

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

6 **Wednesday, December 5, 2018**
7 **7:00 P.M.**

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

10 **CALL TO ORDER:**

11 The December 5, 2018 meeting of the Hopkinton Planning Board was called to order at
12 7:00 P.M. by Chair Al DiOrio.

14 **MEMBERS PRESENT:**

15 Al DiOrio, Amy Williams, Tom Holberton, Ronald Prellwitz, and Keith Lindelow were
16 present.

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

20 **APPROVAL OF MINUTES:**

21 MS. WILLIAMS MADE A MOTION TO APPROVE THE MINUTES OF THE NOVEMBER 7, 2018 PLANNING
22 BOARD MEETING.

23 MR. HOLBERTON SECONDED THE MOTION.

24 MR. DIORIO, MS. WILLIAMS, MR. HOLBERTON, MR. PRELLWITZ, AND MR. LINDELOW APPROVED.

26 **PUBLIC INFORMATIONAL MEETING**

28 Major Land Development – **Master Plan submission** – Photovoltaic Solar Energy System –
29 AP 4 Lot 25 – 310 Main Street – Maxson Hill LLC c/o Anthony DelVicario, applicant

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31 Mr. Prellwitz noted for the record at the start of the meeting that he was an abutting property
32 owner to the project, and there were no objections from the applicant or the audience to his
33 sitting on the Board for its review.

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35 Attorney John Mancini, of 56 Pine Street in Providence, RI, appeared representing the
36 applicant. He said that the project had obtained a zone change approval from the Town
37 Council, and that the Master Plan stage is an opportunity for the applicant to share a
38 conceptual plan with the Board. Mr. Mancini stated that the applicant has received the state-
39 required approvals from RIDEM and RIDOT, and that town requirements have also been met.
40 The Planning Board had decided to have the Town’s engineering firm review the plans as
41 well. The comments from that firm, Crossman Engineering, were comprehensive and helpful,
42 and not a hindrance to the development. He proposed addressing the comments from
43 Crossman, and then discussing where the project goes from there.
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2 Mr. Mancini called on Mr. David Russo, project engineer from DiPrete Engineering. Mr.
4 Russo had spent about 1.5 years on the project. He gave a high-level description of the project,
and then wanted to discuss how Crossman’s comments would be addressed.

6 Mr. Russo described the site located at AP 4, Lot 25. The property has frontage on Main Street
8 and Maxson Hill Road. All wetlands on site have been flagged with a Class I survey. The site
slopes down from Maxson Hill Road to Main Street. The Town Council approved an 11.75
10 MW solar system. Since they were last before the Planning Board, the plan received RIDOT
and RIDEM approvals. The Crossman comments are to be addressed with the help of a
12 landscape architect and with Sage Environmental, and will be presented in detail at the
January Planning Board meeting.

14 After clarifying the versions of the plans, Mr. Russo reviewed a new alternative concept plan
that they were working on based on Crossman’s review. They needed to verify topography
16 in some areas, and there were concerns about their stormwater modeling. They wanted to
propose a more conservative design with reduced infiltration. With regards to landscape
18 concerns, they wanted to propose to address in detail with the landscape architect at a future
meeting. They have conceptually planned for additional plantings with closer spacing. They
20 would like to work with the abutting neighbors. The alternate design will address forest
connectivity and wetlands fragmentation concerns. They want feedback on forming a plan to
22 reduce disturbances and tree clearing.

24 Questions from the Planning Board:

26 Mr. DiOrio: Are there any changes proposed to the buffering along Route 3?

28 Mr. Russo: The original plan had detention basins along Main Street, which Crossman had
concerns about. The plan now is for a large infiltration trench that is closer to the panels,
30 which increases the buffer area.

Mr. DiOrio: Have you increased the number of plantings in that area?

32 Mr. Russo: Yes, we will have the landscape architect available at the next meeting.

Mr. DiOrio: With regards to abutting property owners, have changes been positively
34 impacted in those areas?

Mr. Russo: We’ve performed a Class 1 Survey that reveal a closer property line than
36 previously believed.

Mr. DiOrio: Have the plantings in that area been increased?

38 Mr. Russo: The plan was revised to increase the plantings in many areas.

Ms. Williams: I did not like the panels interlaced in the wetlands, and the new plan looks
40 better. I would like to see a rendering from the street of what the landscape will look like in
one year, not in ten or twenty years.

42 Ms. Williams: Was a fence proposed?

Mr. Russo: A black vinyl coated chain link fence was proposed near the abutters.

44 Ms. Williams: I have a concern about fluids within the transformers, and their proximity to
the wetlands.

2 Mr. DiOrio: I want to reiterate, the Board is looking for containment, not assurances that the oil is non-toxic.

4 Mr. Russo: We can have Nicole Mulanaphy speak to that next month.

Mr. Prellwitz: Growth under the panels.

6 Mr. Russo: Typically there is grass maintained under manual conditions.

8 Mr. Holberton: The project redesign is more palatable than the old plan. Has the east-west panel configuration been considered for this site?

Mr. Russo: I don't know if it has.

10 Mr. Holberton: I would like to see that addressed if it's able to generate more power on less land.

12 Mr. Mancini: We're looking for maximum output from this project. We're willing to look into if it is viable, but we are presenting what we believe to be the most productive configuration.

14 The project that was originally proposed was an 11.75 MW size, which has been reduced by about a megawatt.

16 Mr. DiOrio: Does the reduction affect any agreement the developer has with National Grid?

Mr. Mancini: National Grid has given a confirmation of interconnection feasibility.

18 Ms. Williams: There is no possibility where the site could be built but not allowed to connect to the grid?

20 Mr. Mancini: I do not believe that is a concern for this site. The power purchase agreement is being negotiated with a state agency, so there is great interest in ensuring that such problems don't happen.

22 Mr. DiOrio: We do not want topography uncertainties to be dealt with at construction. We want to see it fleshed out prior to approval.

24 Mr. Lamphere: Crossman also noted that town staff should have an opportunity to review setback areas. They should be reviewed by Planning, Zoning, and the Fire Marshal.

28 Questions from the public:

30 Ms. Capalbo: Can the applicant assist the fire departments with hazard training for fires at the solar panels?

Mr. Mancini: We will add that to the list of concerns with meeting with the Fire Marshal.

34 Mr. Russo: Originally, the fencing encapsulated the entire site. The new layout separates three sections of panels, and we need to complete the new fencing plan.

36 There was no further comment from the public. The applicant discussed the next steps in the project with the Board, and agreed to reappear at their next meeting for continuing Master Plan.

40 NO VOTE WAS TAKEN.

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2 OLD BUSINESS:

None

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NEW BUSINESS:

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Discussion - Planning Board policy regarding subdivision suitability requirements

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Based on a suggestion after the last meeting, Mr. DiOrio wanted to discuss if the Planning Board should adopt a policy regarding the subdivision of parcels where there is a large remainder lot on which no subdivision suitability tests are performed. The language for the that was discussed was requiring satisfactory soil evaluations for the subdivision of parcels where the remainder lot is at least twice the size of the minimum acreage required by zoning, and a note is to be added to the plans. They discussed this policy as a preferable option to a deed restriction that would likely be ignored over time as the land changes hands, because it demonstrates that the land can sustain an OWTS system. The policy was to apply only to road frontage subdivision; properties with a newly created roadway would not apply. After discussion, they determined that, when the remainder lot is at least twice the lot's minimum lot acreage as required by zoning, the Planning Board will require that the applicant produce satisfactory soil evaluations on the remainder lot. In addition, a note is to be added to the subdivision plans and to the parcel deeds stating that subdivision suitability testing had not been performed at the time of the subdivision. Mr. McAllister agreed that such a policy would clearly communicate to future applicants what the expectations are from the Board.

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SOLICITOR'S REPORT:

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None

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PLANNER'S REPORT:

The Allen and Swanick Administrative Subdivisions have been approved since last meeting.

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CORRESPONDENCE AND UPDATES:

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The two Comprehensive Plan amendments at Statewide Planning have been approved.

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PUBLIC COMMENT:

None

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DATE OF NEXT REGULAR MEETING: January 2, 2019

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ADJOURNMENT:

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MR. HOLBERTON MOVED TO ADJOURN THE MEETING

MR. LINDELOW SECONDED THE MOTION

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MS. WILLIAMS, MR. HOLBERTON, MR. PRELLWITZ, AND MR. LINDELOW APPROVED.

MOTION PASSED.

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The meeting was adjourned at 9:00 P.M.