Rhode Island Statewide Planning Program

STATE PLANNING COUNCIL

MINUTES

Thursday, March 1, 2007
William E. Powers Building
Conference Room A
One Capitol Hill, Providence, Rhode Island

Members Present

Mr. Kevin Flynn, Acting Chair	Representing Ms. Beverly Najarian, RI Department of Administration
Mr. Jared Rhodes, Secretary	Statewide Planning Program
Mr. Robert Azar	Representing Mr. Thomas Deller Department of Planning & Development, City of Providence
Mr. Daniel Beardsley	RI League of Cities and Towns
Ms. Jeanne Boyle	City of East Providence Planning Department
Ms. Janet White Raymond	Public Member
Mr. Jake McGuigan	Representing Timothy Costa, Vice Chair Governor's Policy Office
Ms. Anna Prager	Public Member
Mr. B. Michael Rauh	Environmental Advocate
Mr. Ralph Rizzo	Representing Ms. Lucy Garliauskas (Advisory Member) Federal Highway Administration
Mr. Peder Schaefer	Representing Ms. Rosemary Booth Gallogly, Budget Office
Mr. William Sequino	Public Member
Mr. Robert Shawver	Representing Mr. Jerome Williams, RI Department of Transportation
Mr. John Trevor	Environmental Advocate

Members Absent

Ms. Susan Baxter	Rhode Island Housing Resources Commission
Mr. Steven Cardi	Public Member
Ms. Janet White Raymond	Public Member
Ms. Sharon Conard Wells	Elmwood Neighborhood Community Development

Guests

Mr. Tim Bonmann	Providence Journal
Mr. Robert C. Bromley	Senate Fiscal Office/Legislative Oversight
Ms. Sheila Brush	Grow Smart Rhode Island
Ms. Linsey Cameron	Town of North Kingstown Planning
Ms. Beth Ashman Collins	RI Economic Policy Council
Ms. Kelly Coates	Carpionato Properties Inc.
Ms. Carol Costa	NHC
Ms. Carolyn Crook	Chaffee Communications
Mr. Peter Dennehy	Department of Administration
Ms. Joanne Full	Chaffee Communications
Ms. Heidi Green	Quonset Development Corporation
Mr. W. G. Grout	Quonset Development Corporation
Mr. Steven King	Quonset Development Corporation
Mr. Bryan Lucier	North East Independent Newspaper
Ms. Kelly Mahoney	Senate Policy Office
Ms. Mia Manzotti	RI League of Cities and Towns
Mr. Michael McGonagle	RI Resource Recovery Corporation
Mr. Tom Moses	City of East Providence
Mr. Steven Mutter	City of East Providence
Mr. Richard Pastore	North Kingstown Planning Commission
Mr. Mark Reynolds	Providence Journal
Mr. Scott Wolf	Grow Smart Rhode Island

Strategic Planning

Mr. Robert Griffith	Chief, Strategic Planning

Staff--Statewide Planning Program

Mr. George Johnson	Assistant Chief
Ms. Blanche Higgins	Supervising Planner, Land Use
Ms. Katherine Trapani	Supervising Planner, Transportation
Mr. Bruce Vild	Supervising Planner, Economic Development
Mr. Kevin Nelson	Principal Planner, Land Use
Ms. Derwent Riding	Principal Planner, Comprehensive Plans
Mr. Benny Bergantino	Senior Planner, Land Use
Mr. Paul Gonsalves	Senior Planner, Comprehensive Plans
Ms. Patricia Greene	Customer Service Specialist I

AGENDA ITEMS

1. Call to Order

Mr. Flynn called the meeting to order at 9:05 a.m.

2. Approval of February 7th Minutes

Mr. Sequino moved that:

THE MINUTES OF FEBRUARY 7TH BE APPROVED.

The motion was seconded by Mr. Beardsley and carried unanimously.

3. <u>Chief's Progress Report</u>

Mr. Rhodes delivered the Chief's Progress Report, reporting the following items:

- The Transportation section, along with RIDOT and RIPTA staff, will be conducting a Transportation Open House later today in Pawtucket. This will help to gather input for the update of the Long Range Transportation Plan. In addition, an on-line survey is underway using the Program's website. The TAC will also hold a Public Hearing tonight on the draft Public Participation Guide, which is a requirement on the SAFETEA-LU Act. Following TAC input and any revisions from the public review process, the draft Guide will be presented to the Council for action in April.

- Work is continuing on the Safe Routes to School Program, with staff and the Steering Committee finalizing the proposal evaluation criteria and application materials.

- The annual CEDS proposal solicitation is getting underway, with notifications being sent out to municipalities and other potential applicants. The application period will run from March 9th to May 4th this year.

- Staff is also beginning an update of the Economic Policies and Plan element of the State Guide Plan. A new approach is being used for this update to engage the entire planning staff, as well as a number of external stakeholders, in a process facilitated by the New Commons group. It is expected that this new process will be a learning experience for the staff which may also be applied in future guide plan updates.

- The Census Data Center staff has prepared a new Issue Brief documenting migration impacts on Rhode Island's population. This report is being presented to the Technical Committee at the March 2nd meeting and will be presented to the Council at a future meeting.

- Finally, a number of staff including the Associate Director are working with the Water Security Coalition; which includes Audubon Society, Water Resources Board, Save The Bay, and other groups, to present this evening's Conference on water supply management. This issue has important implications for all aspects of the state's development, and is something that will be presented to the Council in the coming year.

There were no questions or comments on the Chief's Progress Report.

4. <u>Project Conformance Review – PRF-05-07 Quonset Gateway</u>

Mr. Flynn stated that this item was on the agenda for Council action at the February meeting. A staff Conformance Report finding the proposal not to conform with the State Guide Plan was made available in advance of the February meeting; the Council, in deference to a request from the proponent, deferred action until today's Special Meeting in order to allow time for revision of the proposal to address the issues identified in the staff report.

Since the February meeting, staff met once – a week ago Wednesday on February 21st -- with staff from the Quonset Development Corporation (QDC) and representatives of the developer – New Boston Group. At this meeting several revisions to the proposal were discussed. Subsequent to that meeting, the QDC Board endorsed revisions to the project, and these were forwarded to Statewide Planning via email yesterday. Staff has reviewed the revised proposal and has proposed revisions to the draft Conformance Report where appropriate to respond to the revisions presented. Mr. Rhodes referred to the memo and attachments in the member's packets on the table (incorporated herein as Attachment 1.)

Mr. Flynn indicated that Mr. Grout, Director of the QDC had also provided a folder presenting the revisions to the proposal, and would be recognized to summarize those to the Council. Following that, others in attendance would be recognized for comments restricted to the conformance of the proposal to the State Guide Plan. The Council would then discuss and take action on the draft Conformance Report for The Gateway project.

He introduced Mr. Geoffrey Grout of the QDC who addressed the Council.

Mr. Grout referred to the handout he provided for members. He reviewed the basic purpose and mission of the QDC. He described the importance of the Gateway project and discussed its chronology. He described why he felt the proposal should be found by the Council to conform to the State Guide Plan, and characterized the draft Conformance Report as highly subjective and therefore argumentative. He indicated that the Corporation's RFP/RFI for the Gateway Project was only to select a qualified developer, not a particular project design. The proposal was developed to meet the QDC's objectives for the Gateway area. It is providing amenities needed by the Quonset Park, including a hotel and a mix of uses, and will help recover the State's extensive ($166 million) investment in Quonset. He characterized the Gateway site as suburban, not urban, and stated that "Big Box" distribution development is expedient in such areas; but provides few jobs. He stated that the QDC feels that the project represents Smart Growth objectives, in that it is redeveloping a 65-acre site, providing 850,000 square feet of new development, yielding $120 million in investment and 1,700 new jobs. He described the original mixed village concept following the master plan's objectives as an academic exercise, and indicated that it was not marketable. He noted that the QDC's development standards, which were reviewed by the Council in 2004, call for 5 parking spaces per 1,000 square feet of building area; structured parking is not economically feasible for this site, as QDC does not have funds to subsidize it.

The proposed site plan provides for extensive buffering, and no vehicle access to Newcomb Road. The Hotel will be in the first phase, along with retail components and some 50,000 square feet of office space. The Board has not recommended including any affordable housing in the project, but has endorsed housing for West Davisville. He noted that the shadow anchor is key to the development. This would be located 6/10 of a mile in from Post Road, would occupy only 14 of the site's 65 acres, and would be surrounded by roads and be across from the largest big box in the Park – Ocean State Job Lot's 1 million square foot warehouse.

In summary, he stated his conclusion that the proposal satisfied the land use objectives for the Gateway area, and noted that he felt that the draft Conformance Report overreaches with subjective statements. Mr. Grout submitted a written statement for the record (incorporated here as Attachment 2).

Mr. Flynn next recognized Mr. Scott Wolf, Executive Director of Grow Smart Rhode Island, to address the Council.

Mr. Wolf indicated that Grow Smart Rhode Island's interest is in seeing an economically strong Rhode Island, which carefully manages its scare land resources. He expressed the group's deep concerns that the proposal does not conform to the State Guide Plan. He acknowledged that the revisions proposed begin to address some of Grow Smart's concerns, but that the changes proposed to date do not bring the project into conformance with the Guide Plan, as Grow Smart sees it. He noted that two Grow Smart RI Board members, Mr. Chace and Mr. Moses, who have involvement with developers were not involved in any discussions relative to Grow Smart's position on the proposal.

He referenced the 30 elements of the State Guide Plan, but noted of greatest concern was the proposal's non-conformance with the new State Land Use Plan: Land Use 2025. He described this new plan as providing clear guidance on keeping Rhode Island's urban and rural areas distinctive; including an "urban services boundary" delineation and definition of distinct strategies to be followed for development in urban, as opposed to rural areas. Applying these principles to the Gateway site, which lies within the

Urban Services Area, has the benefit of extensive public investment, public water and sewer services, and highway access; indicates that the site should be developed at higher intensities and densities than is being proposed.

He noted that the 2003 Quonset Master Plan which was approved by the QDC and the Town of North Kingstown called for mixed use on the site, including a hotel, restaurants, and services in the ground floors of office buildings; but it called for this to be provided in a dense concentration, not in as free-standing, single story commercial development. The plan also called for the development to maximize access to RIPTA's route on Post Road. The proposal provides half of its development in single story structures with 2,000 surface parking spaces. It includes 89,000 and 110,000 square foot retail structures. The master plan called for 2,000 jobs, but the proposal provides 1,700.

Summarizing, Mr. Wolf stated that the Gateway site presents a unique opportunity for the kind of compact, higher density development that Rhode Island needs more of. The site has sewer and water service and is State-owned land. If the State cannot make this site a model of the type of development its plans say it wants; what hope will Rhode Island have that its Land Use Plan will be followed by private landowners? It will become yet another plan that sits on a shelf.

Mr. Wolf submitted a written statement for the record (incorporated herein as Attachment 3).

Mr. Flynn recognized Mr. Richard Pastore, Chairperson of the North Kingstown Planning Commission, to address the Council.

Mr. Pastore noted that the Planning Commission had sent an extensive letter to the Town Council objecting to aspects of the proposal, and that major objections remain despite the revisions offered. He stated that the Town needs development that will provide affordable housing, and transit-oriented development with mixed use. The Gateway site is a real opportunity to do this in Rhode Island – it can be a gem. The Gateway could be a corporate incubator for new technology firms that Rhode Island is trying to attract. Providing true mixed use, with housing and a village concept would enliven the site with 24-hour usage, and provide the type of environment that could attract new firms and entrepreneurs.

Discussion:

Mr. Flynn opened the floor to Council discussion.

Mr. Sequnio, referring to the February 5th letter from North Kingstown Town Manager Embury which cited non-compliance of the proposal with the Town's plan, asked if further comment from the Town had been received.

Mr. Flynn replied that there had been no further comment from the Town. The Town's prior letter, noting serious concerns with the original proposal was included with the materials provided to the Council at the last meeting.

Mr. Rauh noted that the Town's representatives on the QDC Board had dissented in the recent vote on the revised proposal.

Ms. Boyle asked what meetings had taken place between the staffs in the intervening month.

Mr. Flynn stated that one meeting was held with representatives of Statewide Planning staff, QDC staff, the developer, and Town staff. A revised site plan was shown and discussed at that meeting, which took place a week ago Wednesday.

Mr. Rizzo asked what changes were made in the revised proposal.

Mr. Flynn summarized the changes, referring to the revised site map provided in the QDC package and the original site map in the draft staff report. The changes he noted include: moving the building at the northwest corner of the site out to Post Road, and adding a second story to this building; moving several other buildings closer to the streets; reducing the parking spaces by 130; adding sidewalks and paths in areas where they were not provided in the original proposal. Mr. Grout referred members to the listing of changes on page 2 of the letter in the packet he had distributed earlier. Other changes he noted included reserving a site for future expansion of the day care center, and funding a traffic study. He also noted for the record that several other office buildings are proposed as two story structures.

Ms. Prager stated that the Council should look at the overall conformance and not get bogged down in details. Overall, she stated the proposed plan is not designed to be the type of compact development that the State Guide Plan calls for. If the State cannot lead by example, and if the Council does not require conformance with its new plan, we should all just go home.

She further noted that the QDC had developed the Quonset Master Plan, and the Town adopted that plan as part of its Comprehensive Plan. These plans should be followed.

Mr. Rizzo asked what the staff opinion is on conformance of the revised proposal.

Mr. Flynn referenced the memo from Mr. Rhodes dated March 1, 2007 provided to members. This includes a number of wording changes in the staff conformance report to respond to the revised proposal, but continues to recommend an overall finding of non-conformance. (See Attachment 1.)

Mr. Sequino asked if the revision process could continue. Mr. Flynn replied that the Council had decided to hold this special meeting today for a decision. He noted that the review period expires March 8th, and expressed doubt that there would be time for any further significant changes in the proposal within that period.

Mr. Rauh asked about the absoluteness of the March 8th date. Mr. Flynn responded that the March 8th date represents the end of an extended review period requested by the proponent. He noted that the Program had not received a request from the proponent for further extension, or to restart the review clock, as was previously requested by the proponent at the Council's January meeting.

Mr. Rauh asked Mr. Grout to address the economics of the site and explain why he felt the original plan was an academic exercise. He noted that he had envisioned the Gateway site turning out similar to the South County Commons development, which he felt was viable, and asked why the Gateway project setting is perceived as so different.

Mr. Grout replied that the South County site started with a single development and took four to five years to fully develop. He characterized it as a pod-development with housing and limited office. He noted that the housing market has since slowed.

The Quonset Gateway plan originally was developed as a village concept, but the cost of including structured parking was prohibitive-- $15,000 per space – and the State did not want to offer a subsidy. He offered that in his view, the South County Commons site took a long time to get off the ground and was a failure – but admitted he did not know its present status.

Ms. Prager asked what the definition of a successful project was. She noted that the South County Commons was now the Town of South Kingstown's second largest taxpayer. Its traffic pattern works, and no traffic problems have developed, despite fears of residents when it was approved.

Ms. Boyle stated that the Council and its Technical Committee had spent over a year working on Land Use 2025, and she did not consider it to be an academic exercise. Plans, she noted, are intended to be governing policy documents that are to be followed over the long term. She stated that she took offense

that planning had been characterized as "academic". She stated that it was time, in her view, for the Council to determine if the proposal was consistent with the State Guide Plan.

Mr. Schafer asked about the 1985 Council regulations allowing the Council to find a proposal in "substantial conformance" even if some specific details were lacking. He asked whether the staff had found any positive aspects to the proposal.

Mr. Flynn responded that the staff report had identified some elements with which the proposal appeared to conform. He cited several examples of these from the draft report, including conformance with the Energy element, and the Greenspace Plan. In addition, he noted, the report cites a number of elements that are not applicable to the proposal. The Council has the discretion, he agreed, to make a finding of substantial conformance; but that is not the staff recommendation.

Mr. Schafer asked if the proposal would be making payments in lieu of taxes (PILOT) to the Town.

Mr. Grout replied that the project would be making PILOTs on the land lease; but that the buildings would be taxed *ad valorum*.

Mr. Schafer asked what would the effect be of the Council voting the staff position.

Mr. Flynn stated that his sense would be that the project stops if the Council does not find it in conformance. He noted a memo from DOA staff attorney Mr. Peter Dennehy discussing the effect of Council action, and asked Mr. Dennehy if he was interpreting the memo correctly, that the Council's guidance is dominant.

Mr. Dennehy replied in the affirmative.

Ms. Prager stated that it was her understanding that the enabling legislation required projects to conform to the State Guide Plan. Mr. Flynn confirmed that the Review Procedures pertaining to Quonset outline the process that all projects must follow.

Mr. Sequino asked if it could be possible for the areas of non-conformance to be remedied within a week. Mr. Flynn stated that it had taken three weeks to obtain the minor revisions in the project that had been submitted; he indicated that there could be no guarantee that substantial changes and thorough staff review could occur in the one-week remaining. Mr. Grout indicated that he was having difficulty appreciating the areas of non-conformance outlined in the report.

Mr. Shawver, noting that he represented DOT which had invested heavily in the highway improvements serving the area, stated that the Quonset site is unique. He asked the proponents to identify how the proposal could be distinguished from other suburban retail strip development that could be sited anywhere.

Mr. Grout replied that the proposal is suburban. DOT has made the huge investment to accommodate access by auto, acknowledging the suburban character of the area. Parking decks would cost $30 million, which could not be recovered in the rentals. The QDC would not pursue the level of amenities in this site if the surrounding Post Road area was not so lacking. He noted that the lack of planning for the Post Road corridor hamstrings the marketing of Quonset. Other detriments include one third of the retail trade area being water. He asserted that first and foremost, the area needs the hotel to serve Quonset businesses, and the way to get that is with the retail. He stated that the opposition to the Lowes is misplaced. Lowes cannot be a State Guide Plan issue, or else there would be no Lowes in Rhode Island.

Ms. Prager stated that it is not the Lowes that is the proposal's failing – it is the overall lack of density, that is the key. She felt that the Council could not find substantial conformance.

Mr. McGuigan moved:

TO FIND THE SUBJECT PROPOSAL NOT IN CONFORMANCE WITH THE STATE GUIDE PLAN AND TO TRANSMIT THE CONFORMANCE FINDINGS TO THE QUONSET DEVELOPMENT CORPORATION.

The motion was seconded by Mr. Rauh.

Discussion:

Mr. Sequino asked if the Council and developer could now agree to extend the review period. Mr. Flynn indicated that could not be entertained at this point. He noted again that there has been no extension request put forward from the proponent.

Action:

THE MOTION CARRIED WITH 11 MEMBERS VOTING IN FAVOR, AND ONE MEMBER OPPOSED.

5. <u>Draft Solid Waste Management Plan</u>

Mr. Flynn introduced this item noting that a revised draft and a report on the Public Hearing held had been provided, and substantial discussion occurred at the February meeting. He noted that Action is being requested this month.

Discussion:

Mr. Trevor reviewed a handout providing details on a change to the draft he recommended at the February meeting. The revision – in section 6-3-1-4 -- would call for changes to the Resource Corporation's distribution of an existing grant program to make it a more valuable resource available to more communities. The proposal would call for sharing of the revenue generated by the MRF based mostly on volume, but also based on other factors, such as new initiatives. This funding, he suggested, could help mitigate the fiscal impact of meeting the accelerated schedule for higher recycling rates. Currently, only municipalities that meet the 20% recycling threshold qualify for these grants.

Ms. Boyle asked how significant this funding source might be. Mr. Trevor stated that right now, the MRF revenues are about $5 million per year; but acknowledged that this has fluctuated with the market value of recycled materials. Ms. Boyle asked if there could be an analysis done that shows whether the funds under this proposal would provide sufficient impact to offset the costs of increased recycling efforts being called for. Mr. Trevor stated that it should be straightforward for RIRRC to provide such numbers, and communities could then compare the impact to the reduced caps. He indicated his feeling was that it should cover those costs and then some.

Mr. Beardsley stated that he felt this proposal would have a significant impact in assisting cities and towns, compared to the current grant program. He noted that the Corporation is in the process of developing the Fiscal Year 2008 contracts with municipalities, to become effective July 1, 2007, and stated there should be ample time to incorporate this new approach within the contracts being developed. He also suggested that the revisions proposed by Mr. Trevor be incorporated under a new item #7 on page 6.17 calling upon RIRRC to amend municipal contracts, beginning with FY08, to specify the funding distribution arrangement proposed by Mr. Trevor.

Mr. Azar asked if he understood correctly that the proposal by Mr. Trevor was calling for distribution of 75% of the funds to be based on tonnage of recyclables delivered. Mr. Trevor responded that was correct. Mr. Azar asked if that was different than the current practice. Mr. Trevor stated that the past

program used the MRF recycling rate, which was a product of the tonnage of recyclables collected divided by the total solid waste and recyclables delivered. This also excluded other diverted materials, such as yard waste. Currently, he noted, only 12 municipalities share a total of $300,000; and 27 get nothing.

Mr. Schafer noted that the City of Warwick used to get paid a share of recycling material proceeds. Mr. Trevor agreed that sharing of revenues with municipalities was done in the past, but that the Corporation discontinued the practice when the market for materials turned unfavorable. He noted that the grant program was started as a substitute. Mr. Schafer asked how the new proposal would compare with the proceeds under the grant program. Mr. Trevor stated that he thought that there would be a big difference in the funding returned to most municipalities.

Mr. Rizzo asked if the Corporation was in agreement with this proposal.

Mr. McGonagle stated that the proposal needs to be discussed and evaluated. He noted that there is a need to define what is meant by "net revenue from marketing of recyclables", since there is a big difference between net revenue, which he estimated at $7.5 million, and net income, which when operating costs are subtracted, is more in the $1.5 million range. He also noted that the program's revenues fluctuate year to year with the recyclables markets. Mr. Trevor agreed that was a risk, and suggested that a "floor" could be included in the program.

Mr. McGonagle stated that the Corporation would continue to be concerned with the details of this proposal. He suggested that the 25% of funding proposed to be divided based on the recycling rate, should instead be based on tonnage of recyclables delivered. Mr. Trevor stated that this portion of the program was proposed to allow the RIRRC to provide incentives for innovative projects – but that the details on defining this could be left to RIRRC and the municipalities.

Mr. O'Connell was introduced as the new Executive Director of the RIRRC, and commented that the Corporation feels that the $32/ton tipping fee for municipalities already provides the incentive for recycling. He stated he was not sure that added incentives were needed. He suggested that funding should be directed to municipalities which have really good proposals that will reduce waste.

Mr. Trevor stated his opinion that the $32/ton rate is not a sufficient incentive. Springfield, MA, for example, pays $20/ton for recyclables.

Mr. Rauh suggested that municipalities be asked their opinion on what it would take to meet the recycling goals.

Mr. Beardsley commented that this would be a positive step. He suggested that $32/ton rate is not the problem. He felt that the problem is that cities and towns do not have the capital and resources to support effective recycling efforts. He referenced the "conundrum" in which any proposal to increase recycling gets RIRRC anxious about impacts to the revenue stream that it needs for its operations.

He noted that he made similar comments on October 5th concerning the draft plan, and, although numerous revisions have been made moving in the right direction, the League of Cities and Towns continues to believe that the plan fails to provide a timely and cohesive blueprint for disposal and recycling for the state. The League proposes that the Council not accept the draft at this point, and continue its review and revision for 30 days, within which time it revisit the mandated increase in recycling rate to 35% by 2011, and include performance measures for periodic reports to the Council on implementation progress. He noted the Corporation is now calling for a 9% increase in recycling this year, while the stakeholders had called for a more gradual phase-in of 3% per year for 5 years.

Mr. Sequino noted that the Implementation Program of the draft also needs updating as a number of dates are now imminent. He suggested that all dates be moved ahead one year in view of the delayed action on the plan.

Mr. Beardsley stated that the action items include a number of key DEM actions in the short term. He questioned whether DEM had been contacted to determine if it is able to meet the dates in the draft. Mr. Flynn indicated that he had had conversations with Mr. Gray of DEM recently on the plan, but not specifically on the dates. Mr. Nelson indicated, that as of November – the last time the dates were revised – DEM was involved and indicated no problems with the dates.

Mr. Cote of RIRRC stated, with regard to Mr. Beardsley's comments, that the revisions suggested in the municipal cap would have actually reduced targets for this year, and that a compromise was reached. On the reporting requirement, he stated that, given the extensive reporting requirements that the Corporation is already subject to, it was agreed that an addition mandated report was not needed, but that the Corporation would furnish reports it already prepares to the Council annually. As for the timelines in the Action Program, these have been revised three times already. He suggested that waiting another 30 days will not change any opinions on these issues, and felt that it was time for the Council to act on the draft.

Mr. Trevor stated that, if the plan is to be revisited, it should include updates on several initiatives underway – the PAYT programs in South Kingstown and Central Falls, and Middletown is getting underway.

Ms. Boyle suggested that, if action is delayed, the staff get guidance on the specific items to be addressed prior to the next meeting. She suggested, based on the conversation, these items would be: the amended language recommended by Mr. Trevor reviewed with the Corporation and the League of Cities and Towns, review of the dates in the Action Program, and a Pay-As-You-Throw Program update.

Mr. O'Connell stated that the Corporation is committed to recycling, but advocated that the Council act to get the core plan in place and then work out the details as things moves forward.

Mr. Mutter asked to be recognized, stating that he was a stakeholder involved in the original work on the plan. He stated that Pay-As-You-Throw is politically unacceptable, and that other options, such as automated collection systems have as much promise for reducing disposal, and could be more acceptable to the public.

Mr. Rauh stated he felt that the Council still does not have a plan before it that gets the state where it needs to be on the central issue --- providing long term assurance that the state can meet its waste disposal needs. He stated he was willing to approve the plan, however, only if approval was tied to a more specific follow-up study that would get done in the short term and provide direction on some of the questions left unanswered in the plan. He noted that the plan calls for such a study. He asked who would do this study, and how the Council could be sure that it will get done.

Mr. Flynn replied that the plan charges the Department of Administration with issuing the RFP for the study. He noted that the cooperation of the Corporation would be necessary in helping draft the RFP and in providing funding for the study. Given such cooperation, he estimated that drafting the RFP and getting a consultant under contract should take no more than 3-6 months.

Action:

Mr. Sequino moved:

TO RETURN THE DRAFT PLAN TO THE STAFF FOR UP TO 45 DAYS FOR REVISIONS IN THE FOLLOWING AREAS:

- **REVIEW AND UPDATING OF THE PAY-AS-YOU-THROW SECTION,**
- **PROVIDE A PHASE-IN PERIOD FOR MUNICIPAL CAPS OVER FIVE YEARS,**
- **REVIEW AND ADJUST DATES IN THE ACTION PROGRAM AS NEEDED,**
- **REVIEW AND INCORPORATE THE RECYCLING REVENUE-SHARING PROPOSAL SUGGESTED BY MR. TREVOR,**
- **REVIEW PERFORMANCE MEASURES, AND**
- **CONFER WITH DEM ON THE DATES APPLICABLE TO IT IN THE ACTION PROGRAM.**

The motion was seconded by Ms. Boyle and carried unanimously.

6. <u>Other Business</u>

There was no other business pending before the Council. Mr. Flynn reminded members that the Council's regular monthly meeting was scheduled for March 8th. Without objection, he noted, staff will cancel that meeting. There was no objection to this proposal.

7. <u>Adjourn</u>

Mr. Flynn adjourned the meeting at 11:27 a.m.

Respectfully Submitted,

Jared Rhodes
Secretary

JR:pag