

# **Bond Case Briefs**

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## **PUBLIC UTILITIES - RHODE ISLAND**

### **Freepoint Solar LLC v. Richmond Zoning Board of Review**

**Supreme Court of Rhode Island - May 11, 2022 - A.3d - 2022 WL 1482502**

Solar company sought review of decision of town zoning board of review denying company's application a special use permit to construct a ground-mounted solar energy system in residential zoning district.

The Superior Court reversed. Town petitioned for writ of certiorari.

The Supreme Court held that special use permit requirement of system being within two miles of utility substation did not mean only a substation of specific named utility that provided electricity in area.

Term "utility substation," in town zoning ordinance allowing for ground-mounted commercial solar energy systems within an R-3 residential zoning district by special use permit if certain requirements were met including location of entire lot on which the solar energy system was placed being within two miles of a utility substation, could include an electrical substation with three transformers and did not mean only a substation of a specific named utility that provided electricity in area.