

State of Rhode Island

County of Washington

In Hopkinton on the sixteenth day of February 2021 A.D. the said meeting was called to order by Town Council President Stephen Moffitt, Jr. at 6:30 P.M. in the Town Hall Meeting Room, 1 Town House Road, Hopkinton, RI 02833.

PRESENT: Stephen Moffitt, Jr., conducted the meeting remotely. Scott Bill Hirst and Michael Geary were present in the Meeting Room, Sharon Davis, Robert Marvel, Town Solicitor Stephen Sypole, Acting Town Manager Brian Rosso and Town Clerk Elizabeth Cook-Martin participated remotely.

The Council convened the Open Session and recessed to Executive Session.

EXECUTIVE SESSION

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR DAVIS TO ENTER INTO EXECUTIVE SESSION UNDER RIGL SEC. 42-46-5(A)(2) STATUS AND REVIEW OF LITIGATION INVOLVING THE TOWN FROM THE TOWN SOLICITOR.

POLL VOTE:

IN FAVOR: Moffitt, Davis, Hirst, Geary, Marvel

OPPOSED: None

SO VOTED

The Council reconvened in open session. Council President Moffitt reported that no votes were taken in Executive Session.

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR GEARY TO SEAL THE MINUTES OF THE EXECUTIVE SESSION.

IN FAVOR: Moffitt, Davis, Hirst, Geary, Marvel

OPPOSED: None

SO VOTED

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

HEARINGS:

PROPOSED ZONING DISTRICT USE TABLE AMENDMENT TO PROHIBIT ADDITIONAL GAS/DIESEL STATIONS

The Council opened a hearing on proposed text amendments to the Town’s Zoning Ordinance District Use Table. The intent of the proposed amendments is to prohibit any additional gas/diesel stations; to allow electric charging stations in commercial, manufacturing and neighborhood business zones, including the two current gas stations. This proposed amendment had been introduced and sponsored by former Councilor Sylvia Thompson, scheduled on the November 2, 2020 Town Council Agenda where the hearing date was set for February 16, 2021. The proposed amendments to the Zoning Ordinance, Appendix A; Chapter 135 Section 5 District Use Regulations are shown in bold italics:

Section 5 – District Use Regulations.

District Use Table – P = Permitted N = Prohibited S = Special Use Permit A = Aquifer Protection Permit

Use Category	RFR-80	RES-1	NB	Comm.	Mnufct.	Aquifer Overlay	
						Primary	Secondary
554 Gasoline Service Stations	N	N	N	P	S	N	A

Proposed amendments in bold italics:

<i>554 Gasoline Diesel Service Stations</i>	<i>N</i>						
<i>559 Electric Charging Stations</i>	<i>N</i>	<i>N</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>

Section 8. Nonconforming development (C. Addition, enlargement, expansion, replacement or intensification of a nonconforming development shall be allowed by special use permit. ***Unless prohibited in the district use table.***

Sponsor Sylvia Thompson was not in attendance. Filing fees are not applicable to this matter; notice had been posted.

A stenographer was present to record the proceedings.

Councilor Marvel asked if the items in the District Use Table, 554 and 559, were already defined in the definition section and if so what are they.

It was decided that since the sponsor, Mrs. Thompson, was not present to discuss this matter they would note any council and public questions and reschedule this matter in hopes that Mrs. Thompson would be available to answer those questions.

Councilor Geary noted that he had some questions as well and wished this matter tabled until Mrs. Thompson was available to answer them.

Councilor Hirst agreed but believed there would be no problem taking comments from the public. He also believed that electric charging stations are still an unknown and wished some input from the public while a stenographer was present.

Jim Lamphere, the Town Planner, commented that if they continue this public hearing he would request that it be on the second meeting in March which would allow him to put this on the March 3rd Planning Board agenda in order to provide them with an advisory opinion.

Solicitor Sypole stated that in his review of the Zoning Ordinances listed on the town's website, which were not totally up-to-date, these three proposed items in the table were not defined terms in the definition section. Gasoline service stations was a line item in the use table currently; however, gasoline diesel service stations and electric charging stations were not. Gasoline service stations were in the use table but had no definition. He believed it would be advisable for the proponent of the ordinance to include those definitions.

Mr. Lamphere agreed with Solicitor Sypole and noted that most uses in the use table are not defined. He felt that gasoline service station pretty much speaks for itself; however, it does allow the zoning official a little bit of discretion on how they interpret that to be defined. Section 554, noted in bold, he felt was a replacement of the existing Section 554 with the addition of diesel with gasoline and Section 559, he felt was a brand new use number.

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR GEARY TO CONTINUE THE PUBLIC HEARING TO MARCH 15, 2021.

IN FAVOR: Moffitt, Davis, Hirst, Geary, Marvel

OPPOSED: None

SO VOTED

PROPOSED ZONING ORDINANCE AMENDMENT

The Council reconvened the hearing on a Petition to consider amendments to the Hopkinton Zoning Ordinance, including the Farm Viability Ordinance, and Chapter 246 entitled “Non-Residential Photovoltaic Solar Energy Systems (PSES)” as amended January 22, 2019, filed by Tom & Cynthia Sculco, 192 Woodville Road, Hopkinton, RI 02833 and 132 East 95th Street, New York, NY. The application is filed in accordance with Section 16 of the Zoning Ordinances of the Town of Hopkinton, as amended. The hearing was continued to February 16, 2021 on January 19, 2021. The proposal would amend Sections 2, 5, 5.3, 5.5-7, & 10 of the Zoning Ordinance in order to substantially revise the manner in which “major”, “minor”, “accessory” and “contaminated” Solar Energy System proposals including roof-mounted and commercial solar energy systems are considered and approved throughout the Town of Hopkinton. Proposed changes include, but are not limited to, limiting principal use/commercial solar energy systems to manufacturing zones, requiring land development project review for principal use/commercial solar energy systems, requiring special use permit approval for such uses, altering the dimensional requirements for such uses, and establishing a precedence of approvals when multiple approvals are required. The application describing the proposed amendments is a 22-page document that, if adopted, would represent a comprehensive overhaul of the Town’s regulation of all proposed solar energy systems throughout the Town.

Attorney Peter Skwirz was present representing Tom and Cynthia Sculco. Filing fees were paid and notice had been posted for the original hearing.

A stenographer was present to record the proceedings.

Both Councilors Hirst and Geary wished to hear from the public. Councilor Davis stated that she had been thinking a lot about their prior discussion concerning contaminated site solar energy systems and researched the RIDEM website and obtained a list of contaminated sites in Hopkinton, noting there were nine, four of which had been remediated. She now believed that contaminated site systems should

be permitted in manufacturing zones and they will need to reinsert a lot of the verbiage that they took out concerning contaminated sites. Council President Moffitt asked Councilor Davis how she would change the Use Table and she indicated that she would change the N to a P under Manufacturing. Councilor Marvel stated that if they were going to revisit that in Manufacturing, he would rather see an S there rather than a P, because he felt that contaminated sites should always get more scrutiny. Councilor Hirst supported that, as did Councilor Davis and Councilor Geary. Council President Moffitt felt that this was a good idea and also agreed. Attorney Skwirz noted that he could put that language back in. Councilor Davis also noted that they had discussed accessory ground mounted solar being allowed by special use permit and she was undecided if that should be the case. Council President Moffitt felt that if they were going to allow accessory ground mounted solar there should be another level of scrutiny in order to protect neighbors and neighborhoods. Councilor Geary felt that having to obtain a special use permit would be an added expense to a resident. Councilor Davis felt the size should be based on what National Grid felt would be the equivalent of 100% or 125% of someone's usage; she did not feel they should define the size, which Councilor Geary agreed with. Council President Moffitt agreed but felt they should agree on the percentage and he felt 125% of the usage would be acceptable. Councilor Marvel wished to assure that this use required a special use permit but otherwise agreed.

Joe Moreau of Old Depot Road felt that the present PSES Ordinance dated January 22, 2019 needed a few changes and tweaks but not a major redo. He also indicated that he had suggested two additions to the proposed ordinance; one being a defined work schedule and the other that the town needs to be notified when a project is generating power. Mr. Moreau indicated that he recently found out the Sculcos were real estate developers and when he researched this through the Rhode Island Secretary of State's website he discovered that Mr. Sculco was the manager of four different limited liability companies. The Sculcos have also been on several different boards and commissions; assisted with fundraisers; and, they have their own foundation to help those in need. Thomas Sculco has a medical facility named after him and they have donated to the Westerly School System in the past. Mr. Moreau

indicated that he was accused in an email on January 20, 2021 of lashing out at the Sculcos. He felt that he has not lashed out at anyone and he would never denigrate anyone, especially the Sculcos, which was not his style. He asked that Attorney Skwirz and the Sculcos do their own research to assure that they have accurate information of all the facts.

Jim Lamphere asked to revisit Use Code 309, for in light of the change that was recommended by putting an S under Manufacturing they were going to have to change the N's under the primary and secondary aquifer to either A's or P's, which Councilor Geary concurred with. Councilor Marvel wished it be A's which would require more scrutiny, which was agreed by all.

Clifford Heil of Chase Hill Road responded to the statement made by Mr. Moreau and noted that it should not be relevant who proposed any change to an ordinance. He felt this was a town revision and it was completely irrelevant who proposed the change. Regarding their change to the contaminated sites, he had sent an opinion to the Councilors regarding aquifers. He noted that he had looked at the DEM aquifer maps which have a very clear distinction between primary and secondary aquifer zones. Primary aquifers are actually groundwater reservoirs or groundwater recharge zones; in a secondary aquifer, they are unclear as to where that water comes from, but it is drinkable, usable water. He suggested that they keep an N in the primary protection zone. Councilor Marvel noted that when they discussed this in the workshop their conclusion was similar and that is way they came up with N's across the board. He noted that he would rather disallow this across the board and then consider it later on when they could have a more detailed discussion. Councilor Davis indicated that when she went on the RIDEM site there were only nine contaminated sites in Hopkinton, four of which have been remediated. Two of the remediated sites are zoned manufacturing so she believed the exposure would be a lot less than they thought and felt that they would be safe in allowing solar in a manufacturing zone. Council President Moffitt believed that by adding this special use permit in a manufacturing zone and putting an A in the aquifer columns, it will add extra scrutiny to the process. Attorney Skwirz asked if the Council wished, when he added in the definition of a contaminated site, he could indicate this to be a site designated as such by a specific date which was agreeable to the Council. Councilor

Marvel asked Councilor Davis if she knew how many of those nine contaminated sites were over a primary aquifer but she did not know but hoped that Mr. Lamphere might be able to get that information before their next meeting. Mr. Lamphere explained that by putting an S in manufacturing, the amount of exposure that they currently have was miniscule and noted that he did not see any need to put an N in the primary aquifer protection zone because DEM was going to approve a solar array on top of a properly closed out contaminated site. DEM will not approve a solar array which affects the aquifer. Mr. Lamphere noted that he has not seen any credible evidence that solar panels adversely affect the aquifer; particularly a contaminated site that has been capped with a membrane which you are not allowed to puncture. Mary Karlsson indicated that she had sent a letter to the Councilors about opposing a special use permit for residential ground mounted solar and limiting the amount that someone could generate. Councilor Marvel noted that the intent in the definition is that the ground mounted solar would provide up to 125% of someone's energy needs. Ms. Karlsson wished something added into the ordinance that specified electric and fuel oil combined, not merely someone's electric bill. Councilor Davis felt that the definition where it states "125% of the energy" thereafter in parenthesis could state *(or a combination of electric, propane, etc.)*. Ms. Karlsson believed that she would need approximately a half acre of ground mounted solar for her property which would only be seen by one neighbor. Council President Moffitt noted that if he hadn't brought up ground mounted solar they would not even be talking about any accessory ground mounted solar. Ms. Karlsson indicated that she would sue the town if they did not allow it. Attorney Skwirz noted that for clarification purposes he could add into the definition language suggesting that energy could be electric, oil, propane, etc. Ms. Karlsson noted that it was really important that solar did not go on her roof because her home has a historic designation. Council President Moffitt noted that a half acre of solar for an accessory use would be extreme. Ms. Karlsson wished the accessory use be allowed without having to obtain a special use permit; however, Council President Moffitt disagreed. Ms. Karlsson noted that Hopkinton was a town of working class people and middle income people and they will be forcing them to hire an attorney, engineer and surveyor, which alone will make this cost prohibitive. She felt that they should write the ordinance with enough restrictions, setbacks and

coverage so that the building inspector could approve a project. Councilor Marvel felt that they were taking the best approach to protect the entire town with regard to solar sprawl. He felt that a special use permit was the best way to ensure that the town as a whole was protected. Council President Moffitt noted that the ordinance as proposed has an estimated use of 125%.

Scott Melons asked how the ordinance would affect the farm viability act. Attorney Skwirz indicated that the farm viability ordinance had been taken out of this current draft ordinance. Mr. Melons questioned Section 5.3.1(b) noting that the ordinance would take effect upon passage, wondering if this ordinance would affect any prior approved projects. Attorney Skwirz indicated no, those projects would be vested under the old ordinance and that clause was just intended for clarification purposes. Council President Moffitt asked Attorney Skwirz about the farm viability ordinance where it spoke of accessory use and Attorney Skwirz noted that they should indicate either that this proposed ordinance does not apply to the farm viability ordinance or that it does apply to it.

Eric Bibler of Woodville Road suggested the Council should take a section at a time and have the public comment on that section. Regarding contaminated sites, he thought that it was agreed that this was something that would require further study. He did not understand the rush and felt that it would only take one incident to cause a problem. He also wished to see a copy of Councilor Davis's research. Thereafter he noted that at every workshop, the discussion regarding the farm viability act has been deferred and he saw this as a very problematic ordinance.

Louanne McCormick of Lisa Lane thanked the Council for their efforts with this proposed ordinance and thanked the Sculcos for bringing this proposal before them. She wished them to think in terms of how to plug the hole and protect the town. She noted that a person only needs to be a farm for one year in order to obtain a solar array; however, a senior resident has to live in town for five years in order to qualify for tax relief. She wished to thank Clifford Heil and Steve Wiehl for applying for vacancies on Boards.

Carolyn Light of Forest Glen Drive thanked the Council for reconsidering allowing solar on contaminated sites. She also noted that Hopkinton could have sites that may not yet have been identified by DEM as contaminated and she didn't think they

should close that window. She agreed with designating a contaminated site as S for manufacturing with an A in the primary aquifer site. She would like to see these contaminated sites cleaned up in order to protect the aquifer. She next wished to speak about the farm viability ordinance. Councilor Geary read the definition established in the 2003 ordinance which noted that the farm had to be established at least two years prior to applying for solar, so what Ms. McCormick stated was incorrect. Ms. Light also noted that there was a request to put off speaking about contaminated sites and the farm viability ordinance until after the budget process was completed. She noted that right now they had the benefit of the Sculcos sponsoring this ordinance; however, in September or whenever they would revisit those sections there may not be a sponsor. She also questioned Attorney Skwirz about the town having a limited amount of time to process the applicants' request from start to finish. Attorney Skwirz noted that was correct; however, they had agreed to waive that. Ms. Light asked Attorney Skwirz if the Council put off adopting this draft ordinance until September, would he be willing to wait. He noted that if some portion of this amendment was adopted, the Sculcos would probably not hire him to come back in the fall, so if the Council tabled those two items there would be no sponsorship in place. Lastly, she spoke of restricting residential accessory solar to 125% and noted that Mrs. Karlsson made a good point, saying that it was her objective to put money into her retirement account rather than spend it on oil, but the Council has said if National Grid comes back saying that she would need 126% to convert the property over to an energy efficient facility, the town will say no. Ms. Light would like to see the language loosened up to allow that exception. She noted that GE and Jaguar plan on their vehicles being battery operated and not gas in the near future. She also wished to note that what she heard Mr. Moreau say was that the Sculcos are very generous people and they give to their communities.

Carol Desrosiers of Pleasant View Drive felt it would be difficult to have the ordinance accommodate all unique individual cases such as Ms. Karlsson's case; they need to try to accommodate the majority. She was concerned about ground mounted solar in residential areas because she would prefer not to be subjected to a visual impact. She believed that everyone should be aware of the nine contaminated sites that were mentioned and wished to know where those sites were located. Lastly,

regarding the farm viability ordinance, she felt that this ordinance needs clarification. She noted that when solar was first allowed on farms, it was not installed in a pleasing fashion to the neighbors and neighborhood; once the current PSES was put in place more regulations came into play that applied to the farms so there was more assurance to the neighbors as far as buffering and runoff.

Sherri Aharonian of Dye Hill Road asked the Council if they had firmed up the definition of a contaminated site. Attorney Skwirz read the working definition that they had: “A contaminated site solar energy system is a solar energy system located on a contaminated site pending remediation or a remediated and restricted contaminated site. A contaminated site solar energy system shall be reviewed as a major land development. A contaminated site pending remediation is a property that has been identified and confirmed by RIDEM as of February 16, 2021 that was being contaminated through issuance of a letter of responsibility, but which has not yet been remediated to the satisfaction of DEM.” Council President Moffitt indicated that they have not changed the definitions of contaminated sites and this definition was in the original proposal.

Doug Sabetti, the owner of Newport Solar, a residential solar company in North Kingstown, indicated that he had read the ordinance and listened to all comments. He noted that system sizing is based on state statute, and National Grid scrutinizes applications to determine if the system size meets the definition of producing 100% of onsite usage. Onsite uses change: some people get electric cars; some people switch from gas appliances to electric; so usage goes up and down all the time. If someone is adding usage to their bill they would submit a receipt to National Grid for approval. He noted that town councils and boards, in his ten years of experience, cannot supersede state statute. The system sizing is all defined. He also noted regarding Mrs. Karlsson’s comments, that solar produces electricity; it does not produce fossil fuels. You cannot offset fossil fuel usage that you are actually using with electricity. He noted that ground mounted systems, as proposed in this ordinance, needed a special use permit. He indicated that he had asked Councilor Davis if a shed, swimming pool, playground set or any other accessory structure were allowed on those lots and she indicated that they were. Therefore, solar systems are being treated uniquely which is not a good idea and he felt would be deemed

discriminatory. Regarding roof mounted solar restrictions and setbacks, no city or town can supersede state building code, national electric code or national fire code on one to three family dwellings. He suggested that all solar ordinances have to comply with state code. The state has suggested that towns work in tandem with the Office of Energy Resources to make sure that all rules that the town comes up with comply with state code and do not create situations that conflict with state code. He is afraid that what is happening was residents are being punished because of the bigger solar farms. People put solar on their roofs and in their yards because it is the first opportunity that they have had to produce their own power and not be under the monopoly of the utility.

Joe Moreau of Old Depot Road thanked Ms. Light for her comments and noted that Mr. Heil had completely missed his point. He noted that they can agree to disagree but he has the right to express his opinions.

Barbara Capalbo of Ashaway wished to thank Councilor Davis for putting an S in the manufacturing zone for contaminated sites. She also wished to remind everyone that Hopkinton only put zoning in place in the 1970's. Before that they did anything they chose and Hope Valley and Ashaway were known as manufacturing and industrial districts, not just commercial which meant that there may be any number of contaminated commercial sites that are unknown because they have never been sold or they have never been addressed. She asked if when they speak of accessory ground mounted solar on residential property, they meant RFR80 and not R1 which is less than two acres and Council President Moffitt indicated that she was correct, they were only speaking of RFR80 zones. Mrs. Capalbo indicated that her only issue with ground mounted solar in an RFR80 zone would be that not only would they have solar sprawl but they would have solar litter everywhere because most properties in town are zoned RFR80.

Councilor Geary wished clarification regarding the farm viability act and would it be discussed in this ordinance or completely taken out. Attorney Skwirz suggested that the ordinance that they have right now did not touch the farm viability ordinance, but it did leave an ambiguity as farm viability defines its solar as accessory. Therefore, the question is whether the definition regarding accessory in the proposed ordinance applies. He suggested that they clarify the issue one way or the other by adding a

sentence that says this ordinance does apply to the farm viability ordinance or that it doesn't apply to the farm viability ordinance. Councilor Geary wished a sentence that stated that this ordinance shall not apply to accessory solar as permitted by the farm viability ordinance. Council President Moffitt felt that if their intent was to stop large scale solar than they would need to revisit the farm viability ordinance. He noted that he was not in favor of continuing the PSES, the way that it is worded, in the farm viability ordinance. He would reserve putting that sentence in this ordinance for now until they had another discussion concerning this. Councilor Geary wished to hear from the other Councilors in this regard. Councilor Davis believed the farm viability ordinance should be evaluated separately which Council President Moffitt and Councilor Marvel agreed with. Councilor Geary believed the consensus was that sometime in the future they would revisit the farm viability ordinance with the understanding that all Commissions and Boards that represent that area have some input. Councilor Davis instructed people on how to find the RIDEM contaminated sites.

A MOTION WAS MADE BY COUNCILOR DAVIS AND SECONDED BY COUNCILOR MARVEL TO CONTINUE THE HEARING TO MARCH 1, 2021.

IN FAVOR: Moffitt, Davis, Hirst, Geary, Marvel

OPPOSED: None

SO VOTED

The Town Council did not entertain a motion to resume workshop at conclusion of Town Council Meeting.

CONSENT AGENDA

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR DAVIS TO APPROVE THE CONSENT AGENDA AS FOLLOWS: APPROVE TOWN COUNCIL REMOTE WORKSHOP MEETING MINUTES OF JANUARY 27, 2021; ACCEPT THE FOLLOWING MONTHLY FINANCIAL-ACTIVITY REPORT: TOWN CLERK; APPROVE REFUND DUE TO OVERPAYMENT BY TAXPAYER ON 2017 MV TAX SUBMITTED BY THE TAX COLLECTOR.

IN FAVOR: Moffitt, Davis, Hirst, Geary, Marvel

OPPOSED: None

SO VOTED

OLD BUSINESS:

**CHAPTER 250 HOPE VALLEY WATERLINE DISTRIBUTION SYSTEM
ORDINANCE AMENDMENT**

This matter had been scheduled to allow the Town Council to discuss, consider and possibly vote on a motion to either approve or reject the proposed ordinance amendment to Chapter 250 - Hope Valley Waterline Distribution System Ordinance, to add to the Prohibited Activities Section: Item G. Every property within the district may not increase development beyond the lot's current RI Department of Environmental Management (DEM) approved onsite wastewater treatment system (OWTS), following the completion and closing of the public hearing on February 8, 2021. There had been no response from the waterline subscribers nor any questions reported.

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR GEARY TO APPROVE THE PROPOSED ORDINANCE AMENDMENT TO CHAPTER 250 - HOPE VALLEY WATERLINE DISTRIBUTION SYSTEM ORDINANCE, TO ADD TO THE PROHIBITED ACTIVITIES SECTION: ITEM G. EVERY PROPERTY WITHIN THE DISTRICT MAY NOT INCREASE DEVELOPMENT BEYOND THE LOT'S CURRENT RI DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (DEM) APPROVED ONSITE WASTEWATER TREATMENT SYSTEM (OWTS).

IN FAVOR: Moffitt, Davis, Hirst, Geary, Marvel

OPPOSED: None

SO VOTED

NEW BUSINESS:

APPOINTMENT OF SUBSTITUTE MUNICIPAL COURT JUDGE

This matter had been scheduled to discuss, consider and possibly vote to appoint a substitute Municipal Court Judge to hear a housing matter Judge Steele has a conflict with requested by Municipal Court Judge Margaret Steele. Judge Steele participated remotely.

Municipal Court Judge Margaret Steele was present remotely and noted that this has only happened one other time in the years that she has been sitting and at that time Judge Linda Urso had sat in her place; however, she was unsure of Judge Urso's comfort level with matters relating to housing. She noted that she has sat in Westerly Municipal Court when that Judge had a conflict, so there is a relationship there where Judge Peter Lewiss and she will sit for one another if there is a conflict. Also Attorney Michael Cozzolino is the prosecuting lawyer for the town and he would be willing to handle this conflict matter.

A MOTION WAS MADE BY COUNCILOR GEARY AND SECONDED BY COUNCILOR MARVEL TO APPOINT MICHAEL COZZOLINO, ESQ. AS SUBSTITUTE MUNICIPAL COURT JUDGE TO HEAR A HOUSING MATTER JUDGE STEELE HAS A CONFLICT WITH.

IN FAVOR: Moffitt, Davis, Geary, Marvel

ABSTAIN: Hirst

OPPOSED: None

SO VOTED

BOARDS AND COMMISSIONS:

ZONING BOARD OF REVIEW ALTERNATE

Clifford Heil, Jr. had applied for the position of Zoning Board of Review Alternate and had been interviewed on February 8, 2021.

A MOTION WAS MADE BY COUNCILOR MARVEL AND SECONDED BY COUNCILOR DAVIS TO APPOINT CLIFFORD HEIL, JR. AS ALTERNATE TO THE ZONING BOARD OF REVIEW.

IN FAVOR: Moffitt, Davis, Marvel

OPPOSED: Hirst, Geary

MOTION CARRIED

RECREATION COMMISSION

Sherri Ryan had sent her request to be reappointed to the Recreation Commission.

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR DAVIS TO REAPPOINT SHERRI RYAN TO THE RECREATION COMMISSION.

IN FAVOR: Moffitt, Davis, Hirst, Geary, Marvel

OPPOSED: None

SO VOTED

WOOD-PAWCATUCK WILD & SCENIC STEWARDSHIP COUNCIL

Clifford Heil, Jr. had applied for the alternate vacancy on the Wood-Pawcatuck Wild & Scenic Stewardship Council. He had been interviewed on February 8, 2021.

A MOTION WAS MADE BY COUNCILOR HIRST AND SECONDED BY COUNCILOR MARVEL TO APPOINT CLIFFORD HEIL, JR. TO THE WOOD-PAWCATUCK WILD AND SCENIC STEWARDSHIP COUNCIL.

IN FAVOR: Moffitt, Davis, Hirst, Geary, Marvel

OPPOSED: None

SO VOTED

JUVENILE HEARING BOARD

Steven Wiehl had applied for a position on the Juvenile Hearing Board and had been interviewed on February 8, 2021.

A MOTION WAS MADE BY COUNCILOR GEARY AND SECONDED BY COUNCILOR HIRST TO APPOINT STEVEN WIEHL TO THE JUVENILE HEARING BOARD.

IN FAVOR: Moffitt, Davis, Hirst, Geary, Marvel

OPPOSED: None

SO VOTED

PUBLIC FORUM

Joe Moreau of Old Depot Road spoke of the budgeting process and felt that it was important to have input from residents who may have questions concerning this process.

Mary Karlsson noted that if the Council wished to stop big solar the Lake Tahoe Supreme Court case could override anything the state puts in, in terms of prerequisites in having to deal with applicants. That case is entitled, *Tahoe-Sierra Preservation Council, Inc. vs Tahoe Regional Planning Agency*. The town put in a moratorium and the people who were developing claimed it was a taking of their property and their property rights. This went all the way to the Supreme Court and the decision was that any town, municipality or governing agency has the right to call a moratorium to make their regulations more protective.

ADJOURNMENT

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

SO VOTED

Elizabeth J. Cook-Martin

Town Clerk

Marita D. Murray

Deputy Town Clerk