

APPROVED

LINCOLN PLANNING BOARD

September 23, 2015

The regular meeting of the Planning Board was held September 23, 2015. This meeting was at the Lincoln Town Hall, 100 Old River Road, Lincoln, Rhode Island.

Chairman Bostic called the meeting to order at 7:03pm. The following members were present; Ken Bostic, Mike Reilly, Gerald Olean, Jeff Almond, John Hunt. The following members were excused: William Murphy, and Jeffrey DelGrande.

Chairman Bostic advised that five (5) members were present; have quorum.

Also in attendance were Town Planner Al Ranaldi, and Town Solicitor Anthony Desisto.

Consent Agenda

Chairman Bostic reminded members that the consent agenda can be considered in one motion unless a member of the Planning Board or applicant would like to remove an item they can do so. In this event, the item will be removed from the consent agenda and considered in its normal sequence on the agenda.

Motion made by Member Olean, seconded by Member Reilly to accept

the consent agenda as presented. Motion was approved by all members present.

Major Land Development Review

a. Quality Drive Solar Array AP28 Lot 23 Master Plan Discussion/

-RBJ Properties, LLC 640 George Washington Highway Approval

Town Planner Ranaldi gives an overview of the project based on the Technical review Committee report. (See attached TRC report.)

Scott Lindgren (From Pare Corporation): I am here representing RJB Properties and their partner Southern Sky Renewable Energy. Al did a great job describing the project. I will go into further detail and we can address some of the questions that came up. This project is located at the end of Quality Drive. It has access from an unimproved part of Quality Drive. It is abutted to the north by Calise Bakery and to the west is the Harvey Industry. Al indicated a couple of the residential properties are to the east and to the south.

The property is undeveloped right now. It's been cleared over the years of trees and maintained that way with the vegetation. The property slopes generally from the southern end of the property down to a wetland. There is a culvert associated with the unimproved Quality Drive. It is in somewhat of disrepair. We are investigating it and probably will be submitting a proposal to repair or replace the culvert. This will be submitted as part of the access improvements.

There are no public utilities currently on the property itself although there are public utilities in Quality Drive.

This project is for a 1.4 M W solar installation. Zoning allows this use through a Special Use Permit. The southern area of the property is where nine (9) rows of solar panels are proposed to be located. The solar panels take up about 1.9 acres. And there is spacing around that area for access, maintenance and general spacing between the panels so they can get as much sunlight as possible. It will be have fencing and a gate so it will be contained for security reasons. There will be monthly access to review the conditions of the panels is also the power generation. I do have to apologize for RJB properties and Southern Sky there are out of the state and country right now. Unfortunately they had some conflicts. They will be coming to the public hearing to present a little bit more about Southern Sky Renewable Energy. They have done a number of solar installations in and around Massachusetts. They are partnering with RJB Properties on this.

This example of Quality Drive 1.4 MW facility would produce a lot of solar power which would be fed back through electric lines to National Grid. They would get a debit metering type of credit. There is an exchange for the energy credit and then it comes around and National Grid gives a reduction in your utility bills for using renewable energy. It's an agreement that happens between parties and National Grid that allows savings for use of renewable energy.

The facility will need a special use permit. We are also seeking a variance for offsets to the side and rear property lines based on the

constraints of the wetlands of the site itself. It will also need to go before the Rhode Island Department of Environmental Management for preliminary determination because of the proximity of the site to wetlands.

The storm water management is going to be a concern. The land is cleared of large vegetation but it is still considered vegetated to some extent. We will need to take this site and mitigate the storm water increases to the wetlands. We have a number of different approaches. We are looking at ways to incorporate infiltration with the surface under, in, and around the facility. We will also incorporate some water quality measures and some other techniques which will be presented in more detail at the Preliminary Plan stage of review.

The project is going to have some overhead utility poles placed along the driveway that will connect to the utility system located along Quality Drive. There will be a transformer and some equipment on the parcel and then the energy is brought back and connected back to the utility system.

Chairman Bostic: When they come next month in front of us could you ask them to bring some information on similar size projects that they have completed.

Scott Lindgren: They have a number of different projects and I can have them speak about them. They have done a lot of solar farms on landfills in the last number of years.

Chairman Bostic: How much energy does this particular size solar farm provide relative to a household or neighborhood?

Scott Lindgren: That is a good question. We will make sure that we get that question answered.

We are developing an aerial image to show the system in relationship to the houses in the southern neighborhood and also the condominiums to the west. We will have that all related in terms of horizontal distance and also vertical elevation. We will have information to make sure that the abutters and the public are going to understand the relationship of this property to the surrounding area.

Mr. Ranaldi indicated most of those residents are 300 to 500' away from this installation. The closest building is Harvey Industries.

Solicitor Desisto: I have some questions about Quality Drive of a legal nature. And I would ask the board to look to that to whatever presentation comes next. In particular I see that Quality Drive is paved to a certain point and then there is a 12' right of way. I suspect that this is an easement as opposed to property. I would like to get some information on that and the reason I directing that to you Scott is because of the references on the note 5. I notice that there are some surveys referenced. I am assuming that the surveyors have done research on the nature on this right of way. It makes a difference from a legal standpoint.

Chairman Bostic: You stated that they are going to visit the site probably once a month. You don't need any parking spots? Where are they are going to park?

Scott Lindgren: Right now there is plenty of room to traverse around the site. It's all gravel. Any equipment would be right off the entrance gate and there is approximately a 20 x 20' area that they can park right inside the gate. There will be 15' aisles between the panels that will allow for any necessary maintenance.

Member Hunt: Will they maintain the topography?

Scott Lindgren: If there is any erosion I am sure that they will maintain the topography.

Member Hunt: I have seen a few of solar farms, it looks like what happened is in the beginning they start cutting the grass and keep it looking clean and then all of a sudden it stops and no one seems to take care of it.

Scott Lindgren: The plan right now is to have a gravel surface. The panels are about 15' high so obviously any large vegetation will be removed.

Chairman Bostic: Will the facility be fenced in?

Scott Lindgren It will be fenced in.

Member Olean: On the TRC report “development will not require any dedicated parking spaces”. Where did that come from?

Al Ranaldi: Parking is based on the use.

Member Olean: Why can't we have any over here? When you go in the gate you have 15' of crushed stone. People come in and park. I'm not saying we need pavement but at least something you could drive a vehicle to the site.

Member Olean: In this project, is there money going to go to the Town?

Scott Lindgren: There is money savings to the Town, yes.

Member Olean: You mean the Town of Lincoln itself or the people of the Town of Lincoln.

Al Ranaldi: I can answer that question. There is currently a proposal in front of the Town Administration and the School Department that would share in the power that comes from here. It is a proposal it's not a signed contract. It is still in a discussion phase.

Solicitor DeSisto: Can I make a suggestion? Because of the questions that have been raised, rather than have the Public Hearing

next month, I think you should continue this proceeding to next month and then if your questions have been sufficiently answered, you can set it down in November for a Public Hearing. If there are other issues that come up technical or otherwise then I think at next month's meeting it would be more appropriate to see whether or not this application should be extended. I think right now we should focus on just continuing and getting on the Southern Sky people in here to explain some of these matters. And then at the October meeting if you are satisfied ask for a public hearing in November.

Chairman Bostic: I agree with that.

Solicitor DeSisto: Get the Principals in here to answer the questions. And then if you think you need more time then you ask them directly.

Scott Lindgren: My client doesn't have a Special Use Permit. The Special Use Permit is slated to be heard in November. So I think we have time.

Chairman Bostic: Well let's see what they have to say in October and then we will make that decision. We are going to delay this part until we get better answers.

Scott Lindgren: I understand. I just wanted to explain where they are sitting right now with their other permit expectations of what they would like to see. If there is any way that we can get those questions

in full it would be really easily for us to prepare a little bit more information.

If you will indulge me to go through what I have written down here and make sure that I have all of the questions. Question about how many houses this size project would power, who is manning the right of way, any easement in connection with the pipe, fencing, overall maintenance, parking space for maintenance or if Town needs an inspection, public utilities coming into the site, necessary powering, outlets for maintenance or just be connection to Grid, similar projects, Ariel images, question on the outflow of electricity, has to do with the right of way, is that your line or National Grid's line, and who maintains it, elevation for the condos.

Solicitor DeSisto: Another legal aspect of this. Is that going to be a National Grid pole?

Leslie Quish: I just want to have it recorded that if this road is right of way and it is approved and it is a gravel road the Town will not maintain that road. The Town will not plow that road.

Member Olean: I make a motion to continue the Major Plan Discussion of Quality Drive Solar.

Second by Member Hunt. Motion was approved by all members present.

Correspondence/Miscellaneous: all set.

Secretary's Report: Member Olean makes a motion to dispense with the reading of the secretary's report. Second, Member Hunt. Motion was approved by all members present.

General Planning Board Discussion:

Al Ranaldi: we are working on the Comprehensive Plan. We have eight (8) chapters in draft form right now. We are also planning on putting together an advertisement for the subdivision. Unfortunately we missed the deadline so we had to put it off until October. So there will be changes that we proposed. They are basically changes that the General Assembly made over the years. So it has to be advertised three consecutive weeks and that will be done next week for the October meeting.

Member Olean: Are we still ahead of the schedule with the Comprehensive Plan with the State?

Al Ranaldi: We are right on schedule right now. It is June 2016 when it is due. So we are on schedule. It is actually a twenty (20) year. At ten (10) years, you note the accomplishments made within those ten years.

Member Olean: Do we need anything in the Comprehensive Plan like

these solar energy farms.

Al Ranaldi: Renewable energy is one of the requirements. It is a new chapter.

Chairman Bostic: Does the Town have any benefit by adding a solar project?

Al Ranaldi: The Town has benefits even if the energy doesn't go to us. It is that we accommodated a renewable energy type of utility.

Al Ranaldi: I want to thank the board for these questions about the solar project. We did not touch on any of those questions in the TRC. We talked about the abutters and the mature vegetative butter around the site.

Motion to adjourn by Member Olean, Second by Member Reilly.

Motion was approved by all members present.

Close Meeting: 8:00pm

Respectfully submitted,

Elizabeth Gagnon

Technical Review Committee Report:

On September 15, 2015 at 3:00 PM, the Technical Review Committee met to review the agenda items for the September 23, 2015 meeting of the Planning Board. In attendance were Al Ranaldi, Leslie Quish, Peggy Weigner, and Russell Hervieux. Below are the Committee's recommendations.

Major Land Development Review

- a. Quality Drive Solar Array AP28 Lot 23 Master Plan Discussion /
- RJB Properties, LLC 640 George Washington Highway Approval**

This application is under the 2005 Subdivision Regulations and represents the development of a vacant parcel of commercial land into a 175 panel, 1.4 MW solar array and associated exterior site improvements. The project requires a special use permit and dimensional variance, and a major land development review.

On September 15, 2015, the project received a Certificate of Completeness. According to our Subdivision Regulations, the Planning Board shall, within one hundred twenty (120) days of certification of completeness or within such further time as may be consented to by the applicant, approve the master plan as submitted, approve with changes and/or conditions, or deny the applicant, according to the requirements of Section 8. A decision on the master

plan review must be made by January 13, 2016, or within such further time as may be consented to by the applicant.

The master plan submission included the following:

- Quality Drive Solar Array, Quality Drive, Lincoln, Rhode Island, Master Plan Submission, dated September 1, 2015 and prepared by Pare Corporation.**
- Master Plan Report for Quality Drive Solar Array, Assessor's Plat 28, Lot 23, Quality Drive, Lincoln, Rhode Island, dated September 2015**

Site Layout

The Technical Review Committee reviewed the project submission at the Master Plan review level. The property contains a total of 12.03 acres of undeveloped land. However, the property is divided by a significant wetlands complex. Approximately 5 acres of the southerly portion of the property will be utilized for the proposed development. The property is bounded by a food manufacturing facility on the north, a condominium complex to the east, a warehouse facility to the west, and wooded area to the south. The proposed application is to construct a 175 panel solar array facility that would produce 1.4 MW of electricity.

Zoning

The proposed use of this property will require a special use permit under section 260-19Z: Renewable Energy – Utility Scale Facility. The applicant is requesting a dimensional variance for side and front yard

setbacks. This proposal is in front of the Planning Board because it is a new commercial development which requires a Major Land Development Review.

Utilities

The proposed solar farm will not require any public utilities. It is anticipated that proposed development will be connected to an overhead electric wire that runs along Quality Drive.

Wetlands/Stormwater Runoff

As stated above, this property is vacant and is divided by a significant wetlands complex. The proposed solar farm will require stormwater mitigation to handle the increase in stormwater runoff to the existing wetland complex. At this stage in the review process, the applicant has acknowledged the need to design and install a stormwater management system in accordance with the State of Rhode Island Storm Water Design and Installation Manual prepared by the Rhode Island Department of Environmental Management (RIDEM) dated December 2010 and amended March 2015. Stormwater mitigation will be addressed at the Preliminary Plan stage of review. In addition, a Wetlands Permit from RIDEM is required.

Parking

This proposed development will not require any dedicated parking spaces.

Traffic

The proposed solar farm, after the initial installation phase, will not generate any traffic to or from the property. The facility will undergo regular maintenance visits from one or two technicians. Visits are usually made in a single pick-up truck or SUV.

Access to this property is provided by an existing gravel public right-of-way (ROW) at the end of the pavement of Quality Drive. This gravel portion is the technical frontage for AP 28/Lot 112 (Town owned property) and AP 28/Lot 22 (Harvey Building Products) and cannot be abandoned for private use. The Applicant proposes to improve the gravel Town ROW, to a 12' wide gravel road and continue to utilize it for access to his property. The Town is amenable to this proposal. However, the Applicant must be clear that the Town will not plow or in any way maintain the existing or improved gravel road. If the Applicant wishes for the Town to be responsible for the maintenance of snow removal of the gravel road, the road would have to be developed to meet Town road standards (30' wide pavement, granite curbing, etc.) unless waivers are requested and granted for specific items.

The Town currently stockpiles snow at the end of the paved portion of Quality Drive. The Applicant needs to address the Town's snow storage. There appears to be a turnaround at the end of the paved portion of Quality Drive, on the western side of the road. The plans do not depict the property line between AP 28/Lot 112 and AP 28/Lot 121 to determine if this is Town owned land to stockpile snow on. Add this property line to the plan for further analysis.

A gate has been installed near the end of the paved portion of Quality Drive restricting access to the Town Right of Way. A private gate cannot be located in the Town Right of Way and must be removed. This gate is also preventing the Town from inspecting the existing culvert crossing the gravel road. This culvert should be investigated and improved if necessary.

Site Buffering

According to §260-23: Business and Manufacturing Districts, all Manufacture Limited (ML) and Manufacture General (MG) uses shall be at least 100 feet from Residential or Commercial Recreation Zoning Districts. The proposed project exceeds this requirement. There is an existing mature vegetated buffer approximately 388 feet between the proposed solar farm and the condominium complex to the east, and approximately 450 feet between the proposed project and the Longmeadow Neighborhood to the south.

The Technical Review Committee finds that the applicant has successfully addressed the requirements of a Master Plan review stage. The applicant must resolve the concern the TRC has about the gravel access right-of-way. However, the TRC feels that this is something that can easily be resolved. The project will require stormwater mitigation. This item will be designed and reviewed at the Preliminary Plan review stage. Based on the Master Plan submission, the Technical Review Committee recommends that this application advance to a Public Information Meeting in October.

Zoning Applications (*) – October Zoning Applications

Jonathan Paine, 1 Wilbur Road, Lincoln, RI/Gabriel Saback, 6 Ducarl Drive, Lincoln, RI – Application for Dimensional Variance seeking side setback relief for the construction of an addition for property located at 6 Ducarl Drive, Lincoln, RI.

AP 23, Lot 127 Zoned: RS 20

Members of the Technical Review Committee visited the site and reviewed the submitted plans and application seeking a side yard setback relief for the construction of an ADA accessible master bathroom addition. The Technical Review Committee recommends Approval of this application according to the submitted plans and application. According to the submission, the applicant wishes to enlarge his existing master bathroom and create a second means of egress that would be ADA compliant. Presently, the existing house has only one ADA compliant means of ingress and egress. The Technical Review Committee feels that the applicant presents the least relief needed. The TRC feels that granting the side yard dimensional variance will not impair the intent or purpose of the Zoning Ordinance, nor the Comprehensive Plan.

Carl Benevides, 85 Industrial Circle, 15 Moshassuck Road, Lincoln, RI – Application for Special Use Permit to allow a mixture of uses including live/work units for a mill conversion project for property located at 85 Industrial Circle, 15 Moshassuck Road, Lincoln, RI.

AP 2, Lots 88 and 92 Zoned: MG 0.5

This application is the first project being reviewed under Mill Conversion Overlay District. The Technical Review Committee has been working with the applicant in developing this project. The most recent submission was discussed at the September's TRC meeting. Unfortunately, the submission did not contain enough information for the TRC to make a recommendation to the Zoning Board.

Kenneth J. Iavarone, 7 Heritage Circle, North Providence, RI/Kenneth & Barbara Iavarone and Kenneth & Sonya Iavarone, 3 Winterberry Road, Lincoln, RI - Application for Special Use Permit to add an accessory family dwelling unit to an existing home located at 3 Winterberry Road, Lincoln, RI.

AP 45, Lot 390 Zoned RA 40

Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. The Technical Review Committee recommends Approval of the Special Use Permit for the Accessory Family Dwelling Unit. The applicant proposes to build an accessory family dwelling unit onto their existing house. The applicant took great care in the design of the proposed accessory family dwelling unit so that the entire structure will look like a single family house from the roadway. The Technical Review Committee feels that the special use permit will not alter the general character of the surrounding area and will not impair the intent and purpose of the zoning ordinance and the Comprehensive Plan.

Correspondence/Miscellaneous (*)

a. Staff Reports

b. Teresa & Frederick Trotter AP 31 Lot 65 Final Plan Recorded

c. Colbea Enterprises, LLC AP 43 Lot 78 Final Plan Recorded

d. Robert & Margaret Lawton AP 23 Lots 191 & 221 Final Plan Recorded

Respectfully submitted,

Albert V. Ranaldi, Jr. AICP

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Administrative Officer to the Planning Board