

Richmond Planning Board Public Hearing
Town Hall
Minutes
May 15, 2023

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

Member absent: Pete Lopez

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

Site visit

Planning Board members, Ms. Parsons, and Mr. Smith met at Mr. King's property at 1916 Lenox Road, Richmond, to inspect the site of a proposed ground-mounted solar energy system. The visit and subsequent public hearing had been duly posted at Town Hall and advertised in the Berkshire *Eagle* on April 27, 2023 (see Appendix 1). The application by Richard W. King and Sharon King for a special permit to build a ground-mounted solar energy system as an accessory structure for residential use had been distributed to Board members electronically. (See Appendix 2 for excerpts. Hard copy of the full application is available at Town Hall.)

The proposed site for the solar collector is below a steep descent from the western side of the house on an open plateau screened by the hill behind it and trees on the other three sides. Mr. King demonstrated its placement on the north side of the open space with an orientation to the south. He answered questions about the number of solar panels, height of the frame, and setbacks. He stated that the size of the system would be required to meet the full electrical needs for the house after a planned heat pump was installed.

Having seen the site, Board members, Mr. King, Ms. Parsons, and Mr. Smith proceeded to Town Hall for the Board to conduct deliberations.

Public Hearing

Mr. Hanson opened the hearing by reviewing the regulations in Richmond's Zoning *By-Law* Section 4.8.B.17.c that made it necessary for the Kings to petition for a special permit. The key factor was the size of the projected area, i.e., its footprint on the ground. The *By-Law* allows such an installation of up to 750 square feet by right. Mr. Hanson explained that when the section was written, the Board had based the by-right size limit on the by-laws of nearby towns and estimates of the amount of electricity needed for a single-family house year-round. The King petition was the first case. If in future, there were a lot more petitions, indicating that the estimate had been too small, then the law could be adjusted. Greater use of heat pumps, for instance, might drive up the amount of energy the people of Richmond wished to generate through solar energy systems. The Planning Board recognized the need to encourage green energy but also to regulate land use according to the community's wishes.

The dimensions of the structure in Mr. King's application resulted in roughly 877 square feet. The frame was 18^{1/2} feet measured vertically from the highest point to the ground and thus within the 20-foot height allowed. The setbacks from the proposed structure to the property lines were 130, 320, 48, and 148 feet, far exceeding the by-law's requirement.

The plan submitted to the Board on paper represented the solar structure in a different orientation from what had been described at the site. Mr. Hanson told Mr. King he would need to provide Town Hall with new hard copy that showed the correct orientation. Mr. Bell asked whether the plan might require more changes. Mr. King said that he hoped not. Mr. Hanson cautioned that a special permit was not open-ended. The building inspector would have to ensure that the structure adhered to the plans approved with whatever conditions were set. If the plans changed, Mr. King should come back to the Board.

Mr. Hanson asked whether Mr. Smith or Ms. Parsons had questions or comments. Mr. Smith observed that no trees would need to be cut. Ms. Parsons said that she had no objections to the project; she had attended the site visit and hearing out of curiosity and was satisfied.

Mr. Hanson called for a motion to close the public hearing. Ms. Keenum so moved. Mr. Bruce seconded. The motion was approved unanimously, 4-0.

The public hearing ended at 7:00 P.M.

Appendix 1: Notice of Public Hearing

**TOWN OF RICHMOND PLANNING
BOARD NOTICE OF PUBLIC HEARING
SPECIAL PERMIT** The Planning Board will conduct a public hearing, pursuant to the provisions of Chapter 40A of the Massachusetts General Laws, and Section 13 and 4.8B(17) of the Richmond zoning Bylaw, on the petition of Richard W. King and Sharon King for a special permit to install a ground mounted solar system for residential use at 1916 Lenox Road, Assessors Map411, Parcel 57. Copies of the application and plans are available for review at the Town Clerk during regular business hours. A site-visit will be held May 15, 2023 at 6:00 PM at the property and the hearing will be held at 6:30 PM at the Town Hall, 1529 State Road, Richmond, Massachusetts. AD# 74497, 74498 04/27/2023, 05/04/2023

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

RECEIVED
MAR 30 2023

TOWN OF RICHMOND
PETITION
SPECIAL PERMIT VARIANCE/APPEAL

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 GA 30124

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 X 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]
Signature of Property Owner

03-30-2023
Date

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

[Signature]
Signature of Town Clerk





