABLE BUILDINGS SITES, THE PRESERVATION OF NATURAL, HISTORICAL, AND CULTURAL FEATURES, THE DESIGN OF IMPROVEMENTS SHALL MINIMIZE FLOODING, APPROVE THE PRELIMINARY PLAN AND THAT FINAL PLAN APPROVAL BE PERFORMED ADMINISTRATIVELY BY THE TOWN PLANNER.

38 MR. SARDONE SECONDED THE MOTION.

40 MR. DIORIO, MS. WILLIAMS, MR. SARDONE, MR. HOLBERTON, AND MR. BEDOYA APPROVED

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2 Development Plan Review – Proposal for 250kW Ground-mounted Solar
4 Development – AP 22, Lot 26 – 722 Main St. – Econox Renewables, applicant.

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Andrew Vardockas presented as a representative of Econox Renewables. He explained the project a planned 250kW solar array that will occupy approximately one acre of fenced land or less along Main Street. The west side of the improved area will be screened with vegetation to block view from the roadway. The entrance will be off of the existing Reynolds Court, and the project will comply with erosion and sediment control requirements. Scott Milnes, president of Econox Renewables, was also present to answer any questions.

12

14 Questions from the Planning Board:

16 Ms. Williams: The solar ordinance requires a farm be at least 15 acres in order to allow a photovoltaic system. This property is only eight acres.

18 Mr. Vardockas: I did speak to Mr. Lamphere about this. The owners own three contiguous parcels, including this one, that combine to over forty acres.

20 Ms. Williams: Are these panels moving, or stationary? Will they produce a glare?

Mr. Vardockas: The panels are stationary.

22 Mr. Milnes: Solar panels are built to absorb light, so they won't produce any glare. We want to disturb the site as little as possible.

24 Mr. Holberton: How is it maintained?

Mr. Milnes: There's grass under the array, and we watch it online and service it once or twice a year. The grass is maintained by the owner of the system.

26 Mr. Holberton: What's the life expectancy of the system?

28 Mr. Milnes: Twenty years. The agreement we have with National Grid is for twenty years, the life expectancy for the system itself is twenty-five years.

30 Mr. Holberton: What's going to happen at the end of those twenty to twenty-five years?

32 Mr. Milnes: At twenty-five years, your modular efficiency will be at about 80% and you'll have to renegotiate with National Grid if they want to keep buying the power. At the end of the system life, everything is removed from the site. Either another contract will be re-negotiated, or the site will be decommissioned and everything removed and the land returned to its original state.

36 Mr. Sardone: So potentially in twenty years, you could upgrade the site and continue?

Mr. Milnes: It depends on what programs National Grid is running at the time.

38 Mr. DiOrio: I'd like to applaud your use of an already open field. I think you should reconsider the screening. If your objective is to screen the project from the road, then there's a section that you've missed.

Mr. Milnes: We could extend the screening further.

42 Mr. DiOrio: If you incorporate that, I think it would be an improvement.

Mr. Holberton: Are there any changes to the drainage or runoff?

44 Mr. Milnes: We're not really changing anything that's there, so any runoff just drains to a grass area.

2 Mr. Lamphere: I was wondering if you've run this plan by the Fire Marshal.

4 Mr. Milnes: We've spoken to the Fire Marshal, but we have to work with him through
the permitting process as well. We're going to show them how to shut the system off
using the load-break pole, which is required by National Grid.

6 Mr. Lamphere: Do the inverters make any noise?

8 Mr. Milnes: They make a low humming noise. I can get the decibel levels, but I know it's
low. When you're at the fence you won't be able to hear them.

10 Mr. Lamphere: I bring it up because I read an article recently from Edgartown, MA
where they have a 5.8 acre site, and the neighbors were complaining about the noise
from the inverter.

12 Mr. Milnes: They were probably using a central inverter, which is much bigger than
these. These are micro-inverters, and make much less noise.

14 Mr. Pennypacker: I'm delighted that this industry can help our local farms, and that
Hopkinton is producing green energy. I will miss the rolling hills over there, but other
than that I'm happy to see it come into town.

18 Questions from the Public:

20 Mr. Buford: The Farm Viability Ordinance was intended to accommodate properties that
were multiple parcels. The intent was to include properties that were multiple parcels or
22 divided by roads. I also wanted to mention that I know of very high-quality farm fences
that I think are better than the chain-link option, which I hope the applicant will
24 consider.

26 Mr. Milnes: The fencing requirements are governed by the National Electric Code. We
can look at options, but there are certain requirements we have to meet.

28 Mr. Buford: How many kilowatt hours do you think this 1 acre site generates in a year?

Mr. Milnes: 325,000 kw/h.

30 Ms. Capalbo: We're hoping that these systems are here, but that we don't see them
everywhere. If that other fencing is cheaper than chain-link, then I hope you'll take a
look at it. Chain-link wouldn't allow small animals to move through. I'm also interested
32 in the decommissioning part, which we decided not to bond. Mowing is also important,
so trees and other vegetation don't take hold. And I think it's a good thing that you're
34 helping the farm.

Mr. Wood: Is there just one pole for the project?

36 Mr. Milnes: National Grid puts one pole in, and the customer puts one load-bearing pole
in, so there are two poles total. The rest of it is underground.

38 Mr. Wood: I've read that solar farms are good for wildlife.

40 Mr. Lamphere: Is the ownership of the system allowed to be transferred during the life
of the project?

42 Mr. Milnes: Yes, ownership can transfer.

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2 Planning Board members agreed that they would like to see the project re-appear before
4 the Board, and not waive further review. The applicant confirmed that no further
6 regulatory permits are required. The Planning Board asked that the applicant revise
8 their screening and fencing plans based on the discussion at the meeting, and the
applicant will re-appear before the Board at a future meeting to continue Development
Plan Review.

10 THE PLANNING BOARD DOES NOT VOTE FOR A PRE-APPLICATION MEETING.

12
14 **Development Plan Review – Proposal for 250kW Ground-mounted Solar
Development – AP 7, Lot 48 – 34 Kenyon Lane – Econox Renewables, applicant.**

16 Mr. Milnes and Mr. Vardockas presented their second solar project to the Planning Board. The
18 project is similarly sized and situated as the previous project. This project is located on Kenyon
20 Lane, also a farm. The project area will not be visible from abutting properties. There are trees
22 that need to be cleared, estimated to be about one tenth of an acre. Mr. DiOrio suggested that, like
the previous project, they consider with this one the fencing concern that the Planning Board
already raised.

24 Questions from the Planning Board:

26 Ms. Williams: There's an issue with bats possibly roosting in those trees.

28 Mr. Milnes: There is a one-month time period where cutting is prohibited, as required by USEPA,
from July 1 to August 1.

30 Mr. Vardockas: We're actively working with RIDEM on this location and a number of others to
identify where the bats are.

32 Mr. Holberton: Your plans don't include any structures shown, is that correct?

34 Mr. Marsh: The only house is my own.

36 Mr. DiOrio: I suggest they be added to the plans.

38 Questions from the public:

40 Ms. Capalbo: I'm glad design aesthetics have been included in the plans.

42 Ms. Grant: I represent the Hopkinton Land Trust. We have easements on abutting properties. I
can't see those boundaries on the map.

44 Mr. Marsh: The property boundary is at least a half a mile away.

46 The Planning Board concurred that the project would continue within the Development Plan
Review ordinance, and were generally in favor of the project returning to the Board with the
revised information based on the meeting.

THE PLANNING BOARD DOES NOT VOTE FOR A PRE-APPLICATION MEETING.

2 Advisory Opinion to Town Council – Request for Comprehensive Plan/Zoning
4 Map Amendments – RI Solar Renewable Energy LLC & Pelouquin Builders – AP 3
4 Lot 53D – Alton-Bradford Road

6 Attorney Vincent Naccarato was presenting for the applicants. Mr. Naccarato explained that the
8 matter before the Board included two petitions: recommendations to the Town Council for a zone
10 change from RFR-80 to Manufacturing Special, and for a change to Hopkinton Comprehensive
12 Plan’s Future Land Use Map (FLUM). Both petitions would be for the purpose of building a
13MW Solar Array for power generation. Mr. Naccarato brought experts with him to help
describe the project, which has already been largely designed prior to the requests for zoning and
FLUM changes. Mr. Naccarato’s first expert was Mr. Jeff Hanson.

14 Mr. Hanson: For the record, my name is Mr. Jeffrey Hanson. I am a registered professional
engineer in the state of Rhode Island for Milnestone Engineering.

16 Mr. Naccarato: Your firm did a site survey for the property?

18 Mr. Hanson: Yes. We did an existing conditions plan on the property. It’s approximately 78.9
20 acres, with frontage on Alton Bradford Road. It’s currently zoned RFR-80, probably has some
freshwater wetlands on it, and is outside of the 500-year floodplain. Grading is from the east to
the west, with moderate slopes.

22 Mr. Naccarato: What are the existing conditions on the site? Any structures or uses?

24 Mr. Hanson: It’s mostly wooded, no previous uses to my knowledge.

26 Mr. Naccarato: Do you know what the zoning is for the neighboring properties?

28 Mr. Hanson: It’s Manufacturing to the west and south, RFR-80 on the other side.

30 Mr. Naccarato: The property is also burdened by an easement?

32 Mr. Hanson: That is correct.

34 Mr. Naccarato: That easement was reserved by the Grills Trust, which has since been conveyed to
the Hopkinton Land Trust?

36 Mr. Hanson: Correct.

38 Mr. Naccarato: In your opinion, is the easement on the plans adequate?

40 Mr. Hanson: I believe it satisfies the requirements of the language, yes. The easement is not
42 defined by metes and bounds, it’s defined visually. It’s clear in the easement that a road or right-
of-way can be created.

44 Mr. Naccarato: Is there anything else you can say about the entrance to the property?

46 Mr. Hanson: The entrance will be created along the west side of the frontage, in order to avoid
some wetlands.

48 Mr. Naccarato: Having a swath of Manufacturing-zoned property to the south and west, this
property would not have any problems with spot zoning, correct?

48 Mr. Hanson: No, it would not.

42 Mr. Naccarato submitted Hopkinton Assessor’s Map #3, a previously record survey describing
44 the easement area, and deed for the property recorded on book 435 page 199 to the record.

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2 Questions from the Planning Board:

4 Ms. Williams: Is this property part of the aquifer Primary Protection Zone?

Mr. Naccarato: If it is, it would need an Aquifer Protection Permit.

6 Ms. Williams: The property to the south is zoned Manufacturing but is owned by the Land Trust?

Mr. Naccarato: That is correct.

8 Mr. McAllister: I was interested in the zoning of the adjacent properties and that was covered nicely.

10 Mr. Pennypacker: I'm curious about the language of the easement.

Mr. Naccarato: The language is in the deed.

12

Mr. Naccarato called Mr. Kevin Morin.

14

Mr. Morin: My name is Kevin Morin. I'm a registered professional engineer for DiPrete Engineering.

16

Mr. Naccarato: Your firm was engaged by the applicant to prepare a site plan for this project?

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Mr. Morin: That is correct. David Russo is the primary engineer on this project, but I'm helping here tonight. The property is predominantly wooded, wetlands areas total about 15 acres of the property, leaving about 63 acres upland. This is a utility-scale project that utilizes the majority of the footprint, incorporating a fence, interior access road, and other features. For this plan, we respected the RFR-80 setbacks. Included in the packet are plans that we submitted to RIDEM for erosion and sediment control. The approach we took was changing the woods to grassland, and we understand what RIDEM is looking for with stormwater management. We designed five infiltration areas to capture run-off. There's a ten foot space between the fence and the solar panels. We have a Physical Alteration Permit request with RIDOT. We're staying out of the wetlands areas and have a buffer area between the wetlands and the solar area.

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Mr. Naccarato: And the grass is able to be cut between the rows of solar panels?

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Mr. Morin: The grade is very conducive to the project. The only real grading required is near the infiltration areas. The basins are fairly shallow. We also included some areas for parking for the Land Trust easement. There'll be no septic or water service on the premises.

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Mr. Naccarato: Are there any poles coming into the site?

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Mr. Morin: There are utility poles coming into the site, which one of the experts can comment more on. We do note that the project is in the Groundwater Protection area, and in the Town's Primary Protection Zone.

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Questions from the Planning Board:

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Ms. Williams: Can you show the area where the trees will be taken down?

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Mr. Morin: The area to of disturbance is a little over sixty acres.

Mr. Lamphere: Is there any visibility of the project from nearby highways?

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Mr. Morin: This plan doesn't incorporate visibility. The project does start fairly close to Alton Bradford Road. That's something that we'll have to work with the Planning Board on.

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Mr. DiOrio: How far back from the road does the array start?

Mr. Morin: It starts probably with 75-100 feet, where it's fairly narrow.

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Mr. Sardone: How are you buffering the project from adjacent properties?

Mr. Morin: Right now we just have the fence. The plans submitted tonight did not include any landscape planning, but we'll be revising that in the future.

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Mr. Naccarato: Adjacent to the property are residences and a church. We'll have to buffer that line.

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2 Mr. Holberton: How much of a buffer will be left after clear cutting the 60 acres?
Mr. Morin: On the far south side the fence is pretty near to the property line. The east side will
4 have the ten foot easement.
Mr. Holberton: Can I ask about the Physical Alteration Permit? I rely RIDEM to review air and
6 water quality, so they should be involved how on this project? Is all that's required for the clear
cutting is a Physical Alteration Permit?
8 Mr. Morin: If they don't have any concerns, they would issue an Insignificant Alternation Permit.
RIDOT has a Physical Alternation Permit.
10 Mr. Holberton: For the road, or for the project?
Mr. Morin: Specifically it's for the access from the highway, but it also involves the change in use.
12 Mr. Holberton: How do I know the clear cutting and the run-off will be reviewed by somebody at
RIDEM?
14 Mr. Morin: RIDEM reviews stormwater management, soil erosion and sediment control,
operation and maintenance program for the construction stage and long-term. They'll review all
16 of that.
Mr. Holberton: And there aren't any town or state regulations that say you can't clear cut this
18 amount of land?
Mr. Morin: Not to my knowledge.
20 Mr. Naccarato: Do you expect approval of all permits?
Mr. Morin: Both applications have been filed. I expect they will be granted, but it's not
22 uncommon for there to be questions about things and refinements. RIDEM can take some time to
review, RIDOT perhaps sooner because the impact on circulation is low.
24 Mr. DiOrio: I am not comfortable with that. RIDEM and RIDOT aren't looking out for the Town's
best interest. I don't think we have any other ordinance that would allow a blatant clear cut of
26 sixty acres.
Mr. Lamphere: Do you need a RIPDES permit?
28 Mr. Morin: RIPDES was applied for with the wetlands application. They're done together.
Mr. McAllister: Amy asked about whether project was located over the Primary Protection Zone
30 and we got two answers. It is, correct?
Mr. Morin: I'm not sure if it's a portion or completely in the zone, but it is in both the RIDEM
32 Groundwater Protection area and the Primary Protection Zone of the town.
Mr. McAllister: Who reviews what potential impact, if any, there would be on water quality
34 within the aquifer on that level of clear cutting?
Mr. Morin: I'm not certain if that's something that would be part of freshwater wetlands review.
36 RIDEM will review groundwater quality, but I don't know about the aquifer.
Mr. Pennypacker: How would you characterize the effect of this project on Hopkinton having
38 attractive residential neighborhoods, as outlined in Hopkinton's Comprehensive Plan Goal H1?
Mr. Morin: The project area will be cleared, but I think that the landscape plan is something that
40 can be worked out with neighboring property owners.

42 Mr. Naccarato called Sadar Soytok, of Karbone Engineering, New York, NY.

44 Mr. Naccarato: How many megawatts is the project you're proposing?
Mr. Soytok: The project will generate 18.2 MW DC, 13.875 AC project. The panels are spaced 13.8
46 feet apart, with the leading edge 2.5' high and the highest part of the panel is 8' high.
Mr. Naccarato: Are the panels stationary?
48 Mr. Soytok: Yes, they do not move. They are ground-mounted at a 25 degree angle tilt angle.
Mr. Naccarato: Does the 13.8' space allow sufficient space for mowing?
50 Mr. Soytok: Yes, this is the optimum spacing for this kind of project.

2 Mr. Naccarato: Where are the inverters on this site?

Mr. Soytok: The inverters are next each other in an island, far away from the edges of the site.

4 Mr. Naccarato: Do the inverters make noise?

Mr. Soytok: This inverter is classified as generating less than 50 decibels at a three meter distance. The inverters are centralized in the heart of the array, so noise is lessened at distance. Rhode Island requires a noise impact study be completed by a third party.

8 Mr. Naccarato: Does your firm do maintenance for the site?

Mr. Soytok: Yes, we monitor the site remotely and send technicians out as required. There will be an annual inspection and preventive maintenance every six months to clean or change the inverter filters as needed, inspect the panels and other features.

12 Mr. Naccarato: Assuming a panel is damaged, how soon would it be fixed?

Mr. Soytok: One panel is difficult to notice on a project of this size, there are over 46,000 panels. If there are any irregularities with the current, we will know. Typically, if something is wrong, we will send someone within 24 hours. There will be spare components kept on site for repair by local technicians.

16 Mr. Naccarato: Is there any other maintenance required?

18 Mr. Soytok: Annual maintenance on the medium voltage components, checking for any damage due to increased temperatures. There are different contractors for the low-, medium-, and high-voltage components.

Mr. Naccarato: How much traffic will the site generate? How often would you visit the site?

22 Mr. Soytok: We typically check the site once a month. It's remotely monitored, but based on the size we would want to make sure everything is operating correctly. But this is nearly maintenance-free when compared to coal or gas power plants.

Mr. Naccarato: This is not the first site you've designed?

26 Mr. Soytok: I have been in the solar and wind industry for about fifteen years.

Mr. Naccarato: Are you a licensed professional engineer?

28 Mr. Soytok: I'm not a professional engineer.

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32 Questions from the Planning Board:

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Mr. Sardone: Why are you cutting the trees on the north side of the property?

36 Mr. Soytok: I have no issues with the trees on the north side. Long-term it might interfere with the operational phase of the site. The property line is northwest, so shading losses are significant.

38 Mr. Holberton: When monitoring the site, do you consider an emergency to be system failure, or an emergency?

40 Outages or accidents from the grid. We've incorporated protections to prevent issues with the grid, so any outages or accidents should be able to be isolated.

42 Mr. Sardone: How many inverters are there?

Mr. Soytok: There are 111, weighing about 140 pounds each.

44 Ms. Williams: How many of these projects have you decommissioned? How would that work for this type of power plant?

46 Mr. Soytok: I've never decommissioned a solar plant, but I have decommissioned wind turbines.

Ms. Williams: With 46,000 panels, that is a lot of hardware to take out.

48 Mr. Soytok: I believe they require a decommissioning bond for that.

Mr. Sardone: Once decommissioned, how do they restore the site to its previous state?

2 Mr. Soytok: The product warranty is for 12 years, and it loses about 16% effectiveness over 25 years. When you buy the module, you're paying for the recycling of the unit.

4 Mr. Morin: Components would be removed and dealt with appropriately. The grass surface would be allowed to regrow. The future use of the property is up to the property owner.

6 Mr. Lamphere: The Town ordinance Chapter 246 outlines the requirements of decommissioning. A bond will be required by the applicant to cover the decommissioning. Is your company
8 Karbone licensed to operate in Rhode Island, and are you licensed to practice in Rhode Island?

Mr. Soytok: I am not licensed in Rhode Island.

10 Mr. Lamphere: Who requires the noise survey to be done?

Mr. Soytok: The developer handled that issue and can provide that information

12 Mr. Lamphere: Are you aware of any instruments that can attenuate the sound from the site?

Mr. Soytok: I'm not aware of such products, I can look into it. We have enough information to do
14 a theoretically measure the noise generated.

Mr. Naccarato: Would that be covered at the Development Plan Review stage?

16 Mr. Lamphere: It would be a good idea to have the theoretical data at the onset before the project is reviewed. Once it's built, there's only so much you can do.

18 Mr. DiOrio: Project approval is not granted as part of the advisory opinion to the Town Council. The Planning Board can still require those details during Development Plan Review.

20 Mr. Pennypacker: With respect to the stated Economic Development goals in the Comprehensive Plan, will there be any employees at the facility?

22 Mr. Soytok: The site will be remotely monitored, there is nobody on the premises every day.

24 Mr. Naccarato submitted the Special Use Permit approved in 2007 by the Zoning Board for an RV
26 Park on the property into the record. He then called Mr. Thomas Converse, of LIG Consultants, Canton, MA as a witness.

28 Mr. Converse designed the interconnection part of the project, the joining of the solar array to the
30 electrical grid. It has been designed to National Electrical code, and National Grid has restrictive standards for connectivity. The plan proposes pole from Alton Bradford Road to the project site, and National Grid requires a breaker device that is monitored. The project requires ISO-New
32 England review due to its size, and will have communication devices to track energy usage.

34 Mr. Naccarato: Do you have a proposed substation for the project?

Mr. Converse: That is up to National Grid, but we have proposed one.

36 Mr. Naccarato: You've proposed two poles?

Mr. Converse: There is one pole for a proposed air jack switch, and then three metering poles,
38 then the rest of the project is wired underground.

Mr. Naccarato: The poles would be erected near the front edge of the property?

40 Mr. Converse: National Grid poles would be up front, the three meter poles would be on the interior of the property.

42 Mr. Naccarato: Are you familiar with solar project?

Mr. Converse: We've designed over one hundred interconnection designs.

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46 There were no questions from the Planning Board.

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Questions from the public:

Mr. Pennypacker: The property is not in a floodplain, but what if there was water under the panels?

Mr. Soytok: A drainage system is required, so that is unlikely. The panels are 2.5' above the ground, so there shouldn't be any issues.

Mr. Converse: The underground connections are water-tight, and there will be a pad-mounted transformer.

Mr. Pennypacker: Going back to the Town's Comprehensive Plan, Land Use Goal #1 is to preserve the rural character of Hopkinton. Do you believe this project does that?

Mr. Morin: I think it does. The use is fairly benign, with almost no impervious surface on site. The goal was to comply with state regulations for stormwater and water quality, and I believe we've done that.

Mr. Naccarato: There is a provision in the zoning ordinance that prohibits commercial structures within 100' of a residential zone boundary. So we would be required to keep the panels 100' away from the boundary, which may lessen the amount of cutting required.

Mr. Wood: Representing the Hopkinton Land Trust, we obtained that easement from the Grills Trust for a considerable amount of money, and HLT has the responsibility to obtain suitable compensation on it. We've not yet reached agreement with the applicant. We would like to suggest the Town Council consider settlement of that easement as part of their review.

Mr. DiOrio: I'm not sure we can cite specific reasons to the Town Council as part of our advisory opinion.

Mr. McAllister: There is a very strict timeline on advisory opinions for zone changes, from 45 days from receipt of the application. With respect to advising, the Planning Board should only advise what they feel comfortable with.

Mr. DiOrio: I think that to the extent possible, we'd like to consider that request.

Ms. Capalbo: There was a very thorough presentation tonight. I think it's unfortunate that there are no jobs associated with the property. Fifty decibels is not loud, but if each unit is producing that amount, there could be a cumulative effect.

Mr. Buford: I understand the desire to keep the process for approval streamlined. The property has prime agricultural soil, and the Conservation Commission would like to see the property to into farming after the solar use has concluded. The project could produce \$113M in income over the life of the system. I would like to see the Town capitalize on low-cost local energy.

Mr. DelVicario, the project's applicant addressed the Planning Board. He felt that he can address several of the issues raised at the meeting. The sound can be measured, and perhaps addressed with screening. They can produce landscaping plans in detail with abutters' concerns addressed. He stated that they would like to be minimally disruptive to the topography of the property, making reclamation at the end of the system's life possible.

Mr. Naccarato: What are the tax implications of the project?

Mr. DelVicario: We would be responsible for local property taxes, plus up to \$5000 oer megawatt generated. 13MW AC would be \$65,000. With regards to the easement, there was a Class 1 survey performed. We've made an offer to HLT and the lawyers are working towards an agreement. We've invited HLT to inspect the easement, and have added requested parking and a nominal amount to HLT.

Ms. Williams: What are the permitted uses within an Aquifer Protection Zone?

2 Mr. Lamphere: Use Code 486 would require an Aquifer Protection Permit from the Zoning Board.

4 Mr. DiOrio: I don't feel there are any obstacles to advancing the project to the Town Council. There have been several concerns raised about the project, including the status of the easement to HLT, the magnitude of the alteration to the environment posed by the clear cutting, and the possibility of reduced energy costs to the Town.

8 Mr. Holberton: I think there has been a lot of information relayed tonight. I would like to think on it further and don't think I'm in a position to decide either way tonight.

10 Mr. Bedoya: I would be prepared to advance this to the Town Council.

12 Ms. Williams: I think that clear cutting over 60 acres would be in conflict with the Comprehensive Plan. I don't think I'd be able to make positive findings for the amendments.

Mr. Sardone: That's how I feel as well.

14 Mr. Pennypacker: Will rezoning the property have an effect on adjacent property values?

Mr. DiOrio: Property owners will appear before the Town Council to address that concern.

16 Mr. McAllister: I think the advice to the Town Council can be that there was a lack of consensus and express the concerns that you have with the project and recommend that they consider those things.

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22 AFTER CONDUCTING A HEARING THAT INCLUDED EXPERT TESTIMONY PRESENTED ON BEHALF OF THE APPLICANT, AFTER OBTAINING PUBLIC INPUT, AND AFTER LENGTHY DELIBERATION AMONG THE PLANNING BOARD MEMBERS, MS. WILLIAMS MOVED THAT THE PLANNING BOARD ADVISE THE HOPKINTON TOWN COUNCIL THAT THE PLANNING BOARD WAS UNABLE TO REACH A CONSENSUS OR RECOMMENDATION REGARDING THE PROPOSAL TO AMEND THE COMPREHENSIVE PLAN AND THE ZONING MAP TO MANUFACTURING SPECIAL DUE TO SEVERAL CONCERNS, WHICH INCLUDE: RELUCTANCE TO ENDORSE THE CLEAR CUTTING OF OVER SIXTY ACRES OF WOODED LAND WITHOUT MORE INFORMATION CONCERNING POTENTIAL ADVERSE IMPACTS TO THE TOWN'S NATURAL RESOURCES AS A RESULT OF SUCH A CLEAR CUTTING; THE UNSETTLED STATUS OF THE REQUIRED EASEMENT ACROSS ADJACENT PROPERTY HELD BY THE HOPKINTON LAND TRUST; THE UNKNOWN AND UNADDRESSED EFFECTS ON THE PROPERTY VALUES OF ABUTTING RESIDENTIAL PROPERTIES; AND AN UNANSWERED QUESTION AS TO WHETHER THE TOWN MIGHT BE ABLE TO REDUCE MUNICIPAL ENERGY COSTS SHOULD THE PROJECT BE APPROVED OR CONSTRUCTED.

34 MR. SARDONE SECONDED THE MOTION.

36 MR. DIORIO, MS. WILLIAMS, MR. SARDONE, MR. HOLBERTON, AND MR. BEDOYA APPROVED.

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40 **SOLICITOR'S REPORT:**

None

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PLANNER'S REPORT:

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None

46 **CORRESPONDENCE AND UPDATES:**

The Planning Board has a Public Hearing scheduled for May 4, 2017.

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4 **PUBLIC COMMENT:**

6 Ms. Capalbo stated that she was hoping the Planning Board would consider the
8 Advisory Opinion further and perhaps carry it forward to another meeting. Mr. DiOrion
10 stated that he felt they could have had several meetings and might not have reached a
consensus opinion. The Planning Board has stated its concerns for the Town Council's
consideration, where they have greater latitude than the Planning Board to deliberate
further.

12 **DATE OF NEXT REGULAR MEETING:** June 7, 2017

14 **ADJOURNMENT:**

16 MR. SARDONE MOVED TO ADJOURN THE MEETING
18 MR. BEDOYA SECONDED THE MOTION
ALL MEMBERS APPROVE. MOTION PASSES.

18

The meeting adjourned at 10:15.

20

22 Attest: _____
Sean Henry, Planning Board Clerk

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Approved:

26