

REVISED REPORT

**DETAILING CHANGES SINCE THE INITIAL
SUBMISSION IN JANUARY**

**9.250 MW AC Photovoltaic Solar Energy System Development
Development Plan Review
Regulatory Compliance**

**15 Frontier Road
Assessor's Plat 7 , Lot(s) 62, 62A, and 63**

**[NOTE: SOLAR FACILITY DEVELOPMENT CHANGES ARE WELL DETAILED
BY BEING BOTH 'BOLDED' AND 'UNDERLINED']**

Prepared for: Revity Energy, LLC

By: Pimentel Consulting, Inc.

15 May 2020

INTRODUCTORY STATEMENT

Revy Energy, LLC (hereafter 'Applicant') has retained my professional land use planning and zoning consulting services, in order to evaluate the revised 'by-right' 9.250 MW AC 'Photovoltaic Solar Energy System' (hereinafter 'PSES') development. The original submission was for a 15.125 MW AC PSES, however as a result of input / concerns provided by Planning Board members during the initial pre-application submission, the applicant has altered the overall project perimeters.

It must be reemphasized at the out-set, as garnered by extensive personal experience in pursuit of the referenced land use on many prior occasions and in a variety of communities, that PSES developments are rarely permitted as a matter-of-right. Furthermore, even on those rare occasions when such an occurrence does avail itself, the permissible zones are usually quite limited. Such is the circumstance in the Town of Hopkinton, where PSESs are directed to the quite limited 'Commercial' and 'Manufacturing' Districts. In fact, said districts are so limited, that it appears that the vast majority (if not all) of prior and present solar projects have been situated within residentially zoned areas. And, from recent professional experience, this land use consultant is quite aware of the Town's concern regarding the quantity of solar development occurring in residential areas. This land use consultant acknowledges that he is quite a proponent of solar development, given its passive nature and ability to be accommodated in almost all environments. Nevertheless, I also acknowledge that regulatory compliance is of the utmost importance, and usually the ultimate arbiter of what is deemed appropriate. Therefore, a site that is not only physically appropriate, but also regulatory compliant, is most definitely a win-win scenario. The proposed PSES does necessitate Development Plan Review (hereinafter 'DPR') approval, pursuant to the newly revised solar ordinance, with the Planning Board being the authorized entity. Albeit, the primary goal is achieving the requisite approval, ultimately whatever is eventually constructed will be a neighborhood presence for a period of several decades. Therefore, the Applicant is prepared, to the greatest extent possible, in introducing a solar facility that respects the vision and concerns of both Board members and neighborhood resident, alike. It is for this very reason why the applicant applied proper measures to minimize resulting view shed corridors.

As will be evidenced once again in this report, given characteristics of property and surrounding neighborhood alike, the subject property is not only regulatory compliant (acknowledging the by-right nature of the referenced land use), but also consistent with the goals and objectives of the Comprehensive Plan. In light of the requested development proposal, this land use consultant has conducted a thorough analysis of the proposed PSES and compared it to the goals and objectives of the following regulatory documents: Town of Hopkinton, RI, 2016 Comprehensive

Plan - Town Council adopted 5 February 2018 [hereinafter 'Comprehensive Plan']; Town of Hopkinton Zoning Ordinance, inclusive of the quite recent Solar Ordinance amendment - Said amendment being adopted by the Town Council on 22 January 2019 [hereinafter "Ordinance"]; Town of Hopkinton Land Development and Subdivision Regulations - Revised 3 September 2014 [hereinafter 'LD Regulations']; State Guide Plan Element Report No. 120 - Energy 2035 - Rhode Island State Energy Plan - Approved 8 October 2015 [hereinafter 'State Energy Plan']; RI Comprehensive Planning Standards Guidance Handbook Series - Guidance Handbook No. 9 - Planning for Energy - Revised June, 2018 [hereinafter 'Energy Guidance Handbook']; RI Comprehensive Planning Standards Manual - Revised 14 June 2018 [hereinafter 'Standards Manual']; as well as having conducted a thorough analysis of the general neighborhood that is bounded by Interstate-95, Frontier Road, Maxson Hill Road, and Main Street, said analysis including several site inspections and reviewing Property Record Data for land use assessment purposes. The purpose for the subject analysis is to evaluate the appropriateness of the PSES development, in light of the regulations associated with the recently adopted solar ordinance, as well as standards for the granting of the DPR.

'SOLAR ENERGY' NEED

Prior to rendering a professional opinion on the appropriateness of the subject PSES proposal, this land use consultant must first provide some insight on overall '**need**', and in turn a municipality's reasonable approach to supporting solar development. Renewable energy insight has been attained via both the municipal as well as private sectors. Renewable energy is clearly a component of a comprehensive approach to meeting the state's overall energy needs. Although, there are several such sources, none are more valid than solar energy, which is by far the most neighborhood compatible and productive energy producer in regard to the State of Rhode Island. A solar installation is not only a passive and temporary usage of property (being synonymous with 'land banking'), eventually being extinguished and the property returned to its original state via an approved decommissioning and reforestation plan(s), but does not necessitate any of the permanently disturbing public resource improvements that would otherwise be required by a true 'commercial' and/or 'industrial' entity. Furthermore, the angst associated with solar installations are typically visual in nature. However, unlike other alternative energy sources, such as wind turbines, the referenced concerns can typically be assuaged via appropriate placement and screening.

This land use consultant is well aware of past solar development proposals, having personally been involved in several such projects. The stated projects being typically located in residential areas, due to the fact that the vast majority of the Town is primarily zoned in a residential

manner. The point being that the Town has directed solar projects, as a matter-of-right, to very limited appropriately zoned sites. Therefore, when such a development proposal avails itself, given the great difficulty in locating such sites, it should be well supported. It is also quite typical for communities to introduce a reasonable regulatory process in attracting renewable energy to said selective sites. This is evidenced by the fact that the recent solar ordinance amendment not only permits them by-right within respective 'Commercial' and 'Industrial' zones, but also by means of the DPR process. Likewise corroborated by the requisite regulatory foundational language of the Comprehensive Plan, as required by Rhode Island General Law.

Recommendation 9.4 - *"Include implementation actions within the Implementation Program that address: **Enabling the Development of Renewable energy production facilities by the private sector.**"*

"Municipal policies and regulations can have a direct effect on how easy or difficult it is for the private sector to develop renewable energy facilities. Municipalities should consider how to enable the development of renewable energy production facilities by the private sector. When determining appropriate methods for enabling renewable energy production, it may be beneficial for municipalities to look back at how existing municipal policies have previously shaped private energy production..." [Energy Guidance Handbook - Page 14]

Standard 9.2.b - *"Include one or more implementations action within the Implementation Program that address: **Adopting zoning policies and siting standards for renewable energy production facilities.**"* [Energy Guidance Handbook - Page 10]

§ 45-22.2-6 Required content of a comprehensive plan.

(b) *"The comprehensive plan must be internally consistent in its policies, forecasts, and standards, and shall include the content described within this section. The content described in subdivisions (1) through (10) may be organized and presented as deemed suitable and appropriate by the municipality. The content described in subdivisions (11) and (12) must be included as individual sections of the plan."*

(8) Services and facilities. *"The plan must be based on an inventory of existing physical infrastructure such as, but not limited to, educational facilities, public safety facilities, libraries, indoor recreation facilities, and community centers. The plan must describe services provided to the community such as, but not limited to, water supply and the management of wastewater, storm water, and solid waste. **The plan must consider energy production and consumption.** The plan must analyze the needs for future types and levels of services and facilities, including, in accordance with § 46-15.3-5.1, water supply system management planning, which includes demand management goals as well as plans for water conservation and efficient use of water concerning any water supplier providing service in the municipality, and contain goals, policies, and implementation techniques for meeting future demands."*

The Town of Hopkinton has a fairly new Comprehensive Plan, and it does indeed address both production and consumption of a variety of energy sources, inclusive of solar. It is the professional opinion of this land use consultant that the Town of Hopkinton not only welcomes renewable energy sources (in particular solar facilities), but is extremely supportive when

located in appropriately pre-determined sites, namely those that are presently zoned either 'Commercial' or 'Manufacturing'. Said sites are both appropriate from an Ordinance perspective, as well as consistent with the overall goals and objectives of the Comprehensive Plan. It is very telling that such sites are deemed permissible, rather than 'conditionally permissible' (by special use permit), as is the standard practice statewide.

GENERAL PROPERTY AND NEIGHBORHOOD DESCRIPTION

The property that is the focus of the PSES development, is addressed 15 Frontier Road, otherwise designated Assessor's Plat 7, Lot(s) 62, 62A, and 63, and containing in excess of 64.4-acres (hereinafter 'Property'). The respective parcels are individually described below:

- 1. Assessor's Plat 7, Parcel 62** - Subject parcel is addressed 15 Frontier Road. The parcel contains approximately 39-acres, and is presently improved with a single-family residence.
- 2. Assessor's Plat 7, Parcel 62A** - Subject parcel is addressed 35 Frontier Road. The parcel contains approximately 24.8-acres, and is presently improved with a commercial operation, namely 'Ben Jackson's Fastfirst Golf Course.' The referenced operation contains a retail / training facility, as well as practice course.
- 3. Assessor's Plat 7, Parcel 63** - Subject parcel is addressed 354-a Main Street. The parcel contains approximately 1.40-acres, and is presently unimproved.

The vast majority of the property is already cleared of any actual vegetation, less several staggered pockets. These intense pockets will basically remain undisturbed, due to the presence of wetlands, thereby serving as natural buffering and screening to immediate residences. Otherwise, there does not appear to be any site encumbrances. The property is physically bordered by four (4) main roadways, to include Interstate-95 and associated on-ramp along the westerly property boundary. The referenced roadways are individually described below:

- 1. Interstate-95** - Upwards of approximately 2,000 linear of frontage along the westerly property boundary. The referenced roadway portion in the Town of Hopkinton is classified a 'Limited Access Interstate Highway.' The referenced roadway classification is defined pursuant to the Comprehensive Plan [Page 56], in the following manner:

o Expressway: *"An expressway is designed specifically for high speed travel. Since an expressway has controlled access, no at-grade intersections and no parking, it functions as a highly efficient carrier. The interstate highway provides the highest level of travel mobility and no direct property access. I-95 in Hopkinton is a limited access interstate highway with interchanges at Main Street (Route 3 at Exit 1) and Woodville-Alton Road (Exit 2). The interstate crosses through central Hopkinton from Connecticut to Richmond, a distance of approximately 5.7 miles."*

- 2. Main Street** - In excess of approximately 500 linear of frontage along the southwesterly property boundary. The referenced roadway is classified a 'Minor Arterial'. The referenced

roadway classification is defined pursuant to the Comprehensive Plan [Page 56], in the following manner:

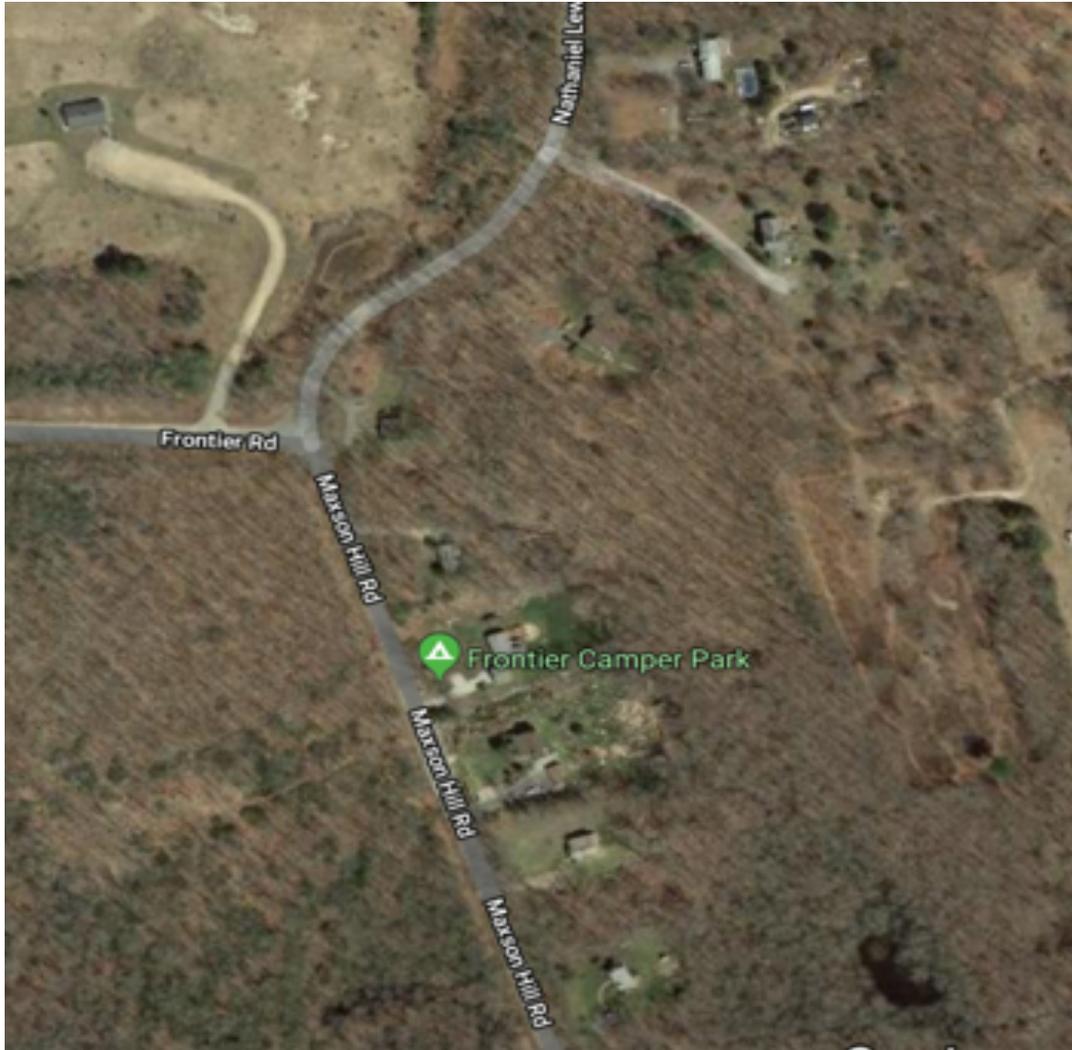
o Arterial: *"A minor arterial carries large volumes of traffic through the community. It is designed for trips of moderate length, slower speed and more land access than principal arterial. However, like the principal arterial, a minor arterial provides access between the interstate and residential and commercial areas in the community. Such facilities may carry local bus routes and include connections to local collector roads. The segment of Main Street (Route 3) from Westerly to I-95 is the only road in Hopkinton classified as a minor arterial."*

3. Frontier Road and Maxson Hill Road - Frontier Road has approximately 2,000 linear feet along the southerly property boundary, and Maxson Hill Road approximately 750 linear feet along the easterly property boundary, respectively. The referenced roadway(s) are classified 'Local Streets'. The referenced roadway(s) classification are defined pursuant to the Comprehensive Plan [Page 56], in the following manner:

o Local: *"There are approximately 100 miles of local roads in Hopkinton, most of which are paved. They provide direct access to abutting properties and serve to provide low levels of mobility to and from collectors and arterials."*

In addition to zoning and site selection appropriateness, is the all important minimal residential presence. There are at most nine (9) residences situated within proximity of the property, all of whom are scattered throughout the easterly side, along Maxson Hill Road. The closest residence, referencing physical distance between dwelling unit and fenced solar field, is approximately 152-feet. The next nearest residence is in excess of 200-feet. All of the referenced residences direct line-of-sight, less the single dwelling unit to the immediate north, are visually obstructed by the prior detailed intense vegetative buffer along Maxson Hill Road, minimally 50-feet in depth. However, there is also a rather intensive and intrusive Mobile Home Park situated opposite Maxson Hill Road, and directly abutting the referenced residences. The limited number of surrounding residences and presence of intense vegetation, directly contribute to the appropriateness of introducing a passive solar facility. The referenced property and neighborhood characteristics are well illustrated below, as excerpted from the Town's Tax Assessment records, applicant's submission package [Credit: DiPrete Engineering], and Google Earth, respectively.





As reflected in the above illustrations, a vast portion of the property is already deforested, comprised purely of bare fields. This is a very important consideration when determining development appropriateness, because it averts the removal of trees in quantities typically associated with solar facility installations. It is a common angst expressed by those in opposition, as is neighborhood character. The argument being that solar facilities should be predominantly directed to already disturbed, commercially or industrially marred sites.

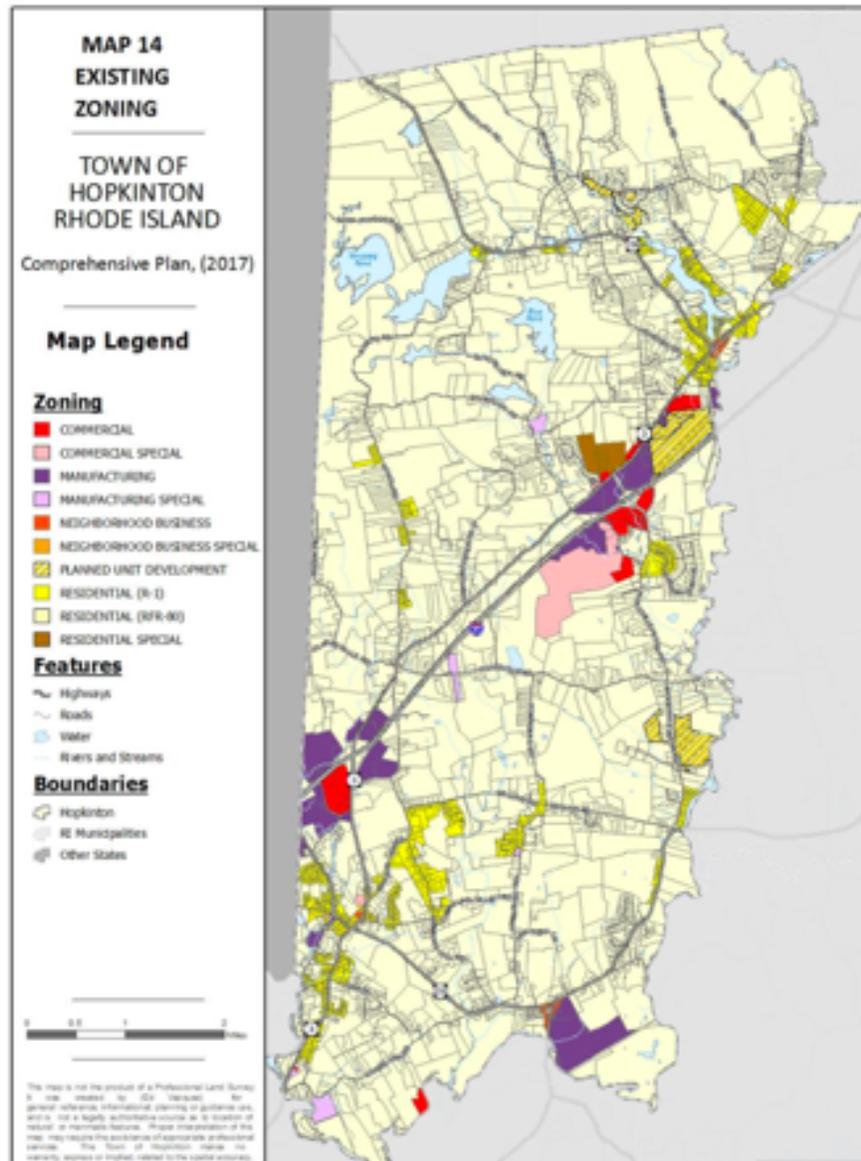
Although, there is a smattering of residences scattered throughout the subject neighborhood (primarily along Maxson Hill Road to the east), given existing topography and proposed landscaping improvements, it is the professional opinion of this land use consultant that the proposed PSES development can be appropriately screened. **It is the opinion of this consultant that visual screening was perhaps the greatest concern expressed by the**

Planning Board during the initial pre-application submission hearing. The Planning Board members were rather adamant that the solar facility was to be visually screened from all vantage points, including across Interstate 95 and associated on-ramp. The Applicant has revisited the development proposal, and in addition to reducing the size and massing of the solar facility (in and of itself minimizing visual intrusion), has thoroughly investigated proposed setbacks and vegetative screening. It is our sincere belief that the revised development is proceeding in the manner promulgated by the Planning Board.

The property is presently zoned Manufacturing District, as are all the properties lining Interstate-95, inclusive of those opposite the referenced Interstate to the west. Furthermore, the Commercial District reflects all of the properties to the immediate southwest. Therefore, all properties west of Maxson Hill Road permit solar facility developments as a matter-of-right. The referenced district(s) are both illustrated and defined below, as excerpted from the Ordinance and Comprehensive Plan, respectively.

Section 4. - Division into districts: *"The Residential Special, Neighborhood Business Special, Commercial Special and Manufacturing Special zoning districts are composed of parcels of property which heretofore were the subject of a zoning map boundary change or amendment to the text of the prior zoning ordinance and in connection with which the town council imposed use limitations, conditions, and/or restrictions. The terms of such limitations, conditions, and/or restrictions shall continue to be applicable to each said property and shall be deemed readopted and incorporated herein. **Except as the limitations, conditions, and/or restrictions as individually applicable to the property within each said zoning district are controlling the use and dimensional regulations of this ordinance from the Rural Farming Residential - 80 district shall apply to the Residential Special district, the Neighborhood Business district shall apply to the Neighborhood Business Special district, the Commercial district to the Commercial Special district, and the Manufacturing district to the Manufacturing Special district.**"*

The Town of Hopkinton is overwhelmingly zoned residential, and more specifically the RFR-80 District designation. The below 'Map 14 - Existing Zoning Map', as excerpted from the Comprehensive Plan [Page 109], clearly illustrates this point. In fact, visually speaking, the RFR-80 District appears to be imposed on no less than 80% to 90% of all town-wide land resources. The remaining 10% to 20% encompasses all remaining zoning designations, inclusive of the rather limited 'Manufacturing' and 'Commercial' Districts, the sole districts permitting PSES developments as a matter-of-right. It is therefore abundantly clear that there will be few such opportunities; properly situated and screened properties, that are likewise appropriately zoned.



GENERAL 'PSES' DEVELOPMENT PROPOSAL

The Applicant now proposes an approximately 9.250 MW AC PSES development. The development is a permissible land use, and pursuant to well-received Planning Board recommendations, will be introduced in the least visually intrusive manner possible. In fact, it was the very recommendations proffered by the Planning Board during the initial pre-application submission, that resulted in the proposed reduction.

Once again, introduction of the PSES is in direct accordance with the Comprehensive Plan [Page 29], as evidenced by the following”

Goals, Policies and Recommendations - Natural Resources Goals

Policy NR-5: *"Promote energy self-sufficiency using renewable energy and energy conservation."*

To reiterate, the total combined acreage is approximately 64.4-acres. The fenced-in solar facility area will occupy approximately 37.2-acres, or 58% of the overall property. In fact, actual panel arrays will be substantially less, well below the 75% maximum coverage permitted by Ordinance. Furthermore, and perhaps the most important development feature, is introduction of a solar facility that merely necessitates 9.1-acres of actual land clearing, or a deminimus 14.1%. This greatly speaks to the already vastly cleared fields and ability to preserve present vegetation. The primary objective is to realize a development that is dimensionally compliant, solely necessitating DPR approval from the Planning Board.

Requisite setbacks will be sufficiently vegetated, assuring visual corridors are minimized, as well as physically secured via appropriately installed fencing. Height of both the referenced fencing and solar panel arrays will be in accordance with the regulations, with a number of the arrays having a smaller stature (on average) than allowed by Ordinance. And finally, is introducing vegetated buffering, as needed, to afford appropriate visual screening. **To reiterate, the screening plan to be employed has been revisited and enhanced, as suggested by the Planning Board. The applicant's desire has, and continues to be, introduction of a solar facility that fully comports with all requisite dimensional criteria, as well as addressing (to the extent feasible) concerns of Planning Board and neighbors alike. The revised PSES development is illustrated below, as provided by the applicant's engineer, DiPrete Engineering.**

As previously indicated, there are at most nine (9) or so residences, inclusive of a rather intensive mobile home park, situated in proximate distance of the proposed PSES development. Therefore, given the referenced mixture of land uses and minimized height of the proposed solar panel array, this land use consultant does not believe that there will be any resulting negative impact.

Another important consideration is the passive nature of the proposed PSES development, as compared to other more intensive and intrusive '**permissible**' manufacturing land uses [refer below]. Said land uses being a permanent disturbance in the neighborhood, unlike the temporary nature of the proposed PSES development. It also averts the need for public



resources, such as is required by a manufacturing entity. And finally, when the solar facility ceases operating, the property should be restored to an agreed original natural state. Although, it is true that the proposed PSES development is merely a temporary stop-gap, it nevertheless deters manufacturing development for some period of time. The following illustrates some possible 'by-right' manufacturing land uses, which in the professional opinion of this land used consultant would be far more intensive and intrusive. [NOTE: The following list is a mere sampling. There are many more 'by-right' and 'conditionally-permissible' land uses not listed.]

Section 5 – District Use Regulations

16. Construction & General Contractor Uses

| | |
|---|--------------------|
| 160. General Contracting - Office & Equipment Storage | Permitted by Right |
| 161. Heavy Construction, Inc. excavation equipment | Permitted by Right |
| 165. Masonry & Stonework | Permitted by Right |
| 167. Roofing & Sheet Metal Work | Permitted by Right |
| 168. Concrete Work | Permitted by Right |
| 169. Water Well Drilling | Permitted by Right |

22. Textile Mill Product Uses

| | |
|----------------------------------|--------------------|
| 221. Mill Products | Permitted by Right |
| 222. Drying & Finishing Textiles | Permitted by Right |
| 223. Floor Covering Mills | Permitted by Right |
| 224. Yarn & Thread Mills | Permitted by Right |

23. Apparel & Other Finished Products from Fabric Uses Permitted by Right

24. Lumber & Wood Product (Except Furniture) Uses

| | |
|--|--------------------|
| 241. Sawmills & Planning Mills | Permitted by Right |
| 242. Millwork & Prefabricated Structural Wood Products | Permitted by Right |
| 243. Wooden Containers | Permitted by Right |

25. Furniture & Furnishing Manufacturing Uses Permitted by Right

26. Paperboard & Paper Manufacturing Uses

| | |
|---|--------------------|
| 261. Paper Manufacturing (not including pulp mills) | Permitted by Right |
| 262. Manufactured Products from Paper & Paperboard | Permitted by Right |

27. Printing & Publishing Uses Permitted by Right

30. Rubber & Miscellaneous Plastic Uses

| | |
|-------------------------------------|--------------------|
| 305. Miscellaneous Plastic Products | Permitted by Right |
|-------------------------------------|--------------------|

31. Leather & Leather Product Uses

| | |
|--|--------------------|
| 312. Industrial Leather Belts & Packing | Permitted by Right |
| 313. Boot & Shoe Cut Stock | Permitted by Right |
| 314. Footwear, except Rubber | Permitted by Right |
| 315. Gloves & Mittens | Permitted by Right |
| 316. Luggage | Permitted by Right |
| 317. Handbags & Other Personal Leather Goods | Permitted by Right |

32. Stone, Clay & Glass Product Uses

| | |
|---|--------------------|
| 322. Glass & Glassware, Pressed or Blown | Permitted by Right |
| 323. Glass Products Made of Purchased Glass | Permitted by Right |
| 328. Cut Stone & Stone Products | Permitted by Right |

34. Fabricated Metal Products, except Ordinance, Machinery & Transportation Equipment Uses

| | |
|---|--------------------|
| 341. Fabricated Metal Products, except Ordinance, Machinery & Transportation Equipment | Permitted by Right |
| 391. Jewelry & Silverware | Permitted by Right |
| 395. Costume Jewelry, Costume Novelties, Buttons & Misc . Notions, except Precious Metals | Permitted by Right |

396. Miscellaneous Manufacturing Uses

| | |
|-------------------------|--------------------|
| 3962. Lamp Shades | Permitted by Right |
| 3963. Mortician's Goods | Permitted by Right |

41. Local & Suburban Transit and Passenger Transportation and Related Service Facility Uses Numerous Permissible Categories

46. Warehousing Public & Private Uses Numerous Permissible Categories

50. Wholesale Uses Numerous Permissible Categories

Therefore, the proposed PSES development can be shown to be in direct accordance with the Comprehensive Plan for a variety of reason(s), to include: Introduction of a temporary passive versus potentially quite intrusive permanent land use; Averting straining municipal resources (i.e., water and sewer); and, Attaining reasonable economic development.

COMPREHENSIVE PLAN CONSISTENCY ANALYSIS

A thorough analysis of the Comprehensive Plan was personally completed, and it is the professional opinion of this land use consultant that other than the need for DPR approval, the proposed PSES development is entirely consistent with all goals and objectives. The following goals, objectives, policies, and general language, as well as map references (attached as an addendum to the end of this report), as excerpted from the Comprehensive Plan, corroborate this conclusion.

Consistency with State Guide Plans *"This plan has been prepared to be consistent with the State Guide Plan, including:"* [Page 2]

o **Energy 2035 (Report 120)**

Energy [Pages 40 - 41]

"Rhode Island's Energy Plan, Energy 2035 (Report 120), aims to create sustainable and affordable energy infrastructure that can meet the State's energy demands and stimulate economic growth. One of the primary strategies to achieve these goals is to increase fuel diversity by developing local renewable energy production facilities rather than relying on out-of-state energy sources."

"Reduction of energy consumption through community involvement and strategic municipal planning can also make a significant impact in the State's energy demand."

Strategic Energy Planning [Page 41]

"Global energy consumption has increased substantially over the last century due to economic growth and a changing standard of living. Increased land use creates a need for growing transmission infrastructure to meet the energy needs of expanding development. Although Hopkinton has remained rural, its energy demand has increased significantly in the past several decades, making energy an essential component of The Town's strategic planning process."

"...Hopkinton's Energy Plan will coincide with the state's goals as well as The Town's Land Use plan goals discussed in the Land Use Section of this Comprehensive Plan. Statewide Planning's Land Use 2025, developed in 2006, promotes a "rural-urban plan" to be used by Rhode Island cities and towns as a guide for future development..."

Renewable Energy [Page 43]

*"The majority of the energy consumed nationally is generated from nonrenewable foreign resources. Global competition for fuel sources creates unstable and unpredictable prices, with the potential for local supply shortages. **This indicates a need for locally generated renewable energy in order to ensure economic security. Renewable energy technology has evolved to allow rising global energy demands to be met in a more sustainable way, but it is crucial for this to be implemented on a community level.**"*

*"**The Town of Hopkinton can benefit from renewable energy generating technologies as a way to decrease long term energy costs, increase The Town's energy independence, and reduce greenhouse gas emissions. Renewable energy projects also have the potential to create local jobs, particularly in the fields of construction and professional and technical services.**"*

Challenges [Page 44]

- o **"Public awareness and support** of climate change, energy efficiency, and **renewable energy alternatives.**"

REGULATORY CONSISTENCY ANALYSIS

This section individually addresses the requisite standards for the Granting of the DPR.

Section 13.5-76.B 'Planning Board Review / Decision - Findings

1. *"The proposed development is consistent with the Town of Hopkinton Comprehensive Plan and/or shall satisfactorily addressed the issues where there may be inconsistencies."*

A thorough analysis of the Comprehensive Plan has been completed, as evidenced throughout this report, and it can be categorically concluded that those considerations that are most pertinent (e.g., visual intrusion, maintaining rural character, etc.) will be satisfied. Therefore, this land use consultant can conclude that the solar facility development will realize full Comprehensive Plan 'consistency.' It must be reemphasized that this is a by-right land use. Some additional evidence of Comprehensive Plan consistency, follows.

Public Services and Facilities - Goals, Policies and Recommendations [Page 55]

Policy PSF 17 - "Encourage renewable energy projects in the private sector."

Recommendation 18 - "Consider expanding the current zoning regulations to allow photovoltaic installations in residential districts."

Economic Development - Goals, Policies and Recommendations [Pages 66 - 68]

Goal ED 1: *"To provide for the expansion of the town's tax base by encouraging development of new and existing light and/or heavy industrial & office/commercial business."*

Recommendation 4: *"Identify and zone new areas for manufacturing and commercial sites."*

Land Use - Goals, Policies and Recommendations [Page 118]

Goal LU 7: *"Use the Future Land Use Plan to update and improve the Zoning Ordinance."*

Policy LU 20: *"The Zoning Ordinance should be consistent with the Future Land Use Map."*

2. *"The granting of approval will not result in conditions inimical to the public health, safety, and welfare."*

Solar facilities are by-far one of the most passive, safe, and environmentally sound land uses. Once, the installation is complete, they do not generate any odor, glare, and/or vibration. Noise levels are typically lower than ambient residential sound levels. Traffic, post construction, is at most, one (1) to two (2) vehicles per month on average. And finally, they do not necessitate any public services, such as water or sewer.

3. *"The granting of such approval will not substantially or permanently injure the appropriate use of the property in the surrounding area or zoning district."*

Once again, a thorough and careful consideration of the Comprehensive Plan has been completed, detailing those site characteristics that will be protected / preserved. Besides, a

solar installation has little to no material adverse impact on a property, because it requires no public resources and is both safe and environmentally sound. Expert testimony will be provided further evidencing compliance. Finally, it must be reiterated that the referenced land use is permitted as a matter-of-right and will realize full dimensional compliance.

4. *"There will be no significant environmental impacts from the proposed development as shown on the final plan, with all required conditions of approval."*

Once again a solar installation is by-far one of the most passive, safe, and environmentally sound land uses, because it meets all performance standards. In fact, the property could be used as a matter-of-right for more highly intrusive land uses.

5. *"The proposed development has adequate and permanent access to a public street."*

Secured entryway could potentially be accessed from a variety of safe vantage points. Regardless, adequate and permanent access will continue to be realized from Frontier Road.

CONCLUSION

It is the professional opinion of this land use and planning consultant that the proposed by-right PSES development, being situated amidst the subject property, and general Frontier Road neighborhood, will be consistent with the goals and objectives of the Comprehensive Plan and State Energy Plan, and therefore appropriate. My professional opinion is based upon the manner in which the proposed system can be well incorporated into the overall fabric of the surrounding neighborhood - a non-intrusive land use that will be practically invisible, while providing clean, efficient, and less costly energy, while realizing another much-needed revenue stream.

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SUMMARY of QUALIFICATIONS

Forward-thinking, pragmatic urban planning professional with twenty (20+) years of practical experience. Skilled in a variety of neighborhood and commercial planning and zoning activities, frequently in a supervisory or managerial capacity. Solid track records with proven effectiveness in, but not limited to, the following areas:

- ⇒ **Zoning Boards of Review**
- ⇒ **Community Planning and Consulting**
- ⇒ **Planning Boards / Commissions**
- ⇒ **Subdivision Review and Planning**
- ⇒ **City / Town Councils**
- ⇒ **Superior Court**
- ⇒ **Code Enforcement**
- ⇒ **Residential, Commercial and Industrial Development**

SELECTED EXAMPLES of ACCOMPLISHMENT

- Testified before numerous boards, commissions and councils on matters of residential, commercial, and industrial development, as well as changes / amendments to Zoning Ordinances and Comprehensive Plans.
- Testified before Municipal and Superior Court on matters of code enforcement and general land use planning.
- Authored various documents including Cost of Community Services Study, Revitalization Plans, Zoning Ordinances, Comprehensive Plan Amendments and the first Telecommunications Ordinance in the State of Rhode Island.
- Responsible for reviewing all development associated with the Quonset Point / Davisville Industrial Park, an approximately 3,500 acre industrial park, site of the former Sea Bee Navy Base, numerous mill rehabilitation projects, including Pocasset Mill, Johnston, RI (Comprehensive Plan Amendments).
- Responsible for reviewing numerous residential subdivisions, especially expert in the field of Comprehensive Permits (Affordable Housing). Work product cited by the Rhode Island Supreme Court.
- Represented clients before numerous Zoning Boards of Review throughout the State of Rhode Island, on a variety of variance and special use permit petitions, with a greater than 90% success rate.
- Extensive energy and renewable energy projects, including solar, wind and gas-fired eccentric generating assets.

EDUCATION

MASTERS OF COMMUNITY PLANNING AND DEVELOPMENT
University of Rhode Island - Masters Received 1994

University of Florida - Studied City Planning - 1991 / 1992

BACHELOR OF ARTS – URBAN AFFAIRS; MINORS IN MATHEMATICS AND PHILOSOPHY
University of Rhode Island - BA Received 1990

ACCREDITATION: AMERICAN INSTITUTE of CERTIFIED PLANNERS – May 1996

PROFESSIONAL EXPERIENCE

Land Use Consultant
East Providence, Rhode Island

PIMENTEL CONSULTING, INC.

Zoning Officer
East Providence, Rhode Island

CITY OF EAST PROVIDENCE

Consulting Town Planner
Barrington, Rhode Island

TOWN OF BARRINGTON

Town Planner
Wayland, Massachusetts

TOWN OF WAYLAND

Principal Planner
North Kingstown, Rhode Island

TOWN OF NORTH KINGSTOWN

Assistant Planner
East Providence, Rhode Island

CITY OF EAST PROVIDENCE

Planning Consultant
Newport, Rhode Island

NEWPORT COLLABORATIVE

Planning Intern
Orange City, Florida

CITY OF ORANGE CITY

RHODE ISLAND AIR NATIONAL GUARD

Plans and Implementation Communications Specialist
Rhode Island Air National Guard 1995 – Retired 2013

Security Police Officer
Rhode Island Air National Guard 1987 – 1990

CIVIC

WGBH – Community Advisory Board Member
Cambridge, Massachusetts 2000 - 2003

SPECIAL SKILLS AND TRAINING

- Fluent in Portuguese