

Burrillville Planning Board – Findings of Fact & Decision

Applicant(s): The Narragansett Electric Company

Plan Name: Nasonville Substation 115kV Transmission Line **Plan Date:** August 12, 2024

Type of Development: Major Land Development Preliminary Plan

Property Location: ROW off Douglas Tpk to North Smithfield line **Assessor's Map(s)/Lot(s):**
Map 131, Lots 011, 012, and 014 & Map 132, Lots 007, 029, 034, 035, 039, 040, 043 and 047

Zoning District(s) and Overlay Zone(s) (including Aquifer Overlay): F-2, A-80, A-100 & A-120

Property Owner(s): The Narragansett Electric Company 280 Melrose St. Providence, RI 02903

Developer (if different):

Engineer/Surveyor: BSC Group 1 Mercantile St. Suite 610 Worcester, MA 01608

FINDINGS OF FACT FOR DIMENSIONAL VARIANCE:

Pursuant to such a hearing and testimony by appropriate representatives of the landowner and/or developer, the Burrillville Planning Board, upon careful deliberation and in accordance with the provisions of RIGL, Burrillville Subdivision & Land Development Regulations and Code of Ordinances, Chapter 30 Zoning, in the granting of the variance has arrived at and agreed upon the following findings of fact:

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, excepting those physical disabilities addressed in RIGL 45-24-30(a)(16).

The hardship is not the result of any prior action of the applicant.

The granting of the requested variance will not alter the general character of the surrounding area or impair the intent or purpose of the Zoning Chapter or the Comprehensive Plan upon which the Zoning Chapter is based.

The hardship suffered by the owner of the subject property, should the dimensional variance not be granted, would amount to more than a mere inconvenience and the relief sought is minimal for reasonable enjoyment of the permitted use to which the property is proposed. (The fact that a use may be more profitable or that a structure may be more valuable after the relief is granted shall not be grounds for approval of relief).

The project involves upgrades and expansion of an existing electric transmission ROW. 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 hardship is due to the design characteristics of the transmission line and switching station structures requiring a 68-foot dimensional height variance from Zoning Ordinance section 30-11, maximum height of main structure in F-2 zone of 35 feet to allow installation of utility structures with heights of 76-103 feet tall to comply with electrical safety and clearance standards and codes including the National Electrical Safety Code, other industry standards and corresponding company requirements. The hardship is not the result of prior actions of the applicant and the purpose of the project to fulfill the company's statutory duty to provide and maintain reliable service to its customers and not for its own economic gain.

MOTION FOR VARIANCE: Motion to grant A 68-foot dimensional variance from Zoning Ordinance Section 30-111, maximum height of main structure in F-2, 35 feet to allow installation of utility structures with heights of 76-103 feet tall with the following waiver(s) and or condition(s):

- 1.) Approval of the final development plan.

Motion by Dov Pick Seconded by Bruce Ferreira

VOTE FOR VARIANCE: Approved 7 in favor 0 opposed

FINDINGS OF FACT FOR SPECIAL USE PERMIT

Pursuant to such a hearing and testimony by appropriate representatives of the landowner and/or developer, the Burrillville Planning Board, upon careful deliberation and in accordance with the provisions of RIGL, Burrillville Subdivision & Land Development Regulations and Noise Ordinance.

The permitting authority shall balance the hardship to the applicant, the community and other persons if the special use permit is not allowed, against the adverse impact on the health, safety and welfare of persons affected, the adverse impact on property affected, and any other adverse impact, if the special use permit is allowed.

Additional time is necessary for the applicant to alter or modify his activity or operation to comply with this section;

The activity, operation or noise source will be of temporary duration, and cannot be done in a manner that would comply with other subsections of this section;

No other reasonable alternative is available to the applicant.

A Special Use Permit is requested under provisions of Noise Ordinance 16-44 and 16-48 to allow public utility installation construction noise outside of hours listed in 16-35(b). The applicant testified that operations may be extended past the normal hours of operation only in circumstances where work cannot be completed during normal working hours. The hardship is not the result of prior actions of the applicant and the purpose the project to fulfill the company's statutory duty to provide and maintain reliable service to its customers. Per the applicants March 2025 Siting Report to the EFSB any environmental, cultural, historic, social and economic impacts that may occur during and after construction are generally temporary and have been adequately mitigated as part of the projects design.

MOTION FOR SPECIAL USE PERMIT

Motion to grant a Special Use Permit under provisions of Noise Ordinance 16-44 and 16-48 to allow public utility installation construction noise outside of hours listed in 16-35(b) with the following waiver(s) and or condition(s):

- 1.) Approval of the final development plan.**

Motion by Dov Pick Seconded by Bruce Ferreira

VOTE FOR SPECIAL USE PERMIT: Approved 7 in favor 0 opposed

FINDINGS OF FACT FOR THE PRELIMINARY PLAN:

Pursuant to such a hearing and testimony by appropriate representatives of the land owner and/or developer, the Burrillville Planning Board, upon careful deliberation and in accordance with the provisions of RIGL Section 45-23-60 Required Findings, has arrived at and agreed upon the following findings of fact by majority vote:

The Major Land Development is consistent with the Town of Burrillville’s Comprehensive Plan.

The Major Land Development is in compliance with the standards and provisions of Burrillville Zoning Ordinance and Noise Ordinance.

The Land Development will have no significant environmental impacts.

The Land Development will not result in the creation of an unbuildable lot.

The Land Development has permanent physical access to a town accepted road.

This major land development project involves a statutory obligation to provide and maintain reliable electrical service by upgrading and maintaining the transmission supply lines to the Nasonville Substation. This project complies with the Comprehensive Plan, Subdivision and Land Development Regulations and Code of Ordinances (with the granting of the dimensional height variance and Special Use Permit). Per the applicants March 2025 Siting Report to the EFSB any environmental, cultural, historic, social and economic impacts that may occur during and after construction are generally temporary and have been adequately mitigated as part of the projects design. The project involves work within the existing ROW persistent to existing easement rights and will not change lot lines or involve the creation of new lots.

MOTION FOR THE PRELIMINARY PLAN:

Based upon the testimony and evidence gathered by the Burrillville Planning Board in written and oral form at and before the above-referenced hearing, the following motion is hereby recorded as the official action of the Burrillville Planning Board in the above cited matter:

Motion to approve the Preliminary Plan for The Narragansett Electric Company subject to the following waiver(s) and or condition(s):

- 1. The final plan review may be conducted by the Administrative Officer.**

Motion by Secretary John Bonin Seconded by Josh Razee

VOTE FOR THE PRELIMINARY PLAN: Approved 7 in favor 0 opposed

CERTIFICATION:

This is to certify that the above Findings of Fact & Decision reflects the action of the Burrillville Planning Board at their regularly scheduled meeting on **September 8, 2025** with quorum present throughout. The Board found this plan to be in accordance with the town’s Subdivision and Land Development Regulations (adopted January 5, 2009, last amended January 8, 2024) and with the town’s Zoning Ordinance (adopted December 31, 1994, last amended December 13, 2023). This is a true and accurate recording of such action and is a part of the official record of the Burrillville Planning Board, Burrillville Zoning Office and Burrillville Land Evidence Records.

Steven Foy, Planning Board Chairman

Raymond Goff, Town Planner

Certified on: September 8, 2025

VICKI T. MARTIN
TOWN OF BURRILLVILLE
TOWN CLERK
Sep 10, 2025 03:54P