

State of Rhode Island

County of Washington

In Hopkinton on the twenty fifth day of November 2019 A.D. the said meeting was called to order by Town Council President Frank Landolfi at 7:00 P.M. in the Hope Valley Elementary School Auditorium, 15 Thelma Drive, Hope Valley, RI 02832.

PRESENT: Frank Landolfi, Scott Bill Hirst, Barbara Capalbo, Sylvia Thompson, Sharon Davis; Town Solicitor Kevin McAllister; Town Manager William McGarry; Town Clerk Elizabeth Cook-Martin.

The meeting was called to order with a moment of silent meditation and a salute to the Flag.

#### **HEARING**

The Council opened a hearing on a request for an amendment to the Hopkinton Comprehensive Plan Future Land Use Map and an amendment to the Hopkinton Zoning Ordinance filed by Centrica Business Solutions, 1484 Candlewood Road – Suite T-W, Hanover, MD 21076 and Karen M. & James W. Cherenzia, Jr., 201 Chase Hill Road, Ashaway, RI 02804 for property located at Chase Hill Road as Plat 2, Lot 32, an RFR-80 Zone. The applicants propose to construct a 2.7± MW DC ground-mounted solar installation on 12.89± acres of property on Assessor's Plat 2, Lot 32. The proposal to utilize the property will require approval of the proposed Comprehensive Plan Future Land Use Map Amendment from Low-Density Residential to Commercial and a Zoning Map Amendment from RFR-80 to Commercial.

The applicants Karen and James Cherenzia were present and represented by Attorney Steven Surdut. Filing fees had been paid and notice posted. A stenographer was present to record the proceedings. A copy of the transcript will be attached and made part of this record. Also present and testifying were: Marc Tremblay, the consulting forester; Edward Pimentel, Planner; Jason Gold, Civil Engineer with ESS Group, Inc., and, Edward "Ned" Caswell, real estate expert and appraiser. Attorney Surdut outlined the project and noted Mr. and Mrs.

Cherenzia have owned this property for 15 years and will continue to retain ownership of this property, as they will lease a portion of their property to the solar operator. He explained that due to the large electrical substation bordering two sides of the Cherenzia property, they are severely limited on their use of this property partly due to the fact that high-tension wires bisect their property. Jim and Karen Cherenzia spoke concerning their property and the substation that is their neighbor and stated that they are trying to make lemonade out of a lemon. They were hoping to build houses on their property for their children, but due to the close proximity of the substation, their children do not want to live there. It was noted that the land which the solar array would encompass, at the end of the solar lifecycle, would be donated to the Town of Hopkinton as open space. Councilor Capalbo questioned this and Attorney Surdut corrected that the Cherenzia's wished to grant a conservation easement to the Land Trust to assure that the land is never developed. Councilor Capalbo asked if their Lease with Centrica was only for twenty years or was there an option to renew. Mr. Cherenzia believed there was an option to renew but this condition would be placed on their deed and thereafter run with the land. Councilor Davis asked if the subdivision of this property would have to go before the Planning Board separately and Attorney Surdut stated that it would have to be approved by Planning and would likely be done as part of the overall application. Councilor Davis also asked the Cherenzia's about what their abutters thought about this project and Mr. Cherenzia advised that they were concerned about the zone change and how it would affect their property values. Councilor Davis lastly questioned the side setbacks of the project bordering the neighbors being only twenty-five feet and if they would be willing to revise that. Attorney Surdut explained the abutting property owners' homes were located near the street and the solar array would not be near any of the homes. After the experts concluded their testimony the Council allowed questions and comments from the audience. Emily Shumchenia did not feel this project should be heard under the old solar ordinance for it was her opinion that the ordinance adopted on January 22, 2019 pertained to any solar project to be constructed after January 22, 2019; and, the purpose of today's hearing is to hear a proposed zone change application. She

indicated that the ordinances of the town point to a process where the Planning Board hears a proposed zone change and will decide on the details of the master plan of the project prior to the Town Council getting involved to give an additional advisory opinion on the zone change and the Planning Board previously heard this project and voted unanimously to reject it feeling it was inconsistent with the town's comprehensive plan. Clifford Heil believed that two wrongs do not make a right.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR DAVIS TO CONTINUE THE HEARING TO DECEMBER 9, 2019 AT THE CHARIHO MIDDLE SCHOOL AUDITORIUM.

IN FAVOR: Landolfi, Hirst, Capalbo, Thompson, Davis

OPPOSED: None

SO VOTED

**ADJOURNMENT**

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR THOMPSON TO ADJOURN.

SO VOTED

Elizabeth J. Cook-Martin

Town Clerk

Marita D. Murray

Deputy Town Clerk