

## **CONSERVATION COMMISSION MEETING MINUTES**

**Date:** August 8, 2024

**Location:** Town Offices, Fairview Avenue

**Conservation Commission Members Present:**  Ahren Cohen,  Kathleen Guarino,  Janice McAleer,  Amy Sonder,  Patricia Siegmund,  David Feeney,  Joseph Fontaine

NK Planning Liaison: Becky Lamond, Supervising Planner Water Department Liaison: Alan Austin, Interim Director of Water Supply

7: 00 Conservation Commission called to Order by: A. Cohen, Conservation Commission Chair

### **3 General Business**

#### **3.a Discussion and Recommendation: Combined Master and Preliminary plan application of NKGGM 1, LLC for a major land development project entitled NKGGM 1 Solar located off the intersection of Firwood Drive, Maplewood Drive and Elmwood Drive, Assessor's Plat 153 Lot 2 and Assessor's Plat 154 Lot 5, zoned Light Industrial (LI) and located in the Groundwater Wellhead and Recharge Area.**

'B. Lamond gave an introduction to the application and the procedures to be followed for discussion and public comment.

The project applicants were represented by John O. Mancini, Attorney, and Project Engineer Kevin Morin. J. Mancini gave background information on the property which is 37 acres, currently zoned Light Industry. They are not asking for any variances and they have obtained all the required permits to submit a combine preliminary and master plan for approval. The original permit from 2023 was updated on April 2, 2024.

Their firm has had projects in various Rhode Island locations since 2009. They design, build, and also operate them versus selling a project to another group for operation. At this time they plan to retain this solar installation also.

K. Morin explained that the property is adjacent to the Quonset highway 403 and also a residential area established around 1960. The property has an approximate 15% slope towards the Hunt River with a small kettle pond in the northwest corner and a wetland along the 403 highway. Soil tests have confirmed there is good drainage. The nearest house from the property line is 70 to 80'. The access is through the existing 50' ROW. The solar panels will be installed using 8 to 9' screws versus concrete pads. No blasting will be needed. 17 acres will be fenced, for a total of 21 acres disturbed. There will be a 125' "no cut" buffer, then closer a 75' managed area with tree height limited to 12'.

On ground water concerns, the project will have minimal impervious surfaces and will be graded to limit run off. The project ends approximately 70' from the river and approximately 1,000' from the nearest well. Sound level is about 75 decibels at the inverters. They anticipate project to be completed in 2026

with preparation, grading, linking to Rhode Island Energy. On woodland disturbance, the stumps will be left. The wood has various outlets like conversion to pellets. Landscaping includes low height grasses under panels and native and pollinator plants in the managed areas and in the infiltration areas.

Utility wires and connections to RI Energy would all be underground. The fire marshal had reviewed the plans and felt the existing hydrant system was adequate to handle any fires.

On highway noise concerns, RIDOT was supposed to install a buffer alongside the road to absorb sound. This has not happened and the proposed cutting of the trees for the solar farm might leave the sound at an unacceptable decibel level.

'A. Cohen and A. Sonder (via text suggestion) brought up the need for inspections and required maintenance. A. Cohen explained the Conservation Commission goal of weighing all the environmental factors and doing the right thing in reaching the final decision. The project designer explained their maintenance routines and how they monitor the equipment and the materials used. The package will be submitted with "best practices" details.

Further questions involved drainage and damage to the land. K. Guarino brought up the disruption to an established neighborhood and the safety issue to residents including children, especially during construction. The safety procedures were explained and the role of the site foreman.

**Public Comment** Moved up on the agenda to accommodate the large number of attendees who wished to speak.

Public concerns were focused on 1) the disruption to the neighborhood; 2) the safety of the residents, especially children; 3) history of the current zoning and the resultant conflict between it and the residential area and the town's comprehensive plan; 4) the significance of the area, including archeological links to the Narragansett people; 5) the natural history importance of the area and the presence of at least one endangered species; 6) the clear cutting of the existing woodland; 7) the increased noise level from the highway; 8) potential damage to the groundwater well protection areas; 9) runoff and flooding and the Hunt River; 10) airplanes approaching Quonset and solar glare; 11) land value and taxes; 12) post construction road repair and landscaping; 13) concerns about the reputational history of the project backers; 14) fire and emergency access, especially in view of bridge issues; 15) environmental damage.

'A. Cohen summarized many of the concerns and said it was a tough situation and asked if perhaps it could be built on the other side of the 403 highway, the dissected portion of this same parcel. That could not be answered since their firm only had a lease development option for this one. It was suggested that RIDOT complete a noise evaluation of the area.

It was suggested that the questions and reservations on the project be included in the recommendation decision of the Conservation Commission that would be passed on to the

Planning Board. This would give all parties a chance to provide more detailed responses and input into the final decision. And also time for further research into Natural Heritage concerns including pre-contact sites, given the DEM limited funding for that department. Also questions as to why this property has never been protected. B. Lamond clarified the town's list of properties to protect and funding limitations.

This would also provide RIDOT time to complete a noise evaluation, especially in view of the increased construction in the Quonset industrial park. This point should be presented to the Town Council.

'A. Cohen moved to summarize the Conservation Commission position of "not to support" this project as it stands, although it could be re-evaluated if these concerns were addressed:

'1) the need for clear cutting of established woodland; 2) location on the groundwater recharge protection area; 3) increased noise level from Quonset highway; 4) disruption of neighborhood quality of life, especially during construction; 5) general safety, specifically considering traffic and the large number of children of children in the area; 6) clarification and possible compromised groundwater flow; 7) recent lidar archeological information warranting further Natural History related research

B. Lamond said that she had the details noted and would pass them on to Planning with the Commission decision. 2<sup>nd</sup> by P. Siegmund. Vote unanimous.

**Continuing** on with other business, a quick update on the Eco Art project which has a presentation planned for the Yorktown area.

### **3.b Update: 350th Tree Planting**

M. Donohue, representing the town 350<sup>th</sup> Anniversary Committee, reported that with the support of local residents, HistWick and the Plum Beach Garden Club and in consultation with the Department of Public Works and the Tree Warden, 8 American Linden trees had been ordered to be planted in the 8 historic town villages during the first two weeks of September. The tree planting fund has been so successful that they will be able to permanently continue to fund the program for tree plantings in other areas of the town in the future.

### **3.c Street Tree Inventory**

B. Lamond has the letters and forms ready for the inventory to begin as soon as all members submit the dates they are available.

## **4 Groundwater Update**

### **4.a Awesome Aquifer Hydrogeology Educational Kit**

'A. Austin explained how the education kit could be used for school presentations to raise awareness of groundwater issues.

### **4.b Rain barrels**

'A. Austin gave an update that the 1<sup>st</sup> batch of rain barrels had sold out immediately and that 2<sup>nd</sup> batch was selling well.

## **5 Minutes**

Motion to accept July 11, 2024 minutes made by P. Siegmund, 2<sup>nd</sup> by K. Guarino, vote unanimous.

## **7 Adjournment**

Motion to adjourn made by P. Siegmund. 2<sup>nd</sup> by J. Fontaine. Vote unanimous.

Meeting adjourned by A. Cohen at 10:11.

**Future meeting date:** September 11, 2024