

Draft  
3/16/11

Rhode Island Statewide Planning Program  
**STATE PLANNING COUNCIL**

**Thursday, March 10, 2011**  
William E. Powers Building  
Conference Room A  
One Capitol Hill, Providence, RI

**I. ATTENDANCE**

**Members Present**

Mr. Kevin Flynn, Chair	Representing Mr. R. Licht, Director, RI DOA
Mr. Jared L. Rhodes, II Secretary	Chief, Statewide Planning Program
Ms. Lisa Bourbonnais	Representing Mr. W. Sequino, Public Member
Ms. Diane Feather	Representing Ms. J. Boyle, RI LOCAT, President's Designee
Mr. Thomas Mullaney	RI DOA, Budget Office
Ms. Bonnie Nickerson	Representing Mr. Thomas Deller, Providence Department of Planning & Dev.
Ms. Anna Prager	Public Member
Mr. Peder Schaefer	Representing Mr. D. Beardsley, RI League of Cities and Towns (RI LOCAT), Executive Director
Mr. Bob Shawver	Representing Mr. M. Lewis, Governor's Designee
Ms. Sharon Conard-Wells	West Elmwood Housing Development Corporation
Ms. Janet White-Raymond	Public Member

**Members Absent**

Mr. Stephen Cardi	Cardi Corporation
Ms. Jeanne Cola	Chair, RI Housing Resources Commission
Mr. Brian Daniels, Vice Chair	Director, Governor's Policy Office
Mr. L. Vincent Murray	RI LOCAT, Government Official Representative
Mr. John Trevor	Environmental Advocate

**Guests**

Ms. Ann L. Clarke	RI Airport Corporation
Mr. Kevin Dillon	RI Airport Corporation
Mr. Michael Hogan	RI House Policy Office
Ms. Kelly Mahoney	RI DOA, Policy Director
Mr. Sam Shamoon	Citizen

**Staff – Division of Planning**

Ms. Linsey Cameron	Supervising Transportation Planner
Mr. Paul Gonsalves	Senior Planner
Mr. Andrew Kostrzewa	Project Manager
Ms. Dawn Vittorioso	Executive Assistant

**II. AGENDA ITEMS**

**1. Call to Order**

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

**2. Approval of the February 10, 2011 Meeting Minutes**

*Ms. Conard-Wells moved to approve the Minutes of February 10, 2011 as presented. The motion was seconded by Ms. White-Raymond. There was no further discussion and the motion carried unanimously.*

**3. Public Comment on Agenda Items**

There were no comments.

**4. State Guide Plan Element 640: Rhode Island Airport Systems Plan**

Mr. Rhodes explained that the RI Airport Corporation (RIAC) is requesting authorization of a public hearing for the State Airport System Plan. He then summarized the actions taken since December, 2010; which was when Ms. Ann Clarke of Rhode Island Airport Corporation (RIAC) gave an initial presentation on the proposed Airport System Plan to the Technical Committee. Simultaneously, the Division of Planning (DOP) and RIAC were in the process of addressing concerns that were raised by Mr. Carruolo, TAC member representing the City of Warwick. Mr. Carruolo offered numerous comments and submitted a memo prior to the November TAC meeting requesting additional time for the City to review the proposed changes. Given Warwick's request, the item was placed on the agenda for informational purposes only. Mr. Carruolo's concerns were focused on ensuring that effective lines of communication regarding the consistency of Airport projects with the State Guide Plan and Local Comprehensive plans are maintained between RIAC, DOP, and the Host Communities. Mr. Rhodes then said over the past two months, DOP and

RIAC have worked diligently to address these concerns and have reached consensus on a workable solution that furthers effective communication amongst all involved.

At this time, Mr. Rhodes advised the Council that the TAC unanimously voted to recommend a public hearing on the revised document. The Technical Committee recommended authorization of a public hearing with revisions to the language on page 1-4 specifying that the Council “shall” as opposed to “may” seek advisory opinions from the host community’s Planning Department as to a projects consistency with the local comprehensive plan and zoning ordinance. Mr. Rhodes then introduced Mr. Dillon who presented the revisions that have evolved since their previous presentation. Following Mr. Dillon’s comments, Ms. Clarke then delivered an informational PowerPoint presentation (attachment 1) and welcomed questions and comments from the Committee. The discussions were as follows:

Ms. Conard-Wells asked Ms. Clarke to clarify the Environmental Impact Study and then asked if she was referring to air quality, ground, people, or a community. In response, Ms. Clarke said the Environmental Impact process that is currently being performed at T.F. Green is being done under the National Environmental Protection Act; twenty factors that include natural, manmade and human environments are all considered. Ms. Conard-Wells then asked how she could access the Environmental Impact Study report. Ms. Clarke said that an executive summary report is available online and then said that the libraries also have copies.

As there were no further questions or comments, Ms. Diane Feather moved to recommend authorization of a public hearing with revisions to the language on page 1-4 to specify that the Council “shall” as opposed to “may” seek advisory opinions from the host community’s Planning Department as to a projects consistency with the local comprehensive plan and zoning ordinance as recommended by the Technical Committee. Ms. Conard-Wells seconded the motion. There was no further discussion and the motion passed unanimously.

## **5. Energy Planning and Wind Turbine Siting Guidelines Update**

Mr. Flynn introduced Mr. Paul Gonsalves who then gave a presentation on the State Guide Plan Element 781 – RI Energy Plan Update. (See attachment 2). The following items were discussed:

Chapter 1 discussion: Mr. Schaefer asked where energy is produced in RI. Mr. Gonsalves said gas-fired Plants can be found in Providence on Manchester Street, in Tiverton at Ocean State Power 1 and 2, Central State Power, Pawtucket Power Associates and at RI Hospital. Mr. Schaefer then asked if there were other types of energy produced in RI. Mr. Gonsalves said petroleum is used to produce electricity on Block Island and Ridgewood Power produces 24 megawatts of electricity from methane that comes from the central landfill. Mr. Schaefer asked how often energy was produced at the Manchester Street Plant. Mr. Gonsalves said he wasn’t sure how often it operates at full capacity; however, he did say that the net generating capacity is 447 megawatts.

Ms. Nickerson asked if the PowerPoint presentation is available online. Mr. Gonsalves said that it is available on the Planning website, under the Land Use section.

Lastly, Ms. Feather referred to page 4 & 6 of the Renewable Energy Facility Guidelines and Standards outline and said that she would like to include “Planning Boards” along with Zoning Boards, and she suggested including the term “Planning” as part of the *Zoning/Land Use Compatibility* titles.

As there were no further comments or questions, Mr. Flynn thanked Mr. Gonsalves for his presentation and then introduced Mr. Andrew Kostrzewa who then gave a presentation on the Wind Turbine Siting Guidelines. Please see Attachment 2. The following items were discussed:

Mr. Flynn asked Mr. Kostrzewa to discuss the Working and Advisory Groups which had been formed. Mr. Kostrzewa explained that the goal of the Advisory and Working Groups is to gauge the scope of work, based on stakeholder input and Advisory Group comments, and then to discuss these issues within the Working Group, to inform the state guidelines. To date, one Advisory and one Working Group meeting had been held.

Ms. Nickerson asked if the Advisory Group takes up actual proposed projects. Mr. Kostrzewa said no; right now we are in the process of developing guidelines only. Ms. Feather said that Ms. Nickerson's point about the Advisory Group addressing proposed projects was a good idea. Ms. Bourbonnais also agreed. Ms. Feather then suggested including case studies within the report. Mr. Kostrzewa said that case studies are being drafted. He also added that poor or failed citing decisions will be included; which will look at what not to do.

Mr. Schaefer asked if any efforts have been made to determine property taxes near the wind turbine locations. In response, Mr. Kostrzewa said that has not been discussed yet. Mr. Flynn then said that this is an assessment issue which is beyond the scope of the current effort. Mr. Kostrzewa also added that property value impacts (not valuation) would be considered in the guidelines process.

Ms. Conard-Wells, referring to solar energy and affordable housing challenges, said because statistical data was unavailable on renewable energy, she had difficulty explaining long-term affordability versus up-front expenses during a recent install of a solar energy device. She then added that if we are talking about maintaining affordability, the long term cost of utilities will have a positive effect on affordability. Ms. Conard-Wells suggested adding content such as this to the report because she felt it affects affordability.

Additionally, Ms. Conard-Wells mentioned the challenges that she had recently experienced due to the lack of in-state funding grant opportunities. Ms. Conard-Wells noted that the value of renewable energy credits is more of an expense to the state as opposed to the state offering grant opportunities. Ms. Conard-Wells also pointed out that the guidelines should be cognizant of where the solar panels are placed due to fire and building code issues relative to solar panel placement.

Ms. Nickerson asked if there would be an expectation that municipalities address renewable energy in their comprehensive plans. Mr. Flynn said that content is included in the draft amendments to the comprehensive planning legislation that would require municipalities to address energy use and production. Ms. Nickerson then asked if municipalities will be expected to address renewable energy in a more specific way than the way it has been done in the past. Mr. Rhodes said the proposed legislation includes insertion of generic language which asks municipalities to begin looking at their energy production and consumption.

Ms. Nickerson said, at the present time, there is no core method or process to figure out how to discuss / inform citizens of renewable energy projects, specifically wind. She then requested that Statewide Planning assist municipalities in developing procedures to zone wind turbines properly. Mr. Flynn said that the guidelines would address most of these issues. He then added that municipalities would need to alter what the state produces into context of their community.

Mr. Flynn asked the Council if there were any additional questions or comments for Mr. Kostrzewa. As there were none, Mr. Flynn thanked Mr. Kostrzewa for his presentation and introduced the next item on the agenda.

## **6. Associate Director's Report**

### Office of Housing and Community Development (OHCD):

Mr. Flynn reported that the OHCD has been involved with disaster recovery funds through a variety of sources namely, the Economic Development Administration (EDA), Community Development Block Grant (CDBG) Program and the Federal Emergency Management Agency (FEMA). Mr. Flynn said that a day-long meeting has been scheduled to review 45 applications received for disaster recovery.

In addition, the office has scheduled an all-day meeting to educate municipalities on EDA disaster funding; which is \$10.6M. As CDBG disaster recovery funding is also available, a workshop will be held on March 14, 2011. Mr. Flynn said this workshop is held on an annual basis and noted that CDBG funds can be used as local match requirements for other programs. The State of Rhode Island has \$34M to expend on disaster recovery.

Next, Mr. Flynn reported that Michael Tondra's previous position as OHCD CDBG Chief was filled by June House. June's first day was on February 28, 2011.

### Comprehensive Planning:

Mr. Flynn announced that the Programs Amendments to the Comprehensive Planning and Land Use Regulation Act had been introduced again this year. A hearing has been scheduled for March 10, 2011 before the House Committee. The House Bill number is 5380 and Senate Bill is 0021; sub A amendments will be proposed.

Mr. Flynn said that other Bills introduced included Tolling, extend timeframe for State permits, and overlay zones for municipalities.

Mr. Flynn concluded and introduced Mr. Rhodes who then provided a report on several other pieces of Legislation which included:

### H 5372 – Overlay Districts

This is a bill that DOP supports as it revises the definition of overlay districts to include those which may carry requirements that are less restrictive than the underlying zone. Currently, overlay districts can only be created where the district's requirements will be more restrictive than the underlying zone.

### H5496 – Municipal Economic Development Initiative

Mr. Rhodes explained that this bill is championed by Grow Smart RI and looks to exempt tax levies from new development within growth centers from the current municipal tax provided that those reviews are dedicated to infrastructure investments that further the growth potential of the center.

H 5509 – Conveyance off Deeds

Mr. Rhodes said that the DOP has not formalized an official position on this bill as of yet but is concerned as it appears to allow for the recording of deeds for subdivided parcels that have not received local subdivision approval.

H 5546-55 – Tolling of Permits

Mr. Rhodes reported that the building community is looking for an additional extension on the tolling of permits.

H 5554 – Buildable Area Bill

Mr. Rhodes reported that this bill is intended to revise those portions of land that can and can not be included in subdivision yield plans for cluster and conservation land development projects. Mr. Rhodes said that DOP is convening workgroups of planners and developers to asses and propose potential revisions to the Bill.

H 5581 – Energy Planning

Mr. Rhodes explained that this bill looks to require that any Energy Plan or amendment thereto adopted by the State Planning Council not become effective until approved by a joint resolution of the General Assembly. Mr. Rhodes explained that DOP is concerned about this Bill as it relates directly to the Council's role in establishing the State Guide Plan and appears to possibly present separation of powers concerns.

In concluding, Mr. Rhodes asked the Council if anyone had any questions or comments. As there were none, Mr. Flynn moved to the next item on the agenda.

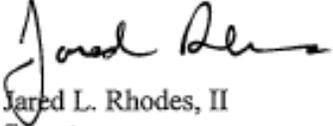
**7. Other Business**

Ms. Conard-Wells inquired about the Rural Communities issues meeting. She explained that she missed the last meeting, and then asked if she could be included in future meetings. Ms. Conard-Wells said that if there were meeting minutes or notes from that meeting, could they be forwarded to her. Mr. Rhodes indicated that he forwarded an email to her with a URL; however, if needed, he could resend it again. Mr. Flynn said that they are attempting to arrange a visit with representatives from the Vermont Rural Land Trust Council; which has experience with combining affordable housing in a rural setting and property acquisitions for open space purposes.

**8. Adjourn**

*There being no further discussion Ms. Feather motioned to adjourn. Ms. White-Raymond seconded the motion. The motion carried unanimously and the meeting adjourned at 10:39 A.M.*

Respectfully Submitted,

  
Jared L. Rhodes, II  
Secretary

Draft  
3/16/11

Attachment 1

Draft  
3/16/11

Attachment 2