



AGRICULTURAL LANDS PRESERVATION COMMISSION MINUTES OF THE DECEMBER 10, 2009 MEETING

COMMISSION MEMBERS PRESENT: Everett Stuart, Kevin Nelson, Michael Sullivan, Dave Wallace, Jim Paglarini

COMMISSION MEMBERS ABSENT: George Mason, Will Wright

STAFF: Lis Peterman, DEM; Mike Moorman, USDA/NRCS

GUESTS: Michael Kent – Heritage Equestrian Center
John Difazzio – Dimucio Dairy Farm
Shawn Brown – Town of Middletown

CALL TO ORDER:

The Chair called the meeting to order at 4:05 PM at the USDA, 60 Quaker Lane, Warwick.

AGENDA ITEMS:

1. The minutes of the previous meeting were not available; therefore, their approval was deferred.
2. Dimuccio (proposed retail barn) – John Difazzio, representing the applicant, presented the request to construct a barn style building for retail sales. Mr. Sullivan explained that more detail will be required, including a site plan that shows Town zoning requirements such as setbacks, parking requirements, etc. Mr. Stuart stressed the importance of locating the structure so as to minimize disruption to agricultural operations. Mr. Difazzio responded that the site location will be dictated by access to Scituate Avenue. Mr. Nelson moved, seconded by Mr. Wallace, to give conceptual approval pending the submission of an acceptable site plan, including all zoning requirements. Approved unanimously.
3. Kent (proposed house) – This item had been continued from previous meetings. Mr. Sullivan stated that the material received to date is lacking in substantive detail. Mr. Kent reiterated the plans that were submitted and noted that he has provided additional information as it has been requested. At this point Mr. Nelson noted that the request to the ALPC is premature. The Farmland Preservation Act (RIGL 42-82) requires that an applicant seeking to repurchase development rights must present the Commission with “a certificate from the municipality in which the land lies stating that two-thirds of the city or town council has approved the proposed development.” Mr. Kent stated that he initially approached the Town but they referred him to the Commission. He stated that he would seek approval from East Greenwich and revive his request to the Commission if successful.

4. Simmons (proposed wind turbine) – Shawn Brown, Town Administrator, presented a conceptual proposal on behalf of the applicants to construct one or two wind turbines. Part of the power generated would be used for farm operations with the excess being sold to the Town. Mr. Stuart stated that a small turbine designed to support farm operations would probably be consistent with the provisions of the PDR covenant but large or multiple turbines would be more difficult to justify. Mr. Brown explained that the footprint between a small (100 kw) turbine and a large (250 mw) turbine is not significant and that it would not substantially affect farm operations. In terms of siting, a larger turbine could be sited in a less visible location. Mr. Stuart noted that the chosen site must minimize disruption to agricultural land and that potential access roads must be considered in addition to the footprint. Mr. Sullivan stated that he believes in principle, a wind turbine whose primary purpose is to provide energy for agricultural uses with the sale of excess electricity as ancillary is probably acceptable within Commission guidelines. Mr. Moorman cautioned that the proposal would have to be approved by the USDA.

The next step will be for the applicant to prepare a formal request explaining that the proposal is primarily for agricultural purposes and provision of a preliminary site plan.

5. Ronci (proposed family cemetery) – This item was withdrawn at the request of the applicant but with notice that it will likely be resubmitted at a future date.
6. Wallace / Cottrell (National Grid utility easement) – Mr. Wallace and Mr. Sullivan gave an informational report. No action was necessary but the Chair will request the DEM legal staff provide information to the Commission as warranted.
7. Discussion / Scoring of applications – Two applications for land owned by Richard Schartner were distributed for future consideration pending additional information and a corrected map.
8. Discussion of farms in negotiation – No change since last report.
9. Commission membership – Two vacancies remain.
10. Additional business – Mr. Sullivan distributed information on land in Coventry currently in the Farm, Forest, and Open Space Program. The owner would like to retain three house lots and donate an easement on the remainder (20+ acres) to the Commission; however, there is little, in any, active agricultural activity at this time. Mr. Sullivan will continue to discuss options with the landowner.

ADJOURNMENT:

Mr. Wallace moved, seconded by Mr. Pagliarini to adjourn the meeting. Approved unanimously.

Respectfully Submitted,

Kevin Nelson, Vice Chair