

ZONING BOARD OF REVIEW MEETING MINUTES – JULY 20, 2023

State of Rhode Island

County of Washington

In Hopkinton on the twentieth of July 2023 A.D. the said meeting was called to order at 7:02 PM by Zoning Board of Review Chairman in the Town Hall Meeting Room with a moment of silent meditation and a salute to the Flag.

PRESENT: Johnathan Ure, Joseph York, Daniel Baruti, Dan Harrington, Chip Heil, Solicitor Per Vaage of Gidley, Sarli, and Marusak LLP was in attendance remotely.
Zoning Board Clerk: Katrina Caputo

Absent: Ronnie Sposato and Alternate Member Phil Scalise

Sitting as the Board for Petition I: Ure, York, Baruti, Harrington & Heil

Petition I- Determine completeness of application/consider waivers (cont.)

A Special Use Permit to allow for the installation of ground mounted solar panels. Petition is filed by Scott LeDuc, with mailing address of 1451 Grafton St, Worcester, MA 01604, for property owned by Sergio and Rebecca Bueno located at 178 Skunk Hill Rd, Hopkinton, RI 02832, and identified as AP 21 Lot 3F, an RFR-80 Zone, and filed in accordance with Sections 8C and 10 of Chapter 134 of the Zoning Ordinances of the Town of Hopkinton, as amended.

Filing fees paid and notice posted.

Discussion.

Decision.

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Chairman Ure states that the applicant has requested a continuance to the August meeting.

A MOTION WAS MADE BY MEMBER HARRINGTON AND SECONDED BY MEMBER YORK TO GRANT A CONTINUANCE TO THE AUGUST 17TH, 2023 MEETING. ALL IN FAVOR.

SO MOVED

Sitting as the Board for the Solar Workshop: Ure, York, Baruti, Harrington & Heil

Solar Workshop- (cont.)

Discussion of concerns regarding the accessory solar energy systems ordinance.

(Section 5.3.3)

The board reviews a draft of their solar ordinance recommendations to be presented to the Town Council. The Town Council liaison, Robert Burns, is in attendance.

The board discusses the first item in the proposal, removing the 100-foot setback requirement in the solar ordinance. The board agrees to keep this item in the proposal and requests the Solicitor make some changes to the wording.

The board discusses the second item in the proposal, eliminating the 125% cap since the utility company already sets the standard for interconnection to the grid. The board also starts to discuss the third item, eliminating the three-years of utility history requirement in the solar ordinance.

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After discussing both items two and three, the board is split on whether they should be included in the proposal or not. They discuss wanting to keep the controls in place to keep the array at a residential scale and also the burden on the property owner of having to get three years' worth of utility bills. Solicitor Vaage suggests that items two and three be eliminated for the time being until the board can reach a consensus.

The board discusses the fourth item in the proposal, eliminating the six-foot above grade requirement. The board agrees that they do not want to eliminate the requirement. They would like the language of the ordinance to be changed to say the height of the array should not exceed six feet above the level of the footprint of the array. The board also discusses the height needed for a ground mounted solar array and whether being able to grant a dimensional variance for the height should be a part of the proposal.

The board discusses the fifth item in the proposal, which is modifying the language at the end of solar ordinance to say, “to the extent it does not unreasonably interfere with the system’s ability to generate solar power.” The board decides that they would like to eliminate this item from the proposal to the Town Council.

Member Baruti states that his biggest concern hasn’t been addressed. He explains if the Building Official can grant a 125%-dimensional modification, why can’t the zoning board do the same. After discussion, the board decides that they would like the ability to grant dimensional variances or dimensional modifications for the solar ordinance.

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Town Council liaison Burns, requests that the board attends the Town Council meeting when the solar proposal is presented.

A MOTION WAS MADE BY MEMBER HEIL AND SECONDED BY MEMBER YORK FOR SOLICITOR VAAGE TO AMEND THE SOLAR PROPOSAL AND SEND IT TO THE TOWN COUNCIL FOR THE AUGUST MEETING. ALL IN FAVOR.

SO MOVED

A MOTION WAS MADE BY MEMBER YORK AND SECONDED BY MEMBER HEIL TO APPROVE THE MINUTES FROM THE JUNE 15TH 2023 MEETING. ALL IN FAVOR.

SO MOVED

A MOTION WAS MADE BY MEMBER YORK AND SECONDED BY MEMBER HEIL TO ADJOURN THE MEETING AT 8:32 PM. ALL IN FAVOR.

SO MOVED

Respectfully Submitted,

Katrina Caputo

Zoning Board Clerk

Next scheduled Meeting: August 17, 2023

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