

Richmond Planning Board Meeting
Town Hall
Minutes
May 15, 2023

Members present: Richard Bell, Douglas Bruce, John Hanson (Chairman), Katherine Keenum

Member absent: Pete Lopez due to illness

Others present: Richard King, Richmond (applicant); Collen Parsons, Richmond (abutter); Ernie Smith, Richmond (Conservation Commission, Chair)

The meeting opened at 7:01 P.M.

1. The first item of business was consideration of a petition by Mr. King for a special permit to place a ground-mounted solar energy system on his property at 1916 Lenox Road, Richmond. A special permit was required because the system would exceed the size permitted by right under the Town of Richmond's *Zoning By-Law*.

For the Special Permit Petition cover sheet and the design plan, see Appendix 1. Hard copy of the full petition is available at Town Hall. It contains a cover sheet, a hand-drawn map showing the placement of the house, a list of abutters, copies of the letter sent to each abutter and a Certificate of Compliance with the Berkshire Scenic Mountains Act issued by the Richmond Conservation Commission for construction of the residence on September 1, 2022, a second version of the hand-drawn map showing the currently planned orientation of the solar structure and setbacks, and an undated set of design specifications for "Proposed Solar Panel Platform" prepared by Bay Area Design of the Berkshires.

For discussion of the project and the pertinent regulations in Richmond's *Zoning By-Law* Section 4.8.B.17.c, see the minutes of the Public Hearing held by the Planning Board on May 15, 2023, which immediately preceded the night's regular Board meeting.

Mr. Hanson opened deliberations by stating that in order for a special permit to be approved, certain findings must be made in accordance with Section 6.3.4 of the Richmond *Zoning By-law* (see Exhibit 1). In addition, the Board could impose restrictions. He proposed that approval of the King petition should stipulate that within fourteen days Mr. King must submit to Town Hall an updated hard copy of the plan drawn up by Bay Area Design of the Berkshires to show the correct orientation of the solar collector. He also asked Mr. King to send him a PDF of the updated plan electronically. Mr. Bell called for the new plan to be dated.

As required, roll call votes were then taken, item by item. On each item, Mr. Bruce, Mr. Bell, Mr. Hanson, and Ms. Keenum said, "I agree." See Appendix 2: Vote on Findings.

Mr. Hanson called for a motion to approve the Special Permit application on condition that an updated plan be submitted within fourteen days as directed. Ms. Keenum so moved. Mr. Bruce seconded. The vote to approve was unanimous (4-0).

2. Mr. Bell made a motion to approve the minutes of February 13, 2023. Mr. Bruce seconded. The vote in favor of approval was unanimous, 4-0.

3. Mr. Hanson called for a motion to adjourn. Ms. Keenum so moved. Mr. Bruce seconded. The vote to approve was unanimous, 4–0.

The meeting adjourned at 7:14 P.M.

Respectfully submitted,

Katherine Keenum, Clerk

Exhibit 1: Findings Required for Special Permits, Town of Richmond, *Zoning By-Law*, Section 6.3.4

6.3.4 Findings Required

Before granting a special permit for any use requiring such permit under the provisions of this By-Law, the Special Permit Granting Authority shall find that the proposed use:

- a) Is in compliance with all provisions and requirements of this By-Law, and in harmony with its general intent and purpose.
- b) Is not undesirable or does not substantially derogate from the public good or convenience at the proposed location.
- c) Will not be detrimental to adjacent uses or to the established or future character of the neighborhood.
- d) Will not create undue traffic congestion, or unduly impair pedestrian safety.
- e) Will not overload any public water, drainage or sewer system or any other municipal facility to such an extent that the proposed use or any existing use in the immediate area or in any other area of the Town will be unduly subjected to hazards affecting public health, safety or general welfare.

Appendix 1: King application for a ground-mounted solar energy system



TOWN OF RICHMOND
PETITION
SPECIAL PERMIT VARIANCE/APPEAL

MAR 30 2023

TOWN OF RICHMOND
TOWN CLERK

Please read the attached instructions before completing this form. Please provide all applicable information. Incomplete forms and failure to submit necessary documentation may cause rejection of the petition.

Property Owner Richard W + Sharon King

Property Owner Address and Phone 1916 Lenox Rd

Petitioner (if different) Address and Phone P.O. Box 1837 Lenox
MA 01240

Representative (if applicable) Address and Phone _____

Location of Subject Property 1916 Lenox Road Map 411 Lot 57

Zoning District RA-C Book 5711 Page 73

This Petition is for the Following:

Special Permit Variance _____ Appeal _____

Pertinent Section of Zoning Bylaw _____ Permit Granting Authority _____

Project Description Install A Small ground mounted Solar System. Residential use. 51 Panel - 15kw
(Attach narrative or additional sheets as needed)

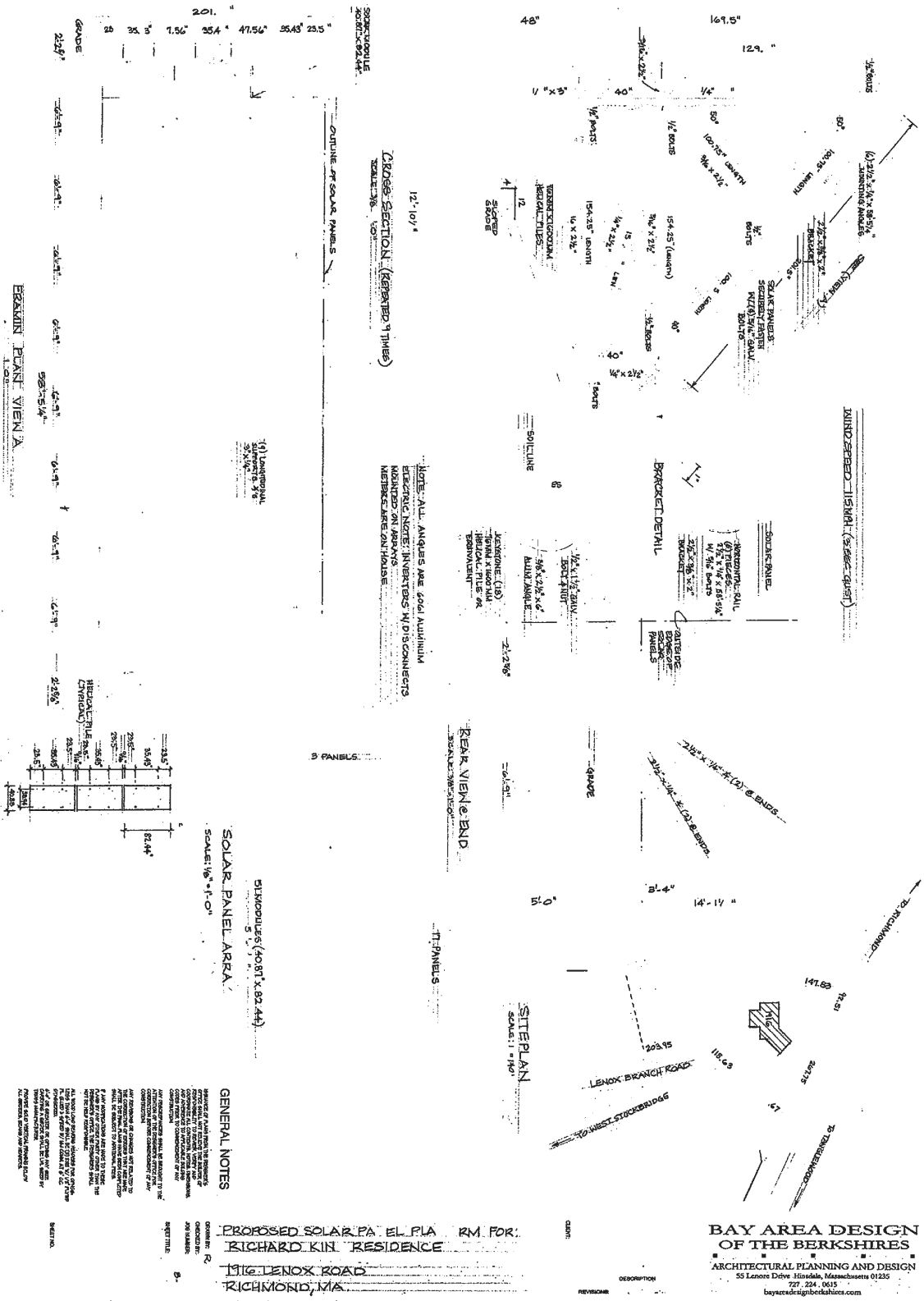
Fee: \$200

The undersigned hereby certifies that this is a true and complete petition to the best of his or her knowledge:

[Signature] Date 03-30-2023

Received by the Town Clerk on this 30th day of March 20 2023

[Signature]
Signature of Town Clerk



12'-10 1/4"
 (ROOF SECTION (REPEATED 7 TIMES))
 SCALE: 3/8" = 1'-0"

NOTE: ALL ANGLES ARE 60° ALUMINUM
 ELECTRICAL NOTES: INVERTERS IN DISCONNECTS
 METERS ARE ON HOLES

DIAPHRAGM (40 FT x 82.44)
 SOLAR PANEL AREA
 SCALE: 1/8" = 1'-0"

SITE PLAN
 SCALE: 1" = 40'

GENERAL NOTES
 1. MATERIALS OF ALL TRADES TO BE IDENTIFIED BY THE CONTRACTOR AND APPROVED BY THE ARCHITECT.
 2. ALL WORK TO BE ACCORDING TO THE LATEST EDITIONS OF THE BUILDING CODES AND ALL APPLICABLE REGULATIONS.
 3. ALL WORK TO BE ACCORDING TO THE LATEST EDITIONS OF THE MANUFACTURER'S INSTRUCTIONS.
 4. ALL WORK TO BE ACCORDING TO THE LATEST EDITIONS OF THE NATIONAL ELECTRICAL CODE (NEC) AND ALL APPLICABLE REGULATIONS.
 5. ALL WORK TO BE ACCORDING TO THE LATEST EDITIONS OF THE INTERNATIONAL MECHANICAL EXHAUSTING CODE (IMEC) AND ALL APPLICABLE REGULATIONS.
 6. ALL WORK TO BE ACCORDING TO THE LATEST EDITIONS OF THE INTERNATIONAL PLUMBING AND HEATING CODE (UPH) AND ALL APPLICABLE REGULATIONS.
 7. ALL WORK TO BE ACCORDING TO THE LATEST EDITIONS OF THE INTERNATIONAL FIRE MARSHAL ASSOCIATION (IFMA) AND ALL APPLICABLE REGULATIONS.
 8. ALL WORK TO BE ACCORDING TO THE LATEST EDITIONS OF THE INTERNATIONAL ASSOCIATION OF CEMENT MORTAR CONCRETE (IACM) AND ALL APPLICABLE REGULATIONS.
 9. ALL WORK TO BE ACCORDING TO THE LATEST EDITIONS OF THE INTERNATIONAL ASSOCIATION OF BRICK AND BLOCK LAYERS (IAB) AND ALL APPLICABLE REGULATIONS.
 10. ALL WORK TO BE ACCORDING TO THE LATEST EDITIONS OF THE INTERNATIONAL ASSOCIATION OF ROOFERS (IAR) AND ALL APPLICABLE REGULATIONS.
 11. ALL WORK TO BE ACCORDING TO THE LATEST EDITIONS OF THE INTERNATIONAL ASSOCIATION OF PAINTERS AND DECORATORS (IAP) AND ALL APPLICABLE REGULATIONS.
 12. ALL WORK TO BE ACCORDING TO THE LATEST EDITIONS OF THE INTERNATIONAL ASSOCIATION OF CARPENTERS AND JOINERS (IACJ) AND ALL APPLICABLE REGULATIONS.
 13. ALL WORK TO BE ACCORDING TO THE LATEST EDITIONS OF THE INTERNATIONAL ASSOCIATION OF WOODWORKERS (IAW) AND ALL APPLICABLE REGULATIONS.
 14. ALL WORK TO BE ACCORDING TO THE LATEST EDITIONS OF THE INTERNATIONAL ASSOCIATION OF METALWORKERS (IAM) AND ALL APPLICABLE REGULATIONS.
 15. ALL WORK TO BE ACCORDING TO THE LATEST EDITIONS OF THE INTERNATIONAL ASSOCIATION OF STEEL ERECTORS (IAS) AND ALL APPLICABLE REGULATIONS.
 16. ALL WORK TO BE ACCORDING TO THE LATEST EDITIONS OF THE INTERNATIONAL ASSOCIATION OF RAILROAD CARPENTERS AND BUILDERS (IARCB) AND ALL APPLICABLE REGULATIONS.
 17. ALL WORK TO BE ACCORDING TO THE LATEST EDITIONS OF THE INTERNATIONAL ASSOCIATION OF BRIDGE AND HIGHWAY CONSTRUCTORS (IABHC) AND ALL APPLICABLE REGULATIONS.
 18. ALL WORK TO BE ACCORDING TO THE LATEST EDITIONS OF THE INTERNATIONAL ASSOCIATION OF HIGHWAY CONTRACTORS (IAHC) AND ALL APPLICABLE REGULATIONS.
 19. ALL WORK TO BE ACCORDING TO THE LATEST EDITIONS OF THE INTERNATIONAL ASSOCIATION OF WATERWORKS AND SEWERAGE ENGINEERS (IAWSE) AND ALL APPLICABLE REGULATIONS.
 20. ALL WORK TO BE ACCORDING TO THE LATEST EDITIONS OF THE INTERNATIONAL ASSOCIATION OF ELECTRICAL ENGINEERS (IAEE) AND ALL APPLICABLE REGULATIONS.
 21. ALL WORK TO BE ACCORDING TO THE LATEST EDITIONS OF THE INTERNATIONAL ASSOCIATION OF MECHANICAL ENGINEERS (IAM) AND ALL APPLICABLE REGULATIONS.
 22. ALL WORK TO BE ACCORDING TO THE LATEST EDITIONS OF THE INTERNATIONAL ASSOCIATION OF CIVIL ENGINEERS (IACE) AND ALL APPLICABLE REGULATIONS.
 23. ALL WORK TO BE ACCORDING TO THE LATEST EDITIONS OF THE INTERNATIONAL ASSOCIATION OF CHEMICAL ENGINEERS (IACE) AND ALL APPLICABLE REGULATIONS.
 24. ALL WORK TO BE ACCORDING TO THE LATEST EDITIONS OF THE INTERNATIONAL ASSOCIATION OF METALLURGICAL ENGINEERS (IAM) AND ALL APPLICABLE REGULATIONS.
 25. ALL WORK TO BE ACCORDING TO THE LATEST EDITIONS OF THE INTERNATIONAL ASSOCIATION OF AERONAUTICAL ENGINEERS (IAAE) AND ALL APPLICABLE REGULATIONS.
 26. ALL WORK TO BE ACCORDING TO THE LATEST EDITIONS OF THE INTERNATIONAL ASSOCIATION OF AGRICULTURAL ENGINEERS (IAAE) AND ALL APPLICABLE REGULATIONS.
 27. ALL WORK TO BE ACCORDING TO THE LATEST EDITIONS OF THE INTERNATIONAL ASSOCIATION OF MARINE ENGINEERS (IAM) AND ALL APPLICABLE REGULATIONS.
 28. ALL WORK TO BE ACCORDING TO THE LATEST EDITIONS OF THE INTERNATIONAL ASSOCIATION OF AUTOMOTIVE ENGINEERS (IAAE) AND ALL APPLICABLE REGULATIONS.
 29. ALL WORK TO BE ACCORDING TO THE LATEST EDITIONS OF THE INTERNATIONAL ASSOCIATION OF AEROSPACE ENGINEERS (IAAE) AND ALL APPLICABLE REGULATIONS.
 30. ALL WORK TO BE ACCORDING TO THE LATEST EDITIONS OF THE INTERNATIONAL ASSOCIATION OF SPACE ENGINEERS (IAAE) AND ALL APPLICABLE REGULATIONS.

BAY AREA DESIGN OF THE BERKSHIRES
 ARCHITECTURAL PLANNING AND DESIGN
 55 Lenox Drive, Haverhill, Massachusetts 01225
 727.224.0615
 bayareadesignberkshires.com

PROPOSED SOLAR PANEL PLAN FOR:
 RICHARD KIN RESIDENCE
 110 LENOX ROAD
 RICHMOND, MA

Appendix 2: Vote on Findings

RICHMOND PLANNING BOARD

FINDINGS PURSUANT TO SECTIONS 4.8.B.17C AND 13 OF THE ZONING BY-LAW

GROUND-MOUNTED SOLAR ENERGY SYSTEM SPECIAL PERMIT REQUEST

Richard W. King and Sharon King
Applicant's name

Findings Abbreviations: Y = Yes N = No

- a. Is in compliance with all provisions and requirements of the By-law, and in harmony with its general purpose and intent.

Discussion: Mr. Bell read aloud Sections 4.8.B.7C and Section 13. There being no further discussion, the vote was taken.

Votes: Mr. Hanson Y Mr. Bell Y Mr. Bruce Y Ms. Keenum Y

- b. Is not undesirable or does not substantially derogate from the public good or convenience at the proposed location.

Discussion: None

Votes: Mr. Hanson Y Mr. Bell Y Mr. Bruce Y Ms. Keenum Y

- c. Will not be detrimental to adjacent uses or to the established or future character of the neighborhood.

Discussion: None

Votes: Mr. Hanson Y Mr. Bell Y Mr. Bruce Y Ms. Keenum Y

- d. Will not create undue traffic congestion or unduly impair pedestrian safety.

Discussion: None

Votes: Mr. Hanson Y Mr. Bell Y Mr. Bruce Y Ms. Keenum Y

- e. Will not overload any public water, drainage or sewer system or any other municipal facility to such an extent that the proposed use or any existing use in the immediate area or in any other area of the town will be unduly subjected to hazards affecting public health, safety or welfare.

Discussion:

Votes: Mr. Hanson Y Mr. Bell Y Mr. Bruce Y Ms. Keenum Y

Katherine Keenum, Clerk

DATE _____