

2 **TOWN OF HOPKINTON**
4 **PLANNING BOARD**

6 **October 1, 2014**

7 **7:00 P.M.**

8 **Hopkinton Town Hall**

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

10 **CALL TO ORDER**

11 The October 1, 2014 meeting of the Hopkinton Planning Board was called to order at 7:05 p.m. by
12 Chairman Alfred DiOrio.

14 **MEMBERS PRESENT**

15 Alfred DiOrio, Howard Walker, Carolyn J. Doyle, Hazel Douthitt and Frank Sardone.
16 Amy Williams arrived at 7:15. Donald Simmons was absent.

18 Also present were: James Lamphere, Town Planner; Barbara Capalbo, Council Liaison; and,
19 Harvey Buford, Conservation Commission.

20 **APPROVAL OF MINUTES**

22 MS. DOYLE MOVED TO APPROVE THE MINUTES OF THE SEPTEMBER 3, 2014 MEETING.

23 MS. DOUTHITT SECONDED THE MOTION.

24 MESSRS. DIORIO, WALKER, AND SARDONE AND MS. DOYLE AND DOUTHITT APPROVE.
25 MOTION PASSES.

26 **OLD BUSINESS**

28 **Development Plan Review – MEGAWATT ENERGY SOLUTIONS – Plat 28, Lot 122 – Bank Street.
29 Megawatt Energy Solutions and Bank Street Holdings, LLC, applicants.**

30 Attorney Vincent Naccarato represented the applicant. Also present were: Patricia Walker,
31 Walker Engineering, Ltd. And Project Engineer; Elena Pascarella, Principle of Landscape
32 Elements, LLC and Licensed Landscape Architect; and, Mark Studley, Electrical Contractor and
33 Field Operations Manager for Megawatt Energy Solutions.

34 Mr. Naccarato said the array has been moved in a westerly direction to within 25 feet of the
35 common boundary line with the mini storage facility. DEM requested the move to get the
36 construction as far away from wetlands as possible. The property was rezoned from RFR-80 to
37 Commercial Special to allow this particular use. They do not have the actual permit from DEM .

38 Patricia Walker made revisions to the original plans and conditions that needed to be addressed.
39 The zoning has been changed to Commercial Special, Solar #486. They received approval for the
40 variance for the commercial structures to be less than 100 feet from the residential zone even
41 though the portion they are closest to is the proposed additional mini storage.

42 Mr. Naccarato presented Ms. Walker's resume as Applicant's Exhibit 1.

43 Ms. Walker said they have submitted to DEM and have received comments. The plans show
44 those modifications. The original layout of the solar panels have been revised so the spacing of
45
46
47
48

2 the tubs is actually greater, reducing the number of tubs by 30. The DEM comments were
4 addressed and resubmitted to DEM yesterday. The bio retention basin has been changed to an
6 infiltration basin. The driveway has been revised because of tub and panel spacing. All panels
8 and tubs are at least one foot off the access drive. DEM wanted the drainage analyzed to address
the driveway and row 12 of the panels. That reduced the size of the infiltration basin from 1½
feet to 1¼ feet deep. Because of the grading, DEM wanted additional evergreens added, which
has been addressed. Other comments were already addressed in the plans.

10 Mr. Naccarato presented a photo of the gate at the entrance off Bank Street as Applicant's Exhibit 2.

12 Ms. Walker said DEM's the last comment was about the flood plain elevation. The estimated
14 change in elevation is less than a half inch.

16 Mr. Naccarato asked about the stormwater runoff.

18 Ms. Walker said the water will runoff to the grass; the gravel is treated as impervious. The water
20 runoff is terraced. There are depressed grass areas throughout the field that are three inches deep
22 to break the drainage. The detention basin is on the southerly end. There are two small areas on
the northerly portion that do not drain to the site. There will be no increase of any runoff to
adjacent properties.

24 Mr. Naccarato said water is then intensified by hitting the panels.

26 Ms. Walker said correct, and will go into the basin. If and when the basin overflows, it will be
28 like a level spreader. They will need an insignificant alteration permit from DEM. There is a 100
30 foot riverbank setback in the northeast portion and a 200 foot river wetlands setback associated
with the Wood River. They are proposing a shady seed mix for the area under the panels. All
plantings will be slow growing and low maintenance. Grass will be mowed at least twice a year.

32 Mark Studley from Megawatt said they will do nothing on site in the winter unless there is an
34 issue. The glass is rated for impact and they have yet to have an issue. The only thing that could
go wrong is one of the converters failing.

36 Ms. Williams asked, the basin was to have a rain garden in it but now it is going to be grass.

38 Ms. Walker said it is grass, one and a quarter feet deep. There is no rain garden because it was to
40 previously be bio retention, which implied it had plants, which becomes a maintenance issue.
That detail has been removed from the sheets.

42 Ms. Pascarella's resume and qualifications were presented as Applicant's Exhibit 3. There will be
44 a shady lawn seed mix under the panels that is low maintenance and a conservation seed mix on
46 the slopes and disturbed area. Wetland areas are noted along the river bank and a wetland area
48 to the south. DEM requested they enhance the plantings around the wetland areas. Along the
south, southeast side, where they are closest to private residences, there will be a variety of native
evergreens. The one area cleared of any plantings is where there are overhead utility lines. That
area will have the conservation seed mix. The infiltration basin will have a wet meadow seed
mix.

50 Mr. Naccarato presented photos of the existing site as Applicant's Exhibit 4.

2 Mr. Studley said each of the panels has 305 watts of power and 47 volts at 8 amps that produce a
4 certain amount of power per panel in DC electricity which is collected and gets converted to AC
6 through an inverter. At that point it goes to a transformer and gets stepped up to the utility
8 voltage and gets sent out on the lines. The panels will be roughly about 3 feet above the ground.
10 They are washed two to three times a year with water. They check the electrical connections on
12 the cords and general maintenance. They use an irradiance meter to spot check the panel for its
irradiance. The panels are 85 to 90% effective after twenty years. There is nothing hazardous in
the panels. Once the site is up and running they will probably have four to five visits a year for
one to two hours. They monitor the output of all the inverters and panels on a computer at their
office which signals them immediately if something is wrong. The site will be surrounded by a
locked chain link fence.

14 Ms. Douthitt asked if there are security cameras.

16 Mr. Studley said there are none at this location. There are no trespassing, high voltage signs
every twenty feet on the fence.

18 Ms. Walker gave the signed, revised plans to Mr. Lamphere.

20 Ms. Capalbo asked about lighting at the site.

22 Mr. Studley said there will be no lighting at the site.

24 MR. WALKER MOVED TO APPROVE THE PROJECT SUBJECT TO THE FOLLOWING CONDITIONS:

- 26
- 28 1. COMPLIANCE WITH THE DESIGN STANDARDS SET FORTH IN SECTION 13.5.73 OF OUR
ORDINANCE AND REGULATIONS;
 - 30 2. ALL REQUIRED STATE AND FEDERAL PERMITS AND LICENSES INCLUDING WETLANDS
APPROVAL OR CERTIFICATE OF INSIGNIFICANT ALTERATION BE OBTAINED.

32 MR. WALKER BASED HIS MOTION ON THE FOLLOWING PROPOSED FINDINGS OF FACT:

- 34
- 36 1. THE PROPOSED DEVELOPMENT IS CONSISTENT WITH THE TOWN'S COMPREHENSIVE PLAN,
ESPECIALLY A DESIRE TO MAXIMIZE TOWN CASH REVENUE;
 - 38 2. THE PROJECT COMPLIES WITH THE STANDARDS AND PROVISIONS OF THE TOWN'S
ZONING ORDINANCE AS RECENTLY AMENDED;
 - 40 3. THE PROJECT WILL CAUSE NO SIGNIFICANT NEGATIVE ENVIRONMENTAL IMPACTS IF BUILT AS
SHOWN ON THE FINAL PLANS WITH ALL OUR REQUIRED CONDITIONS;
 - 42 4. THIS PROJECT WILL NOT RESULT IN THE CREATION OF ANY NEW LOTS;
 - 44 5. IT HAS ADEQUATE AND PERMANENT PHYSICAL ACCESS TO A PUBLIC STREET, NAMELY BANK
STREET;
 - 46 6. IT PROVIDES, TO THE EXTENT THAT IT IS RELEVANT, FOR SAFE CIRCULATION FOR PEDESTRIAN
AND VEHICULAR TRAFFIC, FOR SURFACE WATER RUNOFF CONTROL, AND FOR PRESERVATION
OF SUCH NATURAL, HISTORIC AND CULTURAL FEATURES AS MAY BE PRESENT ON THIS SITE;
 - 48 7. THE DESIGN AND LOCATION OF THE SITE, INCLUDING THE PROPOSED FACILITY'S DRAINAGE
IMPROVEMENTS AS WELL AS OTHER IMPROVEMENTS, SHALL MINIMIZE FLOODING AND SOIL
EROSION, AND THAT THE LANDSCAPE PLAN AS RECENTLY AMENDED, WILL ADEQUATELY
SCREEN THE PROJECT VISUALLY FROM ABUTTING PROPERTIES.
- 50

2 Ms. DOUTHITT SECONDED THE MOTION.
3 MSES. DOYLE, DOUTHITT AND MESSRS. DIORIO, WALKER AND SARDONE APPROVE.
4 MOTION CARRIES.

6 **Discussion – ZONING ORDINANCE REWRITE – Draft 1**

7 Mr. DiOrio said we have received some comments and questions that have been posed by the
8 consultant that the Board needs to respond to. He asked how the Board would like to approach
9 the dialogue this evening and move forward.

10
11 Mr. Lamphere said the consultants will meet with the Board, if that is the Board’s preference, and
12 would require a separate meeting that the Board should be well prepared for.

13
14 Mr. DiOrio asked if our questions rise to the level of having the consultants stand before us.

15
16 Mr. Lamphere said you are aware you have a strike through, underlined version. He would
17 recommend focusing on those things. If there are particular issues with those changes, bring
18 them up and be concise.

19
20 Mr. Levesque has had an internal discussion with Todd Romano, Zoning Board Solicitor, to
21 consider how to coordinate this revision. The Zoning Board is actively reviewing this but we still
22 share some common ground. He and Mr. Romano will coordinate both Boards’ comments, make
23 them come together and deliver them to the consultant. Mr. Romano has been taking notes on
24 where he sees consensus from the Zoning Board and Mr. Levesque intends to do the same for
25 this Board. They will then coordinate to the extent there is any friction or disagreement which
26 would have to be addressed with both boards. Ultimately, this will end up before the Council
27 and any conflicts will be resolved there. It seems the best path would be to review the product
28 and the consultants will receive the information through other means.

29
30 Mr. Buford said he assumes some of the changes were procedural as it appears they have
31 strengthened the groundwater. In the district use tables, they got rid of some sub categories and
32 in the process, sometimes made it harsher on the applicants. The Conservation Commission,
33 when working on those sections in the past, tried not to put anything in there to make it harsher
34 than was needed to protect the ground water. So there are some things he thinks might need to
35 be loosened up. He sees some unintended consequences. He would like the Conservation
36 Commission to make a few recommendations. He would like to see more categories in the
37 District Use Table.

38
39 Mr. DiOrio said it sounds like the consensus is not to have the Planning Board meet with the
40 consultants.

41
42 Mr. Lamphere suggested the Board go through the six questions from the consultants, until we
43 have Draft 2.

44
45 Discussion ensued.

46
47 1. **Section 134-4(A) - Zoning District Definitions**

48 The descriptions of the districts should be general with specifics in the District Use Table.
49 Mr. Lamphere will draft definitions for the zones for the next meeting.

50

- 2 2. **Section 134-5 - Preamble to District Use Regulations**
No changes needed.
- 4
- 6 3. **Use Code Table**
Board members will independently review and make comment.
- 8
- 10 4. **Section 134-5.4 - Definitions of the Identified Land Development Projects**
Definitions for Residential Cluster, Residential Compound and Planned Unit Development should appear word for word as they appear in the *Land Development and Subdivision Regulations* and shall include the Development Plan Review Ordinance.
- 12
- 14 5. **Section 134-5.8 - Inclusionary Zoning – A Decision of Fee in Lieu**
Board wants to remove the fee in lieu and research and discuss reducing the number of units from six to something lower.
- 16
- 18 6. **Section 134-5.9 - Aquifer Protection Overlay District – Procedural Changes**
Mr. Lamphere will contact the consultant regarding the specific laws pertaining to aquifer protection.

20 NEW BUSINESS: None

22 SOLICITORS'S REPORT: None

24 **PLANNER'S REPORT**

26 **DISCUSSION – Planning Board Comments on Drop Box Submission**

28 It was agreed that sending the plans through the drop box for review was not working. Board will receive all plans in an 11 X 17 format through the mail as well as electronically. Larger copies of the plans will be available in the Planning Office for anyone to use. Mr. Lamphere will assure that applicants know that the 11 X 17 plans are to be clear, in color, and of the finest quality. All other paperwork will be sent to the Board electronically.

32 **CORRESPONDENCE AND UPDATES:** None

34 **PUBLIC COMMENT:** None

36 **DATE OF NEXT REGULAR MEETING:** November 5, 2014

38 **ADJOURNMENT**

40 MR. WALKER MOVED TO ADJOURN. MS. DOYLE SECONDED THE MOTION. ALL APPROVE.

42 The meeting was adjourned at 9:37 P.M.

44 Attest: _____
46 Lynda St. Amour, Planning Board Clerk

48 Approved: November 5, 2014