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.

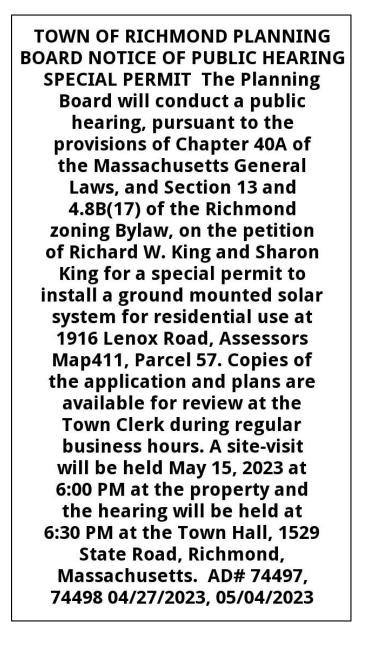
The plan submitted to the Board on paper represented the solar structure in a different orientation from what had seen described at the site. Mr. Hanson told Mr. King he would need to provide Town Hall with new hard copy that showed the correct orientation. Mr. Bell asked whether the plan might require 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



÷.,

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

 an annual a contributive flucture in the trademic is the second state. 	
	RECEIVED
TOWN OF RICHMOND PETITION SPECIAL PERMIT VARIANCE/APPI	EATTOWN OF RICHMOND
Please read the attached instructions before completing this for applicable information. Incomplete forms and failure to submi- may cause rejection of the petition. Property Owner Richard $W \neq Sharo$	it necessary documentation
Property Owner Address and Phone 1916 Lev Petitioner (if different) Address and Phone P.O. B	3 Ex 1837 194 01200
Representative (if applicable) Address and Phone	
Location of Subject Property 1916 Lenox Road Map 41 Lot 57	
Zoning District <u>RA-C</u>	_Book 5711 Page 73
This Petition is for the Following:	
Special Permit	Appeal
Pertinent Section of Zoning BylawPermit 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 comple or her knowledge:	- 2 2830
Signature of Property Owner	March 20 Raz 3
Received by the Town Clerk on this day of	1 <u>fanch 20 Raz</u> 3

