

ZONING BOARD OF REVIEW
Minutes
March 5, 2014
Coventry Town Hall
1670 Flat River Road
Work Session & Regular Meeting
7:00 p.m.

Meeting started at 7:00 p.m.

Members in Attendance: Robert Crowe, Virginia Soucy, Russell Lacaillade, John D'Onofrio, Denise DeGraide and John Studley.

Mr. Crowe: Let the record reflect we have a full Board sitting. The fire exits are to your rear, the exits to my rear take you into the building. We have a Work Session in the beginning, to go over the Old Business from last month then vote on those applications then we go right to New Business. Has everybody had a chance to review the Minutes from January 8, 2014?

Ms. DeGraide: Motion to approve as presented.

Ms. Soucy: Second.

Mr. Crowe: Motion made and seconded, all those in favor say Aye?

Board: Aye.

Mr. Crowe: Nays? Ayes have it.

OLD BUSINESS

Applicant:	Munchkin Land Preschool, Inc.
Owner:	Ruzzo Properties, LLC
Location of Property:	AP 10 Lot 40.3; 2075 Nooseneck Hill Road
Zone:	GB
Existing Use:	Commercial Building
Proposed Use:	Same with day care

Applicants are seeking a Special Use Permit to operate a daycare and kindergarten school

Ms. Soucy: The only concern I had was the lights shining onto the neighbors.

Mr. Lacaillade: I thought she said she was going to have the lights pointed back and not from the building going out.

Mr. Crowe: Exactly but we will still make that a stipulation.

Mr. Studley: I went out there and I think it fits.

Ms. DeGraide: I had no problem with it. I think it's a great spot for it.

Mr. Crowe: The location is zoned General Business, many other businesses could go in there and this is the least intrusive. I have no problems with this application. If approved it would have a stipulation with no lights shining onto the neighbor's property.

Applicant: Thomas Borawski
Owner: Same
Location of Property: AP 24 Lot 30; 31 Old North Road
Zone: R-20
Existing Use: Single Family Residence
Proposed Use: Same with shed

Applicant is seeking a Dimensional Variance to construct a shed 5 feet from the rear and side property line where 10 feet is required.

Ms. Soucy: It is tight but its only 5 feet difference. Things are close in that area.

Mr. Lacaillade: I took a ride by a couple of times and it's a good fit for that area. There are similar homes in the same situation. It's just a tough layout.

Mr. Studley: I agree with Russ. The yard is small.

Ms. DeGraide: I agree with the others. It's a small lot and I don't see a problem.

Mr. Crowe: I agree also, if approved it will be approved as presented.

Mr. Crowe: At this time I would like to have a vote.

Applicant: Munchkin Land Preschool, Inc.
Owner: Ruzzo Properties, LLC
Location of Property: AP 10 Lot 40.3; 2075 Nooseneck Hill Road
Zone: GB
Existing Use: Commercial Building
Proposed Use: Same with day care

Applicants are seeking a Special Use Permit to operate a daycare and kindergarten school

Findings of Fact

Special Use Permit Munchkin Land Preschool Daycare

AP 10 Lot 40.3

2075 Nooseneck Hill Road

Applicant is seeking a Special Use Permit to utilize his property for Daycare

There are certain criteria set forth in Section 430 of the Zoning Ordinance that must be addressed in order to approve or deny a Special Use Permit. At this time I would like to read the following Findings of Fact into the Record.

Ingress and egress to the lot and the existing or proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire, emergency or catastrophe;

The ingress and egress to this lot is acceptable for the proposed use provided as depicted in the site plan.

-OR-

The ingress and egress to this lot is not acceptable in the current proposal.

Off-street parking and loading areas where required (see Article 12), with particular attention to the items in the Subsection A above, and to the economic, noise, glare or odor effects of the special-use permit on adjoining lots;

The property has more than enough parking and loading area to accommodate the proposed use.

-OR-

The property does not have adequate parking for this proposal.

Trash, storage and delivery areas with particular reference to the items above.

Trash collection will be provided by the applicant.

-OR-

The applicant has not addressed how the waste from this business will be disposed of.

Screening and buffering with reference to type, dimensions and character.

No additional screening or buffering is required or necessary for this proposal.

-OR-

The proposal does not have enough screening or buffering to protect the neighbors from the adverse noise of this proposal.

Utilities, with reference to location, availability and compatibility.

Utilities should not be a problem provided the applicant situates the lights in the rear of the building so they do not shine at the neighboring property.

-OR-

Utilities will be a problem.

Required yard and other open space.

This proposal has no required yard or open space requirement.

-OR-

The proposal does not have the adequate yard or open space.

General compatibility with lots in the same or abutting zoning districts;

The proposed use is in general compatibility with the area. The property is zoned General Business. This use will have less of a negative effect on the surrounding properties than some uses permitted by right in this zone.

-OR-

Due to the noise that would be caused by this use it is the determination of this Board that the proposed use is not compatible with the abutting residential properties.

The use will not result in or create conditions that will exceed the Industrial Performance Standards.

This proposal will be well within the Industrial Performance Standards.

-OR-

This proposal will exceed the Industrial Performance Standards in terms of noise.

General compatibility with the Coventry Comprehensive Plan.

The proposed use is compatible with the Comprehensive Plan inasmuch as the Comprehensive Plan calls for this area to be commercial.

-OR-

The proposed use is not compatible with the Comprehensive plan

That the granting will not result in conditions inimical to public health, safety, morals and welfare.

The proposed use will not result in conditions inimical to the public health, safety, morals or welfare.

-OR-

The granting of this proposal will result in conditions inimical to public health, safety, morals and welfare. If the proposed use was approved it would create conditions that are not safe.

◇ Therefore I make a motion to **Approve** the Special Use Permit Application
-OR-

◇ Therefore I make a motion to **Deny** the Special Use Permit Application.
-OR-

X Therefore I make a motion to **Approve** the Special Use Permit Application provided the applicant adheres to the following stipulations

◇ Lights in the rear of the building be arranged in such a way they do not shine at AP 10 Lot 40.12

◇ The bollards protecting the playground be removable as to allow access to the rear of the building in an emergency.

◇ The Dumpster be at least 10 feet from the building.

Ms. Soucy: Approve*

Mr. Lacaillade: Approve*

Mr. Studley: Approve*

Ms. DeGraide: Approve*

Mr. Crowe: Approve*

***Stipulations:** Lights in the rear of the building be arranged in such a way they do not shine at AP 10 Lot 40.12; The bollards protecting the playground be removable as to allow access to the rear of the building in an emergency. The Dumpster be at least 10 feet from the building.

Applicant: Thomas Borawski
Owner: Same
Location of Property: AP 24 Lot 30; 31 Old North Road
Zone: R-20
Existing Use: Single Family Residence
Proposed Use: Same with shed

Applicant is seeking a Dimensional Variance in construct a shed 5 feet from the rear and side property line where 10 feet is required.

Findings of Fact

Variance for Thomas Borawski
AP 24 Lot 30; Zone R-20
31 Old North Road

Dimensional Variance to construct 10'ft x 15'ft shed 5'ft from the rear and side property lines

Applicant is seeking a Dimensional Variance to construct 10'ft x15'ft shed 5'ft from the rear and side property lines.

There are certain criteria set forth in Section 454 of the Zoning Ordinance that must be addressed in order to approve or deny a Dimensional Variance. At this time I would like to read the following Findings of Fact into the Record

That the hardship from which the applicant seeks relief is due to the unique characteristics of the subject land or structure and not to the general characteristics of the surrounding area; and is not due to a physical or economic disability of the applicant.

X That the hardship that the applicant seeks relief is due to the unique characteristics of the subject land insomuch as this is a underside lot for the zone.

-OR-

◇ There is no unique characteristic of this property that justify a deviation from the regulations.

That the hardship is not the result of any-prior action of the applicant and does not result primarily from the desire of the applicant to realize a greater financial gain.

X The hardship is not the result of any-prior action of the applicant and is not a result primarily from the desire of the applicant to realize a greater financial gain.

-OR-

◇ The hardship is the result of the a applicants prior action.

That the granting of the requested variance will not alter the general character of the surrounding area or impair the intent or purpose of this Ordinance or the Coventry Comprehensive Plan.

X This requested variance if approved will not alter the general character of the surrounding area or impair the intent or purpose of the Coventry Zoning Ordinance or Comprehensive Plan.

-OR-

◇ The zoning ordinance call for sheds of this size to be 10 feet from the property line the granting of this variance would impair the intent of this ordinance.

That the relief being granted is the least relief necessary.

X The relief being granted is the least relief necessary

-OR-

◇ That the relief being asked for is not the least relief necessary.

In granting a dimensional variance, the hardship that will be suffered by the owner of the subject property if the dimensional variance is not granted shall amount to more than a mere inconvenience. .

X If this application is rejected it will result in more than a mere inconvenience of the applicant.

-OR-

◇ If this application is rejected it will only result in a mere inconvenience to the applicant.

X Therefore I make a motion to **Approve** the Variance Application

-OR-

◇ Therefore I make a motion to **Deny** the Variance Application.

-OR-

◇ Therefore I make a motion to **Approve** the Variance Application provided the applicant adheres to the following stipulations:

Ms. Soucy: Approve

Mr. Lacaillade: Approve

Mr. D'Onofrio: Approve

Ms. DeGraide: Approve

Mr. Crowe: Approve

NEW BUSINESS

Applicant: Lisa C. Kilby and James M. Rosenberg
Owner: Same
Location of Property: AP 29 Lot 119; 84 Helen Avenue
Zone: R-20
Existing Use: Single Family Residence
Proposed Use: Same

Applicants are seeking a Dimensional Variance to construct a two car garage with less than required side yard setbacks.

Mr. Brunero: Mr. Chairman, members of the Board for the record John Brunero, Jr., 1070 Main Street, Coventry. I have the owners of the property. I will give testimony to save time on this.

SWORN IN

**JOHN BRUNERO, JR.
1070 MAIN STREET
COVENTRY, RI 02816**

Mr. Brunero: What you have before the Board this evening is a proposed garage adjacent to a single family home on Helen Avenue. As you can see Helen Avenue has a small lot size. They are all about 10,000 feet in an R-20 zone and who ever built the house plopped them in the middle. There is no room on either side to put a garage without seeking the relief from Zoning. The least amount of area is at the front and again it goes back to 12.4 at the rear. The neighbor Lori Lake has been approached, I would like to submit a letter from her. She is the sole owner of the property now and she has no objection regarding the closeness to the property line proposal. The need for the garage is the value of vehicles today and the applicants are looking to keep them undercover and protected. There is the least amount of relief necessary. There is really no other place to put it. The septic system is in the rear of the property and it's serviced by public water. There is really no other place to put it and the 90 degree angle is really due to the curvature of Helen Avenue. If this was further down you could probably put the garage to the left or right but because of the arc we are limited. I have my clients here to answer any questions.

Ms. DeGraide: I live on Linwood right outside the buffer zone. My house was built in 1965 I'm guessing theirs was built around the same time. A lot of those houses were built with garages but a lot of people converted their garages to living space. It may have happened before your clients bought the property?

Mr. Brunero: My clients just bought the property within the last year.

Ms. DeGraide: Okay.

Ms. Soucy: I have a question about the retaining wall.

Mr. Brunero: That's an existing retaining wall.

Ms. Soucy: One in the front one in the back.

Mr. Brunero: This one will be removed (Attorney refers to retaining wall in front of yard).

Mr. Crowe: You will have complete off street parking?

Mr. Brunero: Yes.

Mr. Crowe: Please take a seat, is there anybody here who would like to speak against this application or have a question on the application?

Mr. D'Onofrio: The roof line will be lower or the same height as the house?

Mr. Handy: These are two wind turbines proposed for Flat River Road and are very similar. The projects on property owned by the Capwells. The Capwells are looking for a source of revenue in order to preserve the open land in their family. This is consistent with the Comprehensive Plan as it provides for the preservation of the land and generating use. This use is in the Zoning, it requires a Special Use. I also do work in State Energy and I want to point out this project is important in terms of being consistent with the State Energy Policy.

Mr. DePasquale: Mark DePasquale, 42 Thornton Way, North Kingstown, RI 02852

**SWORN IN MARK DEPASQUALE
 42 THORNTON WAY
 NORTH KINGSTOWN, RI 02852**

Mr. DePasquale: I am here with the Capwells. I started this project about 2 years ago. We will show you the project and answer any questions the Board may have. Steve Woods from ESS has done all our siting on this project so we are going to show you the location of the turbine, access to the site, the noise decibels required by the Town and we will show you flicker which is when the sun passes through the blade to create a flicker. Basically we are looking at 365 days with the wind and sun lining up every day. I live in North Kingstown I have a turbine. This is a picture of the turbine proposed for Coventry 3 and 4. It's the same that's going in in Picillo Farm. There is no gear box, its 411 feet to the tip of the blade, the tower is about 85 meters tall. I live 250 feet from the turbine. We have 30 neighbors in my subdivision; I would say 12 are within 600 feet of the turbine. The closest neighbor of the turbine we are proposing on both properties would be about 1500 feet. The line referenced on the plans is a setback line and the theory behind that is if the turbine would ever fall over it would never leave the property. These are two nice sites because you have wetlands and open area. What this turbine does is take out any chance of development. This will preserve both pieces of property. Our goal is to preserve land where the State isn't buying development rights or they are not going to develop. We got into this business to preserve land and give back what we have taken. The only area we clear is the road coming in which is an existing trail, build the turbine and after it's erected that area will be re-forest and grow in as time goes by. I would like to turn this over to Steve Woods who designed it.

Ms. DeGraide: On both of these lots after the lease are there any plans for a house or residential area?

Mr. DePasquale: Right now, this project is a 20 year project we are planning to be there for 25 years. While we are there there is no intention to develop this land. In 25 years the lease doesn't get extended the turbines will come down and the land is there at that time. It does preserve the land for 25 years. At this time there are no plans.

Mr. Crowe: What is going on with the Town?

Mr. DePasquale: There are two turbines going on the Picillo farm. The Town entered into a long term agreement with us.

Mr. Crowe: So you are putting them up?

Mr. DePasquale: Yes. We own and operate them.

Ms. DeGraide: What's the name of your company?

Mr. DePasquale: Wind Energy Development which is the main company. Each turbine is a separate entity so you have WED 1-4. At Picillo which is a superfund site, there are two of the exact same turbines going up. We are giving all the power to the Town. We are talking with the school department and it will basically fix the power rate for the next 25 years which will be an overall savings for the town in upward of 5-6 million. What's promoting a lot of these projects is originally when I came to Coventry the school department was banking on natural gas which has now doubled in price. National Grid went up 12%. We put the turbine up for the cost and we stretch it for the life span which stabilizes the Town. In reality the other projects go into a DG project with the State where the power is burnt in Rhode Island.

Mr. Crowe: How far away is Picillo from these locations?

Mr. DePasquale: All these turbines are on the same circuit so we are rebuilding the circuit with National Grid by the way of the crow it would be 3.5-4 miles. We are reading wind on both sites, they have about 23% capacity factor which makes it suitable. A lot of these circuits on the one we are rebuilding were designed in the 60's so at my expense we are upgrading the whole system with National Grid. There is a million dollars of interconnection happening with National Grid, which will make it more dependable on that circuit.

Mr. D'Onofrio: Are you going to need some kind of blinking red lights on top?

Mr. DePasquale: Every one has a light beacon on the top. Every beacon in the country blinks at the same time. The light that's on them goes vertical. It doesn't flash the light down but there is an FFA light that is required on anything over 200 ft. These have vertical lights which shoot out a line.

Mr. Lacaillade: What type of safety record do you have?

Mr. DePasquale: Turbine in North Kingstown and the three in the Bay Commission are all the same. We have spoken with the Fire Department and met with the neighbors. We have a risk and safety management book. Everyone that is in the turbine is trained and we all climb in teams of three. On the turbines we will eventually have a training facility so the fire department will feel comfortable and understand them. We will pick up all the training costs and do it every year. When you go into the turbines there is really not a lot to do once it's erected. These turbines are unique because there is no gear box so there is no oils at the top of them. The generator is on the outside. If there was a fire in the turbine they are not going to fight it. There will be a plan to follow and stay back and let it run its course. That is why we go with these turbines. 98% of the failure in a turbine is the gear box and we don't have one. The Germans designed the system. There is propelling gear inside the turbine so if something happened while the technicians

are dialing 911 by the time the fire department got there he would be on the ground. On the back side there is a door and he would propel down. We will show them the hook ups, how to climb, the disconnects. These turbines are watched all over the country. National Grid has a phone line tied right in, if they have any issues they shut it down remotely. We know exactly what the turbine is doing at all times.

Mr. D'Onofrio: Who will actually own the turbine?

Mr. DePasquale: WED Coventry, I am the sole owner.

Mr. D'Onofrio: Did you do the three in Providence?

Mr. DePasquale: I did not.

Mr. D'Onofrio: What is the plan to protect the area around against damage or sabotage?

Mr. DePasquale: There is nothing really. If you look at the base of the turbine, its solid steel so nobody is climbing the outside. We don't fence in the base because there is really nothing they can damage. There are regular transformers on the bottom but are protected. If the Zoning Board wanted us to put up fence on the bottom we could. With the trail being developed and you will probably find it turning into an attraction.

Mr. D'Onofrio: The one in Portsmouth is the old technology with a gear box?

Mr. DePasquale: That's an old turbine; there was only four of them made. They were made in Canada so they didn't perfect the technology, they used a different person's pattern, built it, the gear box failed and we are working with Portsmouth to take it down and install one of these.

Mr. D'Onofrio: Have you had any issues with kids and graffiti?

Mr. DePasquale: No, this is in my front yard. It's steel and if anyone wanted to we are going to open it up on the weekend so if anyone wants to come and visit the site.

Mr. Crowe: It would be open to the public?

Mr. DePasquale: Yes 10:00 on Saturday morning. I will be there to answer any questions. It's important for people to see it. The reason I sited this turbine here was to have the ability to understand it, know what it's like to live with it. We just sold a home that faces the train station but backs up to the turbine 2400sq ft and sold at \$585,000.00. Most of these houses range in the 700,000's.

Mr. Crowe: John referred to the one in Portsmouth and I went out there several times and people told me it's very noisy but every time I went it wasn't working.

Mr. DePasquale: If you go the Abby theirs is smaller and probably 4 times louder than this one here. This is state of the art. The older model's blades were fixed and this one turns to the wind so everything turns together.

Mr. Crowe: What about a storm or a hurricane what happens?

Mr. DePasquale: We will be reading the weather and the school department will have access to a scanner and our cameras so these turbines will have cameras on the top and can run their own weather program. We shut down automatically, National Grid shuts down. If the hurricane comes in we are designed for 160 mph winds but will shut down before that. The turbine will shut down at 50 mph it automatically knows. If the turbine doesn't make it through the hurricane it will be the last thing everyone worries about because it's designed like a high rise. We never lock the blades because it puts too much stress on it; we only lock them when we go inside of it. The blades maybe moving but it doesn't mean its generating power. The blades get inspected every year. We do North Kingstown 4 times a year. We check 10% of the nuts and bolts. Every nut and bolt is checked. If we find one that is loose we will tighten everything 100%. We haven't found one yet.

Mr. D'Onofrio: Does it shut off automatically when it rains?

Mr. DePasquale: No it runs in rain, wind and snow. If we have an ice storm we are running but the minute you get ice build up on the blade and there is a bit of vibration it shuts right down. The older ones didn't do that. We have a protocol, it will be shut down and the blades will turn to a point where anything on them will fall off. I think we have had two ice storms and plenty of Nor'easters and that's when the turbines would be the loudest in the middle of the storm. The Capwells won't hear this on their property in the summer.

Mr. D'Onofrio: How many of these can you build in a square mile?

Mr. DePasquale: These are the last two in this area on that circuit. National Grid allows so many megawatts on a circuit. This is 6 megawatts on this circuit. We stay 1500 feet apart. It doesn't work to keep turbines too close because it takes the wind from the other. In the state laws right now only allow for so many. You won't get big wind farms in Rhode Island. Siting here and there keeps the power flowing at a nice rate.

Ms. DeGraide: What's the cost of putting one of these up?

Mr. DePasquale: You are looking at 5.4 million dollars. That's everything from engineering, siting, delivery, the turbine. It creates a lot of job while we are working on it.

Ms. DeGraide: What's the revenue?

Mr. DePasquale: These turbines here about a half million a year each one.

Ms. DeGraide: To the Capwells?

Mr. DePasquale: No, to the bank.

Ms. DeGraide: What's the revenue to the Capwells?

Mr. DePasquale: The lease payment works out to be about \$50,000.00 a year.

Ms. DeGraide: Are there any other revenue's besides the lease?

Mr. DePasquale: To the Capwells, no.

Mr. Crowe: Any other Board members have any questions? Sir, do you have another witness?

Mr. DePasquale: Yes.

Mr. Woods: Stephen Woods, I work for the ESS Group 10 Hemingway Drive, East Providence, RI 02915.

**SWORN IN STEPHEN WOODS
 10 HEMINGWAY DRIVE
 EAST PROVIDENCE, RI 02915**

Mr. Crowe: What is the ESS Group?

Mr. Woods: It really doesn't stand for anything. At one time it was Environmental Science Service which is now just ESS.

Mr. Crowe: So it's private?

Mr. Woods: Yes. Mr. DePasquale covered most of it. I'll go over the site layout. Once the turbines are in and up the site will be re-vegetated. Both sites are adequate to get the large equipment in there. We need large cranes. We meet the required setbacks, which is 430 feet for turbine WED3.

Mr. Crowe: Your background on this is engineering?

Mr. Woods: I am not an engineer I am actually Vice President for ESS and I am also an attorney. I have several engineers working under my direction.

Mr. Crowe: You have constructed other sites?

Mr. Woods: We don't but we have worked on a number of other projects.

Mr. Crowe: What do you actually do?

Mr. Woods: Either the siting or environmental studies, wetlands delineations and other environmental aspects as well as monitoring during construction.

Mr. Crowe: You have other sites you have worked on in the state?

Mr. Woods: Not in Rhode Island. We have worked on a number of turbines in Massachusetts and in New York State.

Mr. Crowe: How long have you been doing this?

Mr. Woods: 11-12 years.

Mr. Crowe: Have you seen technology change?

Mr. Woods: We have. These turbines are much more quiet and more efficient. I would like to talk about shadow flicker. When you do the analysis on flicker we assume that all of the receptors identified are included. We assume that at each one of those locations the turbine is perpendicular to them and the sun is always directly between the receptor and the turbine. It's the worst case scenario. As the wind shifts the whole cell and turbine rotates there wouldn't be any flicker. We also use the actual sunlight and weather conditions. The results of what we have here is typically 30 hours of flicker for the year. The reason that number was established is if flicker got above that number it could be an annoyance to some people. Typically shadow flicker is 5000 feet if you go beyond that you don't get it. In that distance here you have 227 receptors and of those 227 the analysis showed 204 roughly 90% would have less than 3 hours of flicker per year even in the worst case scenario. Having said that if it were disruptive we can actually program the turbine to stop operating when the sun is hitting that direction until it moves. Based on this analysis we don't think it will be a concern.

Mr. D'Onofrio: That is 11 hours at the most conservative.

Mr. Woods: Exactly per year.

Mr. DePasquale: One thing I want to make clear if anybody has an issue 11 hours is still 11 hours. In North Kingstown I sited closer and we don't get flicker, two houses during daylight savings gets a little bit in the morning and it doesn't bother them but it starts when the sun rises at 5:30 we shut the turbines off. There are other ways but the easiest is to just shut it off. We haven't had one complaint of flicker.

Mr. D'Onofrio: How many receptors are there in the Town of Coventry?

Mr. DePasquale: If you look at these homes, they have high trees and depending on the direction of the sun flicker may not actually affect the house. The trees and shrubs may protect the area.

Mr. Woods: The manufacturer of the turbines provides sound ratings for the turbines. The highest sound level occurs at 112 rating which is the rate of speed which is the wind speed that loads when the turbine is at a full 125 megawatts. In other words when the turbine reaches 3 meters it's not generating 1.5 megawatts its probably generating 100 kilowatts until the wind speed gets up to the higher level. When we do the analysis we presume the wind speed is 20 mph that is when you start generating 1.5 megawatts. The manufacturer gives us a number and we add two decibels to that to add a safety factor and we run it through a noise monitor. What we have is the actual noise from the turbine itself and as you can see the Town's requirement is 65. The property line is around 50 and it decreases. As reference the noise in this room is 45 right now.

Mr. Crowe: So you are telling me if you and I are standing underneath we would have the same conversation right now at the same monotone?

Mr. Woods: Yes.

Mr. Peabody: You submitted a study down by URI about property values?

Mr. DePasquale: I have a copy for everybody here if they want.

Mr. Crowe: Any other members have any questions?

Mr. Handy: There was a study done by URI released about 2 months ago and they found there was no overall recognizable impact on a property value from a turbine.

Mr. D'Onofrio: Are there any examples of or are you aware of any turbines also having a cell tower?

Mr. DePasquale: We don't put cell towers on ours.

Mr. Crowe: Can you or will you?

Mr. Woods: I think it's more of a question of liability and warranty.

Mr. D'Onofrio: Have you seen it done?

Mr. Woods: I haven't seen it done.

Mr. DePasquale: We won't be putting any cell towers on our turbine. It can actually affect my warranty.

Mr. Crowe: At this time here I want to open it up to the public.

SWORN IN

**STEVE QUATTRINI
8 CRAB APPLE
SMITHFIELD, RI 02808**

Mr. Quattrini: I have a couple of questions that concern the fire department. Regarding the construction phase of the project what is the time frame?

Mr. DePasquale: The construction including site work is 6-8 weeks we leave then we wait for the turbines to show up. From when they get to the port in Quonset and it will take a total of 10 days to get them to the site and erected. 4 days to erect it, 3 days to build the cranes, two days to take the crane apart and we are on the site continuously for a couple of months. When it first starts it will only run a couple of hours a day, next week a little more. It will be manned 60 days total after it is erected.

Ms. DeGraide: How long to get between the preparation date you go away then turbine comes in?

Mr. DePasquale: We want the foundation to cure for 90 days and we usually pour that 120 days before the turbine comes.

Mr. Quattrini: Another concern I have during the construction phase is **INAUDIBLE** rescue. My department as it stands now is not certified to nor do we have the equipment to perform a rescue like that. So for us to be prepared when this project hits the ground we will have to pool our town resources.

Ms. Assalone: Are you representing the department tonight?

Mr. Quattrini: I am.

Mr. Lacaillade: For the record he is the Chief for Western Coventry Fire.

Mr. Crowe: Sir, how would you handle a rescue?

Mr. DePasquale: First if there are cranes on the site there is a basket on the job that would lift somebody. There really is no ladder in the State that would reach us. Once the turbines are erected there are hoists with teams of 3. We all go through heavy training. We will train the fire department too. In the back there is a door that opens we can lower or bring the basket up and there is an elevator inside. There is a booklet that I will provide the fire department that covers CPR and everything and it has all the connections of where we hook up, harnesses. In the base of the tower there will be 5 sets of harnesses to fit an array of guys. We will pick up the costs for the training.

Mr. Crowe: So it will be the same training that the Town will have for theirs?

Mr. DePasquale: Yes.

Ms. DeGraide: And that is not until the tower is up correct?

Mr. DePasquale: Correct.

Ms. DeGraide: So what do you do during construction?

Mr. DePasquale: It's like building a high rise. We have a risk and safety manager, tool box talk, and everyone is tied off. The fire department would come if someone had a heart attack but more than likely we would have the person down before the fire department got there so we don't have to wait for the fire department to get to the top of the tower. All the men that erect these are sent to school for training. The local unions for the erectors have them trained. The people putting these together have already put 5 together.

Mr. Quattrini: Maintenance is done twice a year?

Mr. DePasquale: Maintenance is performed more than twice a year. There is a maintenance plan, the building inspector has it. It's a whole list of checks and times. It's really a 6 month and 6 month but what you find is the crew from Renewable are out at the site monthly. There's a lot more than twice a year. North

Kingstown is checking bolts 4 times a year. The manufacturer pays twice and I pay for the other two.

Ms. DeGraide: Do you have access to that maintenance plan from the building inspector's office?

Mr. Peabody: I am sure we do.

Ms. DeGraide: Can you get us a copy of that for Chief Quattrini?

Mr. Quattrini: Is there any fire suppression?

Mr. DePasquale: No, there isn't really any need. Everything is below-two electric boxes and the generators are on the outside of the tower and there are extinguishers at different levels. If you were to come to this site and that turbine is on fire we are not asking anyone to put it out.

Mr. Quattrini: Being a rural area, and we are in a high burn season is there any way to put *inaudible*.

Mr. DePasquale: You really can't. The UL listed for the turbine and it meets all requirements. They will not let us introduce water to the top of the towers.

Mr. Quattrini: I'm just saying it's a dry system.

Mr. DePasquale: It hasn't been done. What they have now in some turbines with gear boxes is they have foam systems so if there is a fire it will activate and cut the air off. When you see these there is really nothing up there to burn. There is 5 gallons of grease in the whole tower. I am not allowed to pipe through it because it will cancel my warranty.

Mr. Quattrini: The training aspect will be done individually with the fire department?

Mr. DePasquale: Yes, we are very open and we are trying to promote an industry in Rhode Island. If you get a group of guys that are new it's not a problem. It's pretty safe. No one ever climbs alone there are always three in a team.

Mr. Quattrini: What if we had to shut that down?

Mr. DePasquale: There is a series to shut down. I can shut it down from my I-phone. When you get on site there will be an air break switch that will be the first thing I will train the fire department on, National Grid has one and if there was an emergency you just pull the level and shut the turbine down instantly. Its offline in less than 30 seconds and there is a panic shutdown that stops it instantly which is the worst thing to do. You can be 1200 feet from the turbine and shut it down.

Mr. Quattrini: The emergency contact is that for National Grid or yourself?

Mr. DePasquale: If there was an electrical issue, the minute power goes off on that whole circuit we shut it down. Once they're up I have to drive to the site and reset. If power is going on and off, we shut down. If there's an emergency the call goes

to National Grid if it's for the turbine it's us. The minute there is the slightest arc National Grid is shuts it down. They monitor it 24 hours a day.

SWORN IN

**JOHN HUMBLE
6189 FLAT RIVER ROAD
GREENE, RI**

Mr. Humble: I just want to add a comment regarding the fire district. On behalf of the residents of Western Coventry it is respectfully requested that the mentioned safety and response time and any other concerns be addressed in an agreement between the Town of Coventry and the wind turbine owner. It's unclear to us whether or not there is any taxing authority that can be placed on this turbine. As in case of the revenue, certainly there would tax on the leased land the Capwell's own but there would be no form of revenue from the fire tax.

Mr. Crowe: That is reasonable.

Mr. Humble: These concerns are brought to you in the interest of the residents.

Mr. Lacaillade: This unit number 3 & 4 yet 1 & 2 doesn't have to come before us?

Mr. Peabody: Town property.

SWORN IN

**CHERYL ROBBIO
5461 FLAT RIVER ROAD
COVENTRY, RI**

Ms. Robbio: I have been a resident of Coventry since I was 3 years old. What brings us out is the amount of people who are aware in the neighborhood. There is a big distance between everyone and only 4 or 5 people are notified. There is so much more we have to consider with these windmills. These are not something to pop a judgment. I'm concerned about wildlife, the birds and migration and I was told its okay. When I bring something up I am told its okay. There will be trucks going up and down the road. Rte. 117 isn't really wide enough never minding the speeding.

Mr. Crowe: The Town has many opportunities to look at this many times. They have had open meetings; you can go to the site. Traffic will be difficult; permits will have to be pulled and will only be able to be moved at the permitted time. This is just like a building was being built.

Ms. Robbio: So after this evening the decision will be made?

Mr. Crowe: The decision will not be made until everything has been reviewed.

Ms. Robbio: Will there be more meetings?

Mr. Crowe: No, this is it.

Mr. D'Onofrio: If they get approval what's the next step?

Mr. Peabody: The building permit process and that's the heart of engineering. Every aspect will get reviewed, siting, access roads.

Mr. Crowe: The Town has approved the other two how long was that?

Mr. Peabody: A year ago. This wasn't our first venture. We originally looked into at Picillo and at that time it was deemed not appropriate. The technology wasn't there.

Mr. Pasquale: We poured our footing, it took 300 yards that was 30 truck loads we poured it in 4.5-5 hours. It's a one day process. We have full engineers on staff, the building inspector will be there, an electrical inspector will be there. The trucking will move the equipment in the dark simultaneously. We move with permits there will be 9 big trucks that deliver the whole turbine. We don't really have big activity; these are moved down Rte. 2 in the middle of the night on flatbeds. The State and local police will be escorting. There is a traffic design is planned. One thing about the birds, we have done studies and have found a cat in one year will kill more birds than every turbine in New England. We have looked at that in depth.

Ms. Assalone: Mr. Chairman, I would like to make a few points of clarification with respect to the testimony of the Chief asking questions at the public hearing tonight with respect to the Chair of the Fire Department Board they shall either provide a resolution to you to consider or you must consider his representation to this Board as a civilian.

Mr. Crowe: Did the Chairman of the fire department understand that?

Ms. Assalone: Do you have a resolution from your Board and if you don't we need to consider your testimony tonight as a civilian as representing yourself and not your Board?

Mr. Humble: I do not have a resolution I can certainly get one.

Mr. Crowe: That will be taken under advisement.

Ms. Assalone: You can't represent it as a Board unless you have a resolution.

Mr. Crowe: I would like to make a...

Ms. DeGraide: I make a motion that we take this matter under advisement and render a decision within a reasonable amount of time.

Mr. Lacaillade: Second.

Mr. Crowe: Motion made and seconded, all those in favor say Aye?

Board: Aye.

Mr. Crowe: Nays? Ayes have it.

Mr. D'Onofrio: Wouldn't that by nature increase traffic?

Mr. Brunero: Somewhat but I think from the standpoint of you have commercial facilities but you can't buy any gas and you would have to drive all the way down Arnold Road through town to get to your first gas station. It is a central point.

Mr. D'Onofrio: Isn't there a residential zone going in on New London Turnpike?

Mr. Peabody: Yes but you will be decreasing traffic going down Arnold Road for people getting gas.

Ms. DeGraide: Did they find during the traffic study if you come across Crompton Road to Arnold and you are going to make a left at the second. I am assuming you cant make a left until you get to the second entrance. Is there going to be a back up because someone has to wait to turn in going down Arnold?

Mr. Brunero: Again depending upon the time of day in the morning you would probably more of an issue of the cars coming down Arnold going to 95 but the traffic study that has been submitted says its far enough it should not be a problem of cars coming in. The second one coming Crompton Road then take a left and come in the front.

Mr. D'Onofrio: If you come off 95 cant they access off Gay Street, cut through Centre of New England?

Mr. Peabody: I think most people will.

Mr. D'Onofrio: Can they do that?

Mr. Peabody: Yes.

Ms. DeGraide: Don't you have to cut through Wendy's to get to Gay Street?

Mr. Peabody: No.

Mr. Brunero: We have worked this back and forth with the Planning Commission. Originally what they had was the building was further back and there was no exit on Gay Street but the Planning Commission after we had a site walk said there is an easier way. There are numerous ways to get out of it.

Mr. Crowe: I think it's good especially for the tractor trailer trucks.

Mr. Brunero: Mr. Crossman took time to meet with me so that we could re-design this along with Eric Prive from DiPrete. I have some color photos for you. This is a super imposed building over our site. We took the building we are proposing and sat it on the site. We have one more public hearing before the Planning Commission for the final Development Plan Review. We have been before them three times working out all the details. We have been working on this since October 28. We have had input from the Town and have made numerous changes. We are creating a tax revenue for the Town.

Ms. DeGraide: What about signage?

Mr. Brunero: Signage is pretty much what we have on the pictures?

Mr. D'Onofrio: We have not allowed animated signs.

Mr. Brunero: I know, that is in here. There is no LED lights. This is just a prototype from other places. The signage will comply with the Ordinance. We have reduced some of the parking spaces and I want to give the Board a quote from Paul Sprague the Town Planner. *The applicant is attempting to abide by the Town's rather onerous parking standards of the Zoning Ordinance. However, unless Coventry experiences a natural disaster of biblical proportions triggering a mad public run to secure bread & milk, it is doubtful that even the twenty-one (21) spaces will ever be filled at any given time.* We have more than adequate parking. We're still working on landscaping. I spoke to the realtor yesterday and I put him in touch with the owner of Chevaliers to see if they could market something. That's pretty much what we have.

**SWORN IN ERIC PRIVE
 DIPRETE ENGINEERING
 TWO STAFFORD COURT
 CRANSTON, RI**

Mr. Brunero: Mr. Prive what is your Registration number as a professional engineer?

Mr. Prive: 662.

Mr. Brunero: How long have you been with DiPrete?

Mr. Prive: Fourteen years.

Mr. Brunero: And you have qualified before Boards of this Town as an expert witness?

Mr. Prive: Yes.

Mr. Brunero: I request that the Board accepts him as an expert witness.

Ms. Soucy: So moved.

Mr. Lacaillade: Second the motion.

Mr. Crowe: Motion made and seconded.

Mr. Brunero: Without going through the entire project, in the event this is approved by the Planning Commission and the Zoning Board and this project is constructed do you see any problem of any increase of water runoff to any adjacent property or public streets?

Mr. Prive: No, we have designed a robust system. There will be an underground infiltration system, the soils on the site are fantastic, very sand, over a 12 foot dry water table. Using the DEM Stormwater Manual, there will be an underground infiltration, **INAUDIBLE** as long as the canopy will have infiltration. There will be no increase from predevelopment to post development. This has been designed for water

quality improvements and recharge of the water quality.

Mr. Brunero: This property is serviced by Kent County Water?

Mr. Prive: It is.

Mr. Brunero: And also serviced by Coventry/West Warwick Sewer?

Mr. Prive: Correct.

Mr. Brunero: That's all I have for Mr. Prive.

Mr. Crowe: Overflow of fuel? Is there a system for that?

Mr. Prive: There is a positive limiting area and a separator system. They have a full operation plan for smaller spills.

Mr. Brunero: That's pretty much what I have.

Mr. Crowe: Any other Board members have any questions?

Board: No.

Mr. Crowe: Is there anyone here who would like to speak on this application or have a question?

SWORN IN

**TAMMY DUXBURY
2 ORCHID TRAIL
COVENTRY, RI**

Ms. Duxbury: I have two questions. 1. Are there any homes along Gay Street have those people been contacted regarding issues from traffic?

Mr. Crowe: This whole area is zoned either commercial or industrial. Residential passé there.

Ms. Duxbury: But are people still living here?

Mr. Crowe: There are still people living there but like anything else, this is where the industrial and commercial has been told to go from the Town of Coventry. So the values of the properties are going to be much greater as commercial/industrial then residential.

Ms. Duxbury: My second question, when you are coming off the highway to Arnold Road and take a left there are two lanes turn left onto Arnold and they are two lanes for a very short distance then it merges. With the increase of traffic and people stopping to make a left I am wondering if that second lane could be extended a little further so that it would take some of the excess traffic to go around the people turning left.

Mr. Crowe: I agree but Arnold Road is a state road and that would have to take a representative and council members to petition the state.

Mr. Peabody: It's a state intersection but that is a town road.

Mr. Lacaillade: We maintain it.

Ms. DeGraide: I think it's a great idea.

Mr. Peabody: I think we will look into it.

Ms. DeGraide: I make a motion that we take this matter under advisement and render a decision within a reasonable amount of time.

Mr. Lacaillade: Second.

Mr. Brunero: As far as tractor trailers they come in at night. The drop off and they are gone. Jacob is correct, this is a town road. We have an agreement DOT for the lighting, they have deferred all jurisdiction of this site to your Planning Commission. I have a letter from DOT on that. We don't need to contact them regarding curb cuts, they are done administratively.

Mr. Brunero: To answer the question about residential, these are all commercials and one that is maybe a mixed use.

Mr. D'Onofrio: Can we put up a sign Cumberland Farms Enter Here behind Wendy's to try to direct traffic?

Mr. Peabody: We don't allow off premise advertising. Maybe it could say gas station entrance, I'll look into it.

Ms. DeGraide: Will this be a 24 hour store?

Mr. Brunero: Yes.

Ms. DeGraide: I make a motion that we take this matter under advisement and render a decision within a reasonable amount of time.

Mr. Lacaillade: Second.

Mr. Crowe: Motion made and seconded, all those in favor say Aye?

Board: Aye.

Mr. Crowe: Nays? Ayes have it.

COVENTRY ZONING BOARD OF APPEALS

April 2, 2013

Town Council Chambers

1670 Flat River Road

Work Session & Regular Meeting

7:00 p.m.

Re: Appeal of Thomas Forcier

Location of Property: AP 324 Lot 20; Peckham Lane

Zone: RR-2

Appellant is appealing the Zoning Enforcement Officer's written determination dated December 3, 2013 regarding Water's Edge Campground AP 324 Lot 20.

Re: Appeal of Suzanne Colwell

Location of Property: AP 324 Lot 20; Peckham Lane

Zone: RR-2

Appellant is appealing the Zoning Enforcement Officer's written determination dated December 3, 2013 regarding Water's Edge Campground AP 324 Lot 20

Please see Steno transcript

Ms. Soucy: Motion to adjourn.

Mr. D': Second.

Mr. Crowe: Motion made and seconded, all those in favor say Aye?

Board: Aye.

Mr. Crowe: Nays? Ayes have it.

Meeting adjourned at 11:05 p.m.