

WEST GREENWICH
PLANNING BOARD MEETING
March 19, 2018

A regular meeting of the West Greenwich Planning Board was held on Monday, March 19, 2018.

Present were: Secretary Timothy Regan, William Bryan (7:23), Mike Zavalia and David Berry. Also present were Town Planner David Provonsil and Town Solicitor Amy Goins. Secretary O'Loughlin called the meeting to order at 7:00 p.m. in the Town Hall Council Chambers.

It was determined there was a quorum.

1. CONSENT AGENDA

- a. Acceptance of Minutes (CA); January 22, 2018, Regular Meeting (No meeting held in February)
- b. Acceptance of Minutes (CA); January 29, 2018, Joint meeting with the Town Council

Motion to approve.

Motion seconded by Berry.

All in Favor (3-0)

Berry – O'Loughlin

Secretary O'Loughlin announced that he would be calling Reports and Special Items first.

6. REPORTS AND SPECIAL ITEMS

- a. Regarding the Hopkins Hill Business Park, AP 3 Lot 16: A Petition by developer Gansett Associates to vacate approval granted in March 2017 on an Amended Site Plan for Land Unit 2.

James Moretti, attorney for Gansett Associates addresses the Board. His client would like to vacate the approval of the amended plan, as the basis is laid out in petition. He is aware that Attorney John Pagliarini has a proposal prepared for them.

John Pagliarini, representative for Driven LLC, (Jeff Butler owner of Condominium Land Unit 2) states that without admitting or denying any allegations they can come to an agreement that it was properly brought to the Board before the dissolution of the partnership (Gansett/Butler) where authority became problematic. They are okay with vacating however they want assurance from the Board that under the terms of Zoning Ordinance that there is no constraint, that their maximum impervious surface is 45%. They would like the board to reconsider vacating and grant his client approval for the site plan, as they have already done, with two changes:

1. It be put in his client's name (Jeff Butler of Driven LLC)

2. Capping him at 45% total impervious. His current percentage was at 70%. He would like to submit a plan Administratively to the planner with his client's name.

Ursillo states that there would be three motions required – 1. To vacate the prior approval of up to 70% impervious surface. 2. Confirm that units 5 and 6 have what the Zoning Ordinance requires 3. Similarly, instead of Gansett Associates, Driven LLC gets to take advantage of the 45% and the plan submitted to Dave Provonsil as the administrative officer with the new name showing. He states that legally it would be accepted.

Kirk Pickell, of Gansett Associates, asks the Board if they view Lot 16 as having individual Land Units or as a whole.

Provonsil tells him that the last time the Board saw the project it was one parcel showing two phases. The subsequent documents were brought directly to the Town Clerk and the Board never saw them, which means the Board never reviewed or interpreted the development as individual land units.

Pickell states that he would like to shift some coverage from unit 6 to unit 5 and asks the Board if it would be a problem.

Ursillo states that they need to stay within the 45% for each unit.

Zavalia asks if the initial site design had a peer review or if it was done administratively and if the review needs to be done in the same manner in the future.

Provonsil states they would not need another peer review since they are reducing the size of the impervious.

Motion to vacate the March 2017 approval which had specified 70% impervious on unit 2.

Motion seconded by

All in Favor (3-0)

Berry – O'Loughlin

Motion that the Board reset the impervious percentages on units 2, 5 and 6 at 45% each, per Zoning Ordinance.

Motion seconded by Zavalia.

All in Favor (3-0)

Berry – O'Loughlin

Motion that Driven LLC submit a site plan indicating their adjusted impervious area down to 45% to include the change in names. Any other needs will be handled administratively through the Town Planner.

Motion seconded by O'Loughlin.

All in favor (3-0)

Berry – O’Loughlin.

5. NEW BUSINESS

- a. Public Hearing on a proposed Amendment to the Future Land Use Map in the Comprehensive Plan; AP 14 Portions of Lots 5, 7 and 8, Zoned Industrial A: Change to a Restricted RFR-2 approximately 70 acres, for the purposes of a Solar Power Utility.

O’Loughlin declares the Public Hearing as open.

Attorney Pagliarini reminds the Board that the project has been before the Board previously. The applicant is agreeing to a reverter clause and that no residential uses will be allowed on the acreage. Last week they went before the Conservation Commission who unanimously approved of the proposal.

There were no comments from the audience.

Motion to close the Public Hearing.

Motion seconded by Berry.

All in favor (3-0)

Berry – O’Loughlin

Motion to approve a positive advisory opinion to the Town Council amending the Future Land Use Map in the Comprehensive Plan which deals with lots 5, 7 and 8 on AP 14 at exit 5 pursuant to Solar Power Utility, approximately 70 acres provide approval for the Solar Utility on 70 acres of the RFR-2 zoned piece of land with the stipulation that no residential uses be allowed on the piece of property and that a reverter clause be added to the decision in approval where land would revert back to Industrial A after 25 years conditional upon the applicant exercising his or her renewal into two 5 year segments. Approval includes the plan as presented and submitted to the Board

Motion seconded by

All in favor (3-0)

Berry – O’Loughlin

Motion to approve a positive advisory opinion to the Town Council amending the Zoning Map on Plat 14 per the approval on the previous motion.

Motion seconded by Zavalia

All in favor (3-0)

Berry – O’Loughlin

Board member Bryan enters the meeting.

- b. **Pre Application – Site Plan Review for a proposed Solar Power Utility; AP 55 Lot 5, 85 acre Murphy (Lynch) property at the corner of Henry Brown Road and Hopkins Hill Road.**

Jared Alvord introduces the Board to the project and gives them a background on their company, Turning Point Energy. They are proposing a 3.34 Mega Watt solar facility. Would encompass 28 acres of overall 86 acre parcel which is zoned RFR-2. They would divide a portion out which is across from Bates Trail which would be merged to an adjacent parcel. The solar project gives those who do not have the opportunity to put solar on their property a chance to utilize and benefit through solar. The project would increase the tax value from \$500 to around \$16,000 per year. It would also create short-term and long-term job opportunities; the site would be planted with a seed mix which is bee-friendly. They welcome any recommendations the Board has.

Berry asks what they are proposing for buffering along the roads.

Alvord shows the Board pictures taken which show that there is little visibility currently and they are proposing the existing 50 foot vegetative buffer which will be filled in with evergreen.

Laura Lefebvre, an environmental consultant, states the site will be designed in conformance with RI Stormwater.

Zavalia asks for characteristics of the topography of the site and what they would anticipate that the maximum grade of the access roads to be.

Lefebvre states it is gently rolling but in general the slopes are 15%; 10% would be the maximum for the access roads.

Zavalia states that the Fire Chief suggested alternate access to the western most field from Henry Brown Road.

Biologist Brandon Faneuf explains that the alternate access would require another stream crossing which would be frowned upon by DEM as they want utilization of the current crossing when possible.

Provonsil states that the area within the fences should be laid out so that a rescue vehicle would be able to turn around which was a main concern of Fire Chief Pendlebury; he would not like to see any slopes steeper than 10%. The acreage required to get 3.34 Mega Watt is extremely high which seems to be about double of what the Board has seen with other projects.

Alvord responds that the layout is extremely inefficient however it is hard to find the flat land they prefer throughout New England.

O'Loughlin asks if they plan on bringing electricity in overhead or underground.

Alvord responds they like to go overhead when they can.

Zavalia states they would have concerns with gravel on any slopes greater than 5 or 6%.

O'Loughlin tells the applicant that they still have a few things to take into consideration and to come back before the Board with more information such as the Stormwater scheme, setbacks, wetlands issues, buffering on the western side, etc.

7. PLANNING PROJECTS AND ADVISORY OPINIONS

c. Advisory Opinion to the Town Council; Amendment to the Zoning Ordinance Use Matrix, for the purposes allowing limited Solar Power Utility in the Industrial A Zone.

Motion to advise a change to the Zoning Ordinance to provide for a limited Solar Power Utility in the Industrial A Zone with the following conditions: 1. One Mega Watt total capacity. 2. No more than 4 acres of a lot can be used 3. No more than 50% of the lot buildable area may be used 4. Requires a Special Use Permit

Motion seconded by Zavalia.

All in Favor (4-0)

Bryan – O'Loughlin

d. Advisory Opinion to the Town Council; Amending the Conditions placed upon the zone change of AP 6, Lot 21-6 from RFR-2 to Industrial A; including, but not limited to a revert clause.

Motion to approve a positive advisory opinion to the Town Council to amend the conditions placed upon the zone change of AP 6 Lot 21-6 from RFR-2 to Industrial A and eliminate the existing revert clause.

Motion seconded by Bryan.

All in Favor (4-0)

Bryan – O'Loughlin

e. Advisory Opinion to the Zoning Board of Review regarding a Special Use Permit for Solar Power Utility on AP 55, Lot 5; 3.34 megawatt capacity on an 85 acre parcel on Hopkins Hill Road, at Henry Brown Road.

Motion to table the agenda item to future date when the project comes back before the Board.

Motion seconded by O'Loughlin

All in favor (4-0)

Bryan – O'Loughlin

Motion to adjourn

Motion seconded by Berry

All in Favor

Bryan – O'Loughlin

Meeting adjourned at 8:45 p.m.

Respectfully submitted,
Kaitlin Boyer, clerk