

April 9, 2013

North Smithfield Zoning Board  
Town Hall  
One Main Street  
Slatersville, RI 02896

Energy Facilities Siting Board  
89 Jefferson Blvd  
Warwick, RI 02888

RE: The Narragansett Electric Company d/b/a National Grid Interstate Reliability Project.

Dear Members of the Energy Facilities Siting Board,

Attached are the minutes of the March 26, 2013 meeting of the North Smithfield Zoning Board where the board voted 5-0 to Approve the Interstate Reliability Project Application of Narragansett Electric Company d/b/a National Grid, requesting a dimensional variance from section 5.5, subsection 5.5.1, height variance. Locus is North Smithfield to Burrillville Line. Zoning Districts: REA, RA, RS, BN, and M.

Please find attached;

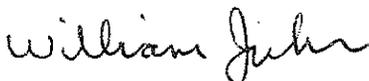
1. Minutes of the March 26, 2013 Zoning Board meeting.
2. A Draft copy of the written Decision with list of Exhibits and Finding of Facts, to be voted on April 23, 2013.
3. A Draft copy of the Affirmative Advisory Opinion to the Energy Facilities Siting Board regarding the National Grid Interstate Reliability Project, scheduled for Approval vote also on April 23, 2013.

The Board and I want to personally apologize for the delay in providing our Final Decision with Finding of Facts to Application (2013-01) and the Advisory Opinion to the Energy Facilities Siting Board by the April 10, deadline, as we had several scheduling conflicts throughout the deliberation process.

Final written copies of items 2 and 3 above will be provide to the Energy Facilities Siting Board after the North Smithfield Zoning Board of Review meeting to be held on April 23, 2013.

Respectfully submitted,

Sincerely,



William Juhr, Chair of the North Smithfield Zoning Board

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## North Smithfield Zoning Board of Review

### Advisory Opinion To Energy Facilities Siting Board

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**APPLICANT:** The Narragansett Electric Company d/b/a National Grid:

**DATE:** April 9, 2013

**FILE NO:** SB 2012-1

#### A RESOLUTION GRANTING A POSITIVE OPINION REGARDING A DIMENSIONAL VARIANCE FOR THE NATIONAL GRID INTERSTATE RELIABILITY PROJECT

**WHEREAS,** meetings of the North Smithfield Zoning Board of Review were held on February 12, 2013, and March 26, 2013, wherein the instant matter was considered.

**WHEREAS,** The Narragansett Electric Company d/b/a National Grid: Applicant(s), and The Narragansett Electric Company d/b/a National Grid, Owner(s) has/have filed an application for the purpose of rendering an advisory opinion from the Zoning Board of Review as directed by the Energy Facility Siting Board to construct two new 345 kV transmission lines (336 Line and 341 Line) from the Massachusetts/Rhode Island border to the West Farnum Substation in North Smithfield; and from the West Farnum Substation in North Smithfield westerly by the Sherman Road Switching Station in Burrillville continuing to the Rhode Island/Connecticut border.

**WHEREAS,** the North Smithfield Zoning Board of Review held public hearings on this application (2013-01) for a dimensional variance, i.e. granting relief on height restrictions on February 12, 2013 and March 26, 2013 meetings, after due and public notice as provided under the North Smithfield Zoning Ordinance and Rhode Island General Laws;

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**WHEREAS**, at said hearings all those whom desired to be heard were heard and their testimony recorded;

**WHEREAS**, the North Smithfield Zoning Board of Review finds as a fact that:

1. At the request of the Energy Facility Siting Board this case went before the North Smithfield Zoning Board to render and advisory opinion.
2. Attorney Peter Lacouture represented the applicant, The Narragansett Electric Company d/b/a National Grid. He entered the following Exhibits:

P1 – Application dated September 24, 2012, including 6 pp description of the project

P2 – A letter dated October 15, 2012 from National Grid to Mr. Benoit, North Smithfield Zoning Inspector

P3 – 12 pp application of The Narragansett Electric Company d/b/a National Grid, Owner(s)

P4 – October 12, 2012, 20 pp packet of Notice of Designation to North Smithfield Zoning Board of Review to Render an Advisory Opinion

P5 - A hard copy of the power point presentation that was shown before the Board

P6 – Abutters list, 11 pp

P7 - Abutters maps

P8 – Project maps (2)

P9 – Real Estate Appraisal by Thomas O. Sweeney

Mr. Sweeney summarized the need for the proposed work and explained why a dimensional variance from section 5.5, subsection 5.5.1, height variance is required. The project is located in the REA, RA, RS, BN and M zoning districts of North Smithfield.

The following exhibits were entered into the record on behalf of the Abutters:

A1 - Resume of Michael R. Darveau

A2 - 4 pages of pictures (current views of the property and owner's rendition of view with proposed project), Dinna Finnegan, 6 Mountain Road, 4 pages of pictures (current views of the property and owner's rendition of view with proposed project), Paula Patton, 2 Mountain Road

A3 - A letter dated February 19, 2013, from James and Paula Patton, Marguerite Girard, and

Dinna Finnegan (abutters from 2, 4, 6 Mountain Road, respectively), inviting the Board to make a site visit to their property.

A4 - Stapled packet, dated March 26, 2013. Mitigation Agreement between national Grid and the Abutters, amended during meeting of March 26, 2013 in consultation with the applicant.

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3. David Beron, a representative from National Grid was sworn in. He demonstrated the inefficiency and reduced reliability with their system in our area, namely the Interstate Transfer Capacity. He then stated that the solutions would involve a combination of projects with the Interstate Reliability Project being before the Board now. He stated that the issue before the Board involved the need for dimensional variance relief for height of poles.
4. Mr. Beron explained that 75 miles of new 345kV transmission lines would be installed connecting Rhode Island to Massachusetts and Connecticut. Reconstruction of over 9 miles of 345 kV lines would also be completed. He noted "the existing wood pole structures supporting the existing 328 Line will be replaced with a combination of direct embedded steel H-frame structures and 3-pole tubular steel structures on reinforced concrete foundations at angle and dead-end locations. The height of the new structures will range 60 to 115 feet with a typical structure height of 85 to 90 feet", per Application (2031-01) Decision Exhibit P1. A Dimensional Variance was requested for height Relief. He testified to the Relief necessary under section 9.3, with all elements thereof placed on the record.
5. Thomas O. Sweeney was accepted by the Board as a real estate expert. He testified regarding the existing corridor, with pole heights varying from 60' to 115', averaging 90', and that the Interstate Reliability Project's requested relief was based on a hardship of unique circumstances, no prior action taken by the applicant, no monetary gain and was the least relief necessary. In summary, he stated that an additional set of high tension wires would be installed along existing National Grid right of ways, mirroring what exists there now, in areas where National Grid holds easements, with notice given to abutters consistent with use, with no negative impact and with some clearing but not beyond the existing limits of the corridor.
6. Abutters Marguerite Girard, of 4 Mountain Road, Dinna Finnegan, of 6 Mountain Road, and James & Paula Patton, of 2 Mountain Road, testified and raised concerns regarding the height of the proposed poles, clearance of land within the scope of said easements, pre-construction and post-construction inspections by National Grid, installation of a gate on the Finnegan property, concerns over noise, visual impact and property values.
7. Abutters JoAnn Ricci, 6 Stoneridge Drive, Joe Cardillo, 174 Woonsocket Hill Road and Michael Darneau, testified regarding having National Grid comply with any restrictions that the Board places on them, concerns with property values and the impact of and health and safety concerns.
8. Attorney Lacouture noted that a representative for National Grid, Margaret Devers, was present at the hearing. He suggested that all interested parties could meet with this representative after the hearing and obtain contact information.
9. On February 12, 2012, Zoning Board Chair Mr. Jühr, after hearing all testimony, directed National Grid and its representatives to meet with each abutter and to devise a plan of mitigation, reporting back to the board at its next meeting. On

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March 26, 2012, abutters Patton, Girard and Finnegan submitted a "Mitigation Agreement" comprised of 10 Stipulations (Exhibit A4, 32 pp) between National Grid and said abutters. Testimony between the Board, National Grid and said abutters resulted in several changes to said stipulations. Said abutters testified that they were pleased with the willingness of National Grid to meet with them and address their concerns through these stipulations and on-going dialogue.

10. On March 26, 2012, the public portion of this hearing was closed and the Zoning Board discussed the case. Town Assistant Solicitor, Attorney Stephen R. Archambault, noted that this case was before the Zoning Board solely for an advisory opinion and that the Board was able to act only in an advisory capacity. Chairman Juhr stipulated that the Mitigation Agreement be made an exhibit and attached hereto said Decision, and directed Attorney Archambault to write and advisory opinion for Adoption by the Zoning Board to submit to the Energy Facility Siting Board.

**WHEREAS**, THE NORTH SMITHFIELD ZONING BOARD OF REVIEW has determined, based on the testimony presented at the public hearing, all Exhibits presented, the Findings of Fact as set forth above and in the North Smithfield Application (2013-01) requested Dimensional Variance from section 5.5, subsection 5.5.1, height variance relief of height restrictions; where the Approved Decision was rendered on March 26, 2013 by North Smithfield Zoning Board of Review.

1. 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;
2. 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 greater financial gain;
3. 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 zoning ordinance or the comprehensive plan upon which this ordinance is based;
4. That the relief to be granted is the least relief necessary;
5. That granting the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district.
6. The hardship suffered by the owner of the subject property if the dimensional variance is not granted amounts to more than a mere inconvenience. The fact that a use may be more profitable or that a structure may be more valuable after relief is granted is not grounds for relief.

Refer to the North Smith Zoning Board of Review Application (2013-01) Approved Decision of March 26, 2013 for details regarding the above application evaluation criteria.

**NOW, THEREFORE BE IT RESOLVED** by the North Smithfield Zoning Board of Review that the application as filed by the Applicant for an ADVISORY OPINION is GRANTED by a vote of 5 – 0 with conditions as set forth in said Mitigation Agreement, (Exhibit A4) incorporated by reference.

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## DECISION OF APPROVAL

The application is approved with the following stipulation:

The Applicant, Narragansett Electric Company d/b/a National Grid will abide by and implement the approved agreement per Exhibit A4 - Stapled packet, dated March 26, 2013; Mitigation Agreement between national Grid and the Abutters, as amended during meeting of March 26, 2013.

Mr. Scarpelli made a motion to approve the application of Narragansett Electric Company d/b/a National Grid for a dimensional variance from section 5.5, subsection 5.5.1, height variance. Mr. Marcantonio seconded the motion. Roll call vote was as follows: YES: Mr. Jühr, Mr. Scarpelli, Mr. Pasquariello, Mr. Martin and Mr. Marcantonio, with a vote of 5 – 0.

### **THE APPLICATION IS APPROVED BY A VOTE OF (5 – 0)**

Voting to Approve: Mr. Jühr, Mr. Scarpelli, Mr. Pasquariello, Mr. Martin and Mr. Marcantonio  
Voting to Deny: None

The Zoning Board shall set down a record of findings of fact and shall make its decision in writing. No decision shall be final until it is filed in the Zoning Enforcement Office. All decisions shall be recorded in the land evidence records of the Town.

### **BY ORDER OF THE NORTH SMITHFIELD ZONING BOARD OF REVIEW**

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William Jühr, Chair

THIS DECISION WILL BE PUBLICLY POSTED IN  
A VISIBLE LOCATION IN THE TOWN HALL FOR  
A PERIOD OF TWENTY DAYS COMMENCING:

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#### APPLICATION GRANTED

Vote 5 –0 with stipulation pertaining to Application (2013-01) Exhibit A4 – Amended Mitigation Agreement dated March 26, 2013

#### BEFORE:

William Jühr  
Steven Scarpelli  
Scott Martin  
Paul Pasquariello  
Vincent Marcantonio

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STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

TOWN OF NORTH SMITHFIELD

ZONING BOARD OF REVIEW

March 26, 2013  
Kendall Dean School  
83 Green Street, Slatersville, RI

DECISION RE: Application of Narragansett Electric Company d/b/a National Grid, requesting a dimensional variance from section 5.5, subsection 5.5.1, height variance. Locus is North Smithfield to Burrillville Line. Zoning Districts: REA, RA, RS, BN, and M.

BEFORE:

William Juhr  
Steven Scarpelli  
Scott Martin  
Paul Pasquariello  
Vincent Marcantonio

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## ADMINISTRATIVE RECORD

A public hearing on this Application was held by the North Smithfield Zoning Board of Review after due and public notice was provided under the North Smithfield Zoning Ordinance and Rhode Island General Laws as follows:

- Publication in the Valley Breeze on January 31, 2013 and February 7, 2013.
- Posting of the hearing notice at Town Hall, the Municipal Annex, the Kendall Dean School building, and Rhode Island Secretary of State Website.
- Notification to parties of interest as determined by Section 5.6.2 (including the owners and applicants) by certified mail, return receipt requested, postage prepaid on January 22, 2013.

At said public hearing all those who desired to be heard were given the opportunity to ask questions about this application and to speak for or against the application.

## PROJECT DESCRIPTION

The applicant is requesting a dimensional variance from section , subsection. Locus, Plat , Lot , Zoning: .

## EXHIBITS

The following exhibits were entered into the record on behalf of the Applicant:

- P1 - Application dated 9/24/12, which includes plat and lot numbers, attachment to application dated 9/24/12, a 6-page description of the project.
- P2 - Letter to the Zoning Board from Robinson & Cole, LLP dated 10/15/12
- P3 - Application packet, a 10-page document (12 pages including cover sheet and table of contents), dated 7/19/12 and marked with docket # SB-20102-01
- P4 - Notice of Designation, dated 10/12/12
- P5 - Printed copy of PowerPoint presentation, 10 pages/20 slides
- P6 - Abutters list
- P7 - Abutters map
- P8 - Project drawings, dated July 2012, marked project # 60147352-8
- P9 - Real Estate Survey report, 2/12/13, prepared by Thomas Sweeney

The following exhibits were entered into the record on behalf of the Abutters:

A1 - Resume of Michael R. Darveau

A2 - 4 pages of pictures (current views of the property and owner's rendition of view with proposed project), Dinna Finnegan, 6 Mountain Road, 4 pages of pictures (current views of the property and owner's rendition of view with proposed project), Paula Patton, 2 Mountain Road

A3 - A letter dated February 19, 2013, from James and Paula Patton, Marguerite Girard, and Dinna Finnegan (abutters from 2, 4, 6 Mountain Road, respectively), inviting the Board to make a site visit to their property.

A4 - Stapled packet, dated March 26, 2013. Mitigation Agreement between national Grid and the Abutters, amended during meeting of March 26, 2013 in consultation with the applicant.

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## FINDINGS OF FACT

Based on the testimony and evidence presented and a full review of the Application and the record all presented at the public hearings, the North Smithfield Zoning Board of Review makes the following findings of fact:

National Grid meets the criteria provided in Section 9.3 of the Ordinance for the grant of a dimensional variance for height, the construction of the transmission lines, as described in the application and as requested; "The height of the new structures will range from 60 to 115 feet with a typical structure height of 85 to 90 feet", per Exhibit P1, page 3.

*a) 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 physical or economic disability of the applicant.*

National Grid is a public utility chartered by the Rhode Island General Assembly with the obligation to transmit and distribute electricity to customers throughout most of the State. As the quid pro quo for the exclusive franchise to serve the great majority of the State's residents and businesses, National Grid has a statutory obligation to provide service to all customers in its territory. In order to accomplish this, it must construct and maintain transmission lines. It is not possible to construct transmission lines in compliance with the dimensional restrictions of the Ordinance. The height of the transmission line structures is a result of the design of the line and clearance requirements specified in the National Electrical Safety Code. The relief from the height, as described above per Exhibit P1, page 3 and other restrictions is not due to the physical or economic disability of National Grid.

*b) 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 greater financial gain.*

It is the overall characteristics of the transmission line design that makes relief from the dimensional restrictions of the Ordinance necessary. National Grid must construct transmission line structures in excess of the height restriction provided in the Ordinance in order to comply with electrical safety and clearance standards and codes including the national Electrical Safety Code. As explained in the Application, the new and relocated transmission lines are required to meet the demand for electricity in the State of Rhode Island. Without the requested relief, National Grid will be unable to continue to provide reliable service to its customers. National Grid's purpose in seeking to construct the new and relocated transmission lines is not for its own economic gain but rather to fulfill its statutory duty to maintain reliable service to its customers.

*c) 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 Zoning Ordinance or the comprehensive plan upon which this ordinance is based.*

The project is proposed within an existing electric transmission ROW that is presently occupied by existing electric transmission lines as outlined in the Application. Thus the project will not alter the general character of the surrounding area or impair the intent or purpose of the Ordinance or the Comprehensive Plan. The nature of the transmission lines is such that personnel are not located on the property during normal operations.

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d) *The relief to be granted is the least relief necessary.*

The transmission line structures vary in height, depending on topography, engineering and safety standards. National Grid seeks relief in order to construct the new transmission line structures at appropriate heights considering electrical and safety standards and codes.

e) *That granting the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district.*

National Grid's substation and transmission lines are vital infrastructure to provide a reliable supply of electricity to its customers in the State of Rhode Island. The grant of the dimensional variance by the Zoning Board will enable National Grid to continue to conduct the business it has conducted on this property for many years and will not confer any special privilege on it.

f) *The hardship suffered by the owner of the subject property if the dimensional variance is not granted amounts to more than a mere inconvenience. The fact that a use may be more profitable or that a structure may be more valuable after relief is granted is not grounds for relief.*

The hardship that would result from denial of the requested relief would be more than a mere inconvenience. If relief from the dimensional restrictions of the Ordinance is not granted, literal enforcement of the Ordinance will result in the project not being able to be constructed because it would not conform with the applicable electrical and safety standards and codes. This is more than a mere inconvenience to National Grid and, indeed, to its customers, including residents in North Smithfield, who will be served by the proposed Project. Relief is necessary for the full beneficial use of the property. The need for the Project is not self-imposed nor is it merely more desirable than the existing lines and structures on the ROW. The new lines and improvements are required to meet the growing demand for electricity in Rhode Island as explained in the Application.

## **DECISION OF APPROVAL**

The application is approved with the following stipulation:

The Applicant, Narragansett Electric Company d/b/a National Grid will abide by and implement the approved agreement per Exhibit A4 - Stapled packet, dated March 26, 2013; Mitigation Agreement between national Grid and the Abutters, as amended during meeting of March 26, 2013.

Mr. Scarpelli made a motion to approve the application of Narragansett Electric Company d/b/a National Grid for a dimensional variance from section 5.5, subsection 5.5.1, height variance. Mr. Marcantonio seconded the motion. Roll call vote was as follows: YES: Mr. Juhr, Mr. Scarpelli, Mr. Pasquariello, Mr. Martin and Mr. Marcantonio, with a vote of 5 – 0.

## **THE APPLICATION IS APPROVED BY A VOTE OF (5 – 0)**

Voting to Approve: Mr. Juhr, Mr. Scarpelli, Mr. Pasquariello, Mr. Martin and Mr. Marcantonio

Voting to Deny: None

**BY ORDER OF THE NORTH SMITHFIELD  
ZONING BOARD OF REVIEW**

\_\_\_\_\_  
William Juhr, Chair

North Smithfield Zoning Board of Review  
March 26, 2013, 7:00 pm  
Kendall Dean School  
83 Green St., Slatersville, RI

The Chair called the meeting to order at 7:03 pm.

1. Roll Call

Present: Chair Bill Jühr, Steve Scarpelli, Scott Martin, Paul Pasquariello, Vin Marcantonio.  
Absent: Mario DiNunzio. Also present were Building Official Bob Benoit and Assistant Solicitor Stephen Archambault.

2. Disclosure of no compensation or pension credits received by the board members.
3. Approval of minutes, February 12, 2013 and March 9, 2013 (Special Joint Meeting with other town boards).

Mr. Marcantonio made a motion to approve the minutes of February 12, 2013. Mr. Martin seconded the motion, with all in favor.

Mr. Scarpelli made a motion to approve the minutes of March 9, 2013. Mr. Marcantonio seconded the motion, with all in favor.

4. Continued application of Narragansett Electric Company d/b/a National Grid, requesting a dimensional variance from section 5.5, subsection 5.5.1, height variance. Locus is North Smithfield to Burrillville Line. Zoning Districts: REA, RA, RS, BN, and M.

The Chair stated that this meeting is a continuation from the February 12 meeting. At that meeting, the Board had asked the applicant to meet with abutters who had asked about mitigation of issues concerning the proposed construction and the impact on their property. The Chair added the following exhibit to the record:

A3, a letter dated February 19, 2013, from James and Paula Patton, Marguerite Girard, and Dinna Finnegan (abutters from Mountain Road), inviting the Board to make a site visit to their property.

The Chair thanked the abutters for the invitation, but explained that the Board could not make a site visit, as it might imply a bias in the application and that it could violate the open meetings requirements.

Attorney Peter Lacouture and project manager David Beron addressed the Board to give an update of their meetings with the abutters that took place since the February 12 meeting. Mr.

Beron stated that National Grid representatives met with Joanne Forti, Stone Ridge Drive, North Smithfield, Renee Boiteau, 80 Old Nasonville Rd, Burrillville, and Jim and Paula Patton, Marguerite Girard, and Dinna Finnegan, all of Mountain Rd, North Smithfield.

Mr. Beron stated that the National Grid project team met with Ms. Forti on February 22. Her property abuts the corridor, and they reviewed the limits of the proposed tree clearing, the location of the proposed structures, and they reviewed landscaping options and explained the availability of landscape mitigation funds.

The National Grid project team had a similar meeting with Renee Boiteau on March 2. The Boiteaus became aware that the easement was never recorded in the deed for their property, but that is not something that National Grid can help them with. They did agree to stake out the limits of the easement and discussed landscape mitigation plans and funds. This property is located in Burrillville.

On March 9, the National Grid project team had a field meeting on Mountain Road and a follow-up meeting with the Pattons, Ms. Girard, and Ms. Finnegan on March 16. Town Administrator Paulette Hamilton also attended the March 16 meeting. At that meeting, the abutters were given an overview of three alternate design options, which included relocation of structures. The abutters agreed that Option 3 was the best of those. They discussed surveyor staking of the limits of the right of way, the proposed structure center hub, and each leg of the structure. They will be setting up a meeting with a landscape architect to work with the abutters on a landscape mitigation plan. A representative from the forestry group was present to discuss the compatible plantings. Mr. Beron stated that the agreement was not formally approved, but a memorandum was written.

The Chair thanked the applicant for their work and said the Board appreciates the efforts made to work with the abutters. He asked if there were any members of the public who wished to speak. Ms. Patton and Ms. Finnegan addressed the Board. They were reminded that they were still under oath after being sworn in at the previous meeting. Ms. Patton stated her appreciation that National Grid had worked with her and her neighbors. She read from a document she had prepared that summarized the agreement. Ms. Finnegan submitted a 32-page document, which was a printout of all the correspondence she has had with National Grid. The summary that Ms. Patton read was included as a cover sheet. This packet was entered into the record as exhibit A4.

A4--Stapled packet, dated March 26, 2013. Amended during meeting in consultation with the applicant.

After Ms. Patton read the list for the Board, Mr. Beron clarified some of the items. The applicant and the abutters agreed on some amendments to the document. The list, with amendments is included below.

Text of A4, as amended:

“The following is a summary of items agreed upon between the property owners of Mountain Road, North Smithfield, RI, and National Grid. We request that this summary of items be included as stipulations in conjunction with an approval by the North Smithfield Zoning Board on the request by National Grid for height variance.

1. National Grid will keep us updated on construction via bi-weekly emails and will notify us, to the best of their knowledge, when contractors will be in the area.
2. National Grid will provide pre-construction and post-construction inspections/evaluations to our homes and properties for the purpose of documenting existing conditions.
3. A gate will be installed as soon as National Grid provides Finnegan with an agreement to sign; Finnegan’s surveyor has marked the property line.
4. National Grid has investigated several options of pole placement. They have provided us with 3 proposals and we have agreed on Option #3 (*attached*).
5. Regarding our concerns about erosion, noise, visual impact and our property values, National Grid will hire a landscape architect in the coming weeks to work with the property owners to develop and execute a landscape mitigation plan, post-construction.
6. After the landscape plan is approved by the property owners, and prior to construction, National Grid’s Forestry Dept. will walk the easement with us to identify and mark which trees will not be removed.
7. National Grid will make every effort to avoid removing species (of vegetation) that have a mature height capable of meeting minimum clearances.
8. Incompatible species that are not removed during the initial clearing will be cut in the next vegetation maintenance cycle, starting around January 2017.
9. National Grid has agreed to have a surveyor stake the boundaries of the National Grid easement and the proposed pole locations at 30 foot intervals within the next few weeks.
10. National Grid will review the proposed access to a structure location off Mountain Road to determine if it includes the proposed use of the driveway on the Finnegan property. If it does include the use of the driveway, National Grid will evaluate to determine if, and what, repairs it will need.

Dinna Finnegan, 6 Mountain Road  
Maggie Girard, 4 Mountain Road  
Paula & Jimmy Patton, 2 Mountain Road”

Renee and Aldege Boiteau were sworn in by the stenographer. They stated that they were surprised when National Grid came out to visit to find out that there is an easement on their property. They stated that they realize there is nothing National Grid can do to help them with this, but they are working with a real estate attorney. Mr. Boiteau added that even though there is a landscape mitigation budget available, he is afraid that the clearing of trees will lower their property's resale value. The Chair stated that he understands their concerns, but since their property is in Burrillville and that they pay property taxes to Burrillville, they need to speak with that town's officials. The Boiteaus stated that they have been in contact with Burrillville, but they just wanted to make their concerns known.

The Chair closed the public hearing at 7:40 pm.

The Chair stated that Mr. Marcantonio will be voting in the absence of Mr. DiNunzio.

Mr. Scarpelli made a motion to approve the application of Narragansett Electric Company d/b/a National Grid, requesting a dimensional variance from section 5.5, subsection 5.5.1, height variance, with the stipulation that the agreement between the abutters and the applicant (exhibit A4) be followed (as amended during the meeting). Mr. Marcantonio seconded the motion. Roll Call vote was as follows: YES: Mr. Jühr, Mr. Scarpelli, Mr. Pasquariello, Mr. Martin, Mr. Marcantonio. Motion was approved, with a vote of 5-0.

5. Discussion and review of ZBR Rules and Regulations, with possible vote or other action.

Mr. Scarpelli made a motion to approve the revisions to the Zoning Board Rules and Regulations. Mr. Pasquariello seconded the motion, with all in favor. The document will be forwarded to the Building Official for inclusion with all future zoning applications.

Mr. Scarpelli made a motion to adjourn at 7:50 pm. Mr. Martin seconded the motion, with all in favor.