

State of Rhode Island

County of Washington

In Hopkinton on the twenty seventh day of January 2020 A.D. the said meeting was called to order by Town Council President Frank Landolfi at 7:00 P.M. at the Chariho Middle School Auditorium, 455B Switch Road, Wood River Jct., RI 02894.

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

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

#### **PETITION FOR COMPREHENSIVE PLAN & ZONING AMENDMENTS**

The Town Council resumed the suspended hearing to consider an amendment to the Hopkinton Zoning Ordinance and the Hopkinton Comprehensive Plan Future Land Use Map filed by Atlantic Solar LLC, 260 West Exchange Street, Providence, RI 02903 and Atlantic Control Systems, Inc., 318 Dry Bridge Road, North Kingstown, RI, 02852, the land owner for property located at 0 Main Street identified as Plat 7, Lot 32; Plat 10, Lot 87 and Plat 11, Lot 35 an RFR-80 Zone originally scheduled for hearing on November 19, 2018 – no hearing held and continued to January 14, 2019 – no hearing held and continued to April 15, 2019 – no hearing held and continued to May 28, 2019 – no hearing held and continued to June 10, 2019 – no hearing held and the matter was rescheduled on July 15, 2019 to October 28, 2019 - hearing held and subsequently suspended. Resumed hearing date, time and location set during January 6, 2020 Town Council Meeting. The applicants propose to install a ground-mounted photovoltaic solar array on the existing 29.7 acre property listed as Assessor's Plat 7, Lot 32; Plat 10, Lot 87 and Plat 11, Lot 35 to construct a ground mounted Solar array on the property. The proposal to utilize the property will require approval of the proposed Comprehensive Plan Future Land Use Map Amendment from RFR-80 to Commercial Special and a Zoning Map Amendment from RFR-80 to Commercial Special.

Robert Craven, Esq. was present. Also present: Frank Epps, Alan Benevides and property owner James Grundy. 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 the record.

Attorney Craven explained that the application has not changed in any way from what was originally submitted. There is an offer to purchase a piece of property from Mr. Yates; however, this would only serve as additional buffer and was not a part of their proposed project.

Council President Landolfi asked if anything had changed on the application that was before them and Attorney Craven responded that the application was the same; the only thing that had changed were some of the numbers on the table, which Mr. Benevides would be explaining. Mr. Benevides suggested there were some small modifications to the table, as well as an updated aerial photo. The experts finished their presentations and answered questions. Council President Landolfi advised that he would like to schedule an appointment to walk the site. He also asked if someone had spoken with the abutters. Attorney Craven advised that a meeting took place on January 22, 2020 at the grange between the land owner Mr. Grundy and several abutters. Mr. Grundy explained that he had sent a letter to the abutters within two hundred feet advising them of a meeting the week prior to the meeting. There were approximately nine people who came to that meeting; but not everyone had received their letters due a problem with the post office. He believed the residents' reaction to his project were mixed. It was noted that they are developers and they do plan on doing something with the property, whether it be residential dwellings or a solar project.

Jon Closterman of 600 Main Street spoke about his opposition to the application and the petition he had circulated in the past which all abutters had signed. He stated that he had attended the meeting that Mr. Grundy organized and felt that Mr. Grundy had threatened the abutters by suggesting that even if the solar project was rejected he was going to cut down all of the trees and build houses. Mr. Closterman indicated that he would rather see houses go in then have the zoning changed and a solar array put in. Betsy Alvarez of 574 Main Street spoke about receiving her letter after the meeting had already occurred. She suggested that she had received an email suggesting that if Mr. Grundy did not get this solar project

approved, he would be putting in low-income housing. Rich Lavoie of 552 Main Street indicated that he was not happy with either solar or housing being put on the property. Loretta Peach of 598 Main Street felt that the application was a monstrosity and the state is becoming an industrial wasteland. Joe Moreau of Old Depot Road felt this was a very confusing project, long delayed hoping that the abutters would go away. He felt that the project was different than what was originally proposed and was a perfect case of spot zoning. Lynn LaPierre of Maxson Hill Road stated that the resident's water concerns were not unwarranted. They have had water problems on Maxson Hill, but now they are exasperated; her neighbor's pool collapsed; and the water is not fit for drinking anymore. The electricity that is generated is not staying local and she sees no bonus to anyone for allowing these solar projects in residential areas. Ray Cox of Main Street explained that the wetland on the proposed site is what feeds his pond and he doesn't want to see this affected. He feels there is solar sprawl and solar should not be in people's back yards. Rachel Morgan advised that she can stand on her back deck and see the cars on Route 95 through the trees and with the trees removed there will be no buffer. Clifford Heil of Chase Hill Road spoke about the possible threat from the land owner that this property would be used for either solar or low income housing. He noted that the Council could deny the solar use and asked if it could become low income housing. Council President Landolfi advised that the property was zoned residential and Councilor Capalbo listed what could be built in an RFR80 zone. Carolyn Light of 43 Forest Glen Drive spoke about the housing issue and was appalled that the property owner was threatening the abutters with housing. The real problem was not the cost of the children to the town, but the school district who raises their budget every year. Residents need to come out and vote for the town's budget, as well as the school district's budget and if they don't, they are to blame. Tammy Walsh of Woodville Road noted that she is opposed to any spot zoning on residential property.

A MOTION WAS MADE BY COUNCILOR DAVIS AND SECONDED BY COUNCILOR CAPALBO TO CLOSE THE HEARING AND SET A DATE FOR A DECISION.

IN FAVOR: Landolfi, Hirst, Capalbo, Davis

OPPOSED: None

SO VOTED

The Council set March 2, 2020 as the date to render the decision at the Hopkinton Town Hall, 1 Town House Road, Hopkinton, RI 02833 with the decision to be scheduled on the agenda during regular meeting of the Town Council which begins at 7:00 P.M.

Luther Davis of Cedarwood Lane read a statement into the record as follows:

As many of you know Sharon and I recently lost our son after a long illness. We can only say that we are confident that after much suffering he is now well and happy.

The reason I wished to speak briefly before you tonight is to express sincere thanks and appreciation to all of you who have expressed condolence and sympathy for our loss, or had they gotten the news in time, would have done so. Or who have provided acts of kindness. It is not often in these times that people will rally together at the tragic loss of a fellow Hopkinton Family.

We will of course try to respond to everyone individually who has contacted us. But neither Olive Johnson, the Matriarch, nor I, Luther Davis, the Patriarch, nor the other family members felt this was enough. Too many people have spoken up or by their acts and attendance expressed their feelings. Many of those people are here in this hall tonight or are part of the assembly of governance that is Hopkinton. It is our hope that others may view the tape of tonight's proceedings and thereby know and learn that not all is rancor and dispute. The people of Hopkinton care for each other.

And so, on behalf of all the other members of the Family known under the various names of Artis, Brown, Davis, Eccleston, Geer, Hazard, Johnson, Lancaster, Sebastian, Taylor and Williams. Thank you. Thank you to the members of this Council, to the individuals in the administration and everyone else who shared our loss. Thank you for your sympathy, condolence and acts of kindness. Each was a glow of candlelight in the darkness and will be remembered as such.

**ADJOURNMENT**

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR CAPALBO TO ADJOURN IN MEMORY OF JASON CHARLES DAVIS.

SO VOTED

Elizabeth J. Cook-Martin

Town Clerk

Marita D. Murray

Deputy Town Clerk