

CHAIRPERSON  
Anthony Verardo  
VICE-CHAIRPERSON  
Mohamad Yaser Sasa  
SECRETARY  
Lauren A. Garzone  
ADMINISTRATIVE OFFICER  
Merrick A. Cook, Jr.



Joseph M. Polisena, MAYOR

MEMBERS  
Patricia A. Aguiar  
Thomas Breckel  
Michael A. Campagnone  
Peggy A. Passarelli

SOLICITOR  
Timothy J. Chapman, Esq.

## TOWN OF JOHNSTON PLANNING BOARD

100 IRONS AVENUE, JOHNSTON, RI 02919  
TEL.: (401) 231-4000 FAX: (401) 231-4181

### MINUTES — AMENDED

March 2, 2010

The Planning Board of the Town of Johnston held its regular monthly meeting at 7:00 p.m. on Tuesday, March 2<sup>nd</sup>, 2010, at the Johnston Senior Center, 1291 Hartford Ave.

#### I. **Roll Call**

*The March 2<sup>nd</sup> meeting was called to order at 7:00 p.m.* Present for the PLANNING BOARD: Patricia A. Aguiar, Thomas W. Breckel, Michael A. Campagnone, Lauren A. Garzone, *Secretary*, Peggy A. Passarelli, Mohamad Yaser Sasa, *Vice-Chair*, and Anthony Verardo, *Chair*. Also present for JOHNSTON: Timothy J. Chapman, Esq., Counsel to the Planning Board, and Rian Smith, Assistant Town Planner.

#### II. **Minutes**

*Jan. 5th, 2010, and Dec. 1<sup>st</sup> and special meeting on Jul. 28<sup>th</sup>, 2009, minutes adopted (7-0 each).*

#### III. **Public Hearings**

- A. 1. *Advisory Opinion to Town Council on amendment to Johnston Zoning Ordinance (Map) in re **Briarcliffe Assisted Living** (PB '09-57)*
2. *Concept & Master Plan Review of Major Land Development, **Briarcliffe Assisted Living** (informational meeting) (PB '09-56)*

*(Ms. Garzone recused herself.)*

Letter from applicant's attorney, William Landry, Blish and Cavanagh, withdrawing proposal from March agenda.

*Motion to accept withdrawal, 7-0.*

*(Ms. Garzone returned.)*



### III. **New Business** (*heard out of sequence*)

- B. Proposal to convey Town- property at 90 Reservoir Avenue (Woodlake Park) to Johnston Municipal Land Trust

Mayor introduced proposed conveyance of 60 ± acres of Town property to Land Trust for open space/ walking trail. Application submitted to DEM for grant to cover 80% of construction of bridges, signage, etc., to be left in natural state (no buildings). Judy Kawa, Land Trust Chair, showed photos of lot behind ballpark, with old foundation and stonewalls. Lot to be subdivided. Area is away from Almy Reservoir Dam. Little maintenance for Parks and Recreation.

*Favorable recommendation to Town Council, 7–0.*

- A. 1. *Adoption of amendments to Johnston Land Development & Subdivision Review Regulations in re **Conservation Development*** (PB '10–01) \*

Proposed adoption of *conservation development* as a planning technique to guide growth to appropriate areas within sites proposed for residential development to avoid impacts to the environment and to protect character-defining features of properties. Conservation development represents a strategy to protect and enhance Johnston's semi-rural, small-town character through the preservation of open space and important natural and cultural features.

Proposed amendments apply to:

Section I, Article D—*Definitions*;

Section III, (new) Article J—*Conservation Developments*; and

Section IV, Articles D–E—*Materials Required for Filing*: minor and major land development and subdivision submittal requirements, and

Appendix E—*Application & Checklists*.

*Motion to continue to next meeting.*

2. *Advisory Opinions to Town Council on amendments to Johnston Comprehensive Community Plan and Zoning Ordinance in re **Conservation Development*** (informational meeting) (PB '10–05–6)

*Favorable recommendation to Town Council, 7–0.*

- C. *Concept & master plan review of major land development, **Johnston Combined Cycle LFG Plant*** (PB '09–53)

Proposed industrial development of *landfill gas power plant* on 14± acres of 658±-acre lot at 65 Shun Pike, A.P. 31/Lots 45, 46, 47, 49, 55, 58, + 61; A.P. 43/ Lots 36, 402, 567, + 588; currently zoned I. Applicant: RI Central Genco, LLC; owner: RI Resource Recovery Corporation.

Richard A. Licht, Esq., Adler Pollock and Sheehan, reviewed proposed landfill gas (LFG) plant at existing RIRRC landfill (whereby methane from decomposition of trash becomes electricity with excess burned off by flares). Two existing 20-year-old Ridgewood plants on Shun Pike to remain; new building for gas compression operation to be constructed, with operations expanded (from 20–21 to 41–42 & 6 to 6 MW) and improved (cleaner, more efficient) to facilitate landfill expansion. Two other buildings to be moved (originals demolished). LFG elements to include gasification (sulfur removal) and electric generation plants. Small portion of electricity generated



to run gas plant; most to be sold to National Grid. Easement required for gas to be piped under Shun Pike.

Two Zoning applications filed for special-use permit and dimensional variances (front and side-yard setbacks, and height for accessory towers, stacks, poles, etc.). Although single project, lots not contiguous; discussion of whether Planning Board to vote twice.

Résumé of expert witness, Leonard R. Bradley, Jr., civil engineer, DiPrete Engineering, and CD accepted into record. Mr. Bradley narrated slideshow on project documentation, testified as to stormwater (detention basin), and described processes. Mr. Licht explained qualification as renewable energy under RI law operating 24-7 (more efficient than solar or wind). \$250,000/year in taxes agreed upon with Town.

Water to be bought from Town and costs of water system to be defrayed; approval from Cranston of sewage pending. No odors to be generated; DEM air permit issued. DEM wetlands, stormwater runoff and water quality reviews pending. Discussion of storage hazards; Fire Department concept review; subsequent comments pending. Increase of employees from 12–15 to 18–20; preference to town residents. Electro-magnetic study (EMS) pending on effects of voltage on abutters; Federal Energy Regulatory Commission approval required; electrical engineer to appear at preliminary hearing. Industrial performance standards to be met.

Scott Hesford, abutter with maintenance landscape construction business abutting RIRRC property, questioned effect on property values, emissions and buffers. Real estate expert to appear at Zoning hearing; public hearing at preliminary stage additional opportunity for public comment; RIRRC representative also to appear. Frank Macera, M&M Disposal, addressed stormwater management plan and RIPDES permit, and questioned disposal of sulfur and methane. Project received \$15 million federal grant under landfill methane outreach program (LMOP).

*Concept and master plans conditionally approved with favorable recommendations on referral of both applications to Zoning Board (motion by Mr. Breckel; second by Ms. Aguiar; 7–0 in favor).*

#### IV. **Administrative Report & Special Items**

*Revised final plan for Centre at Cherry Hill recorded 1/31/10.*

#### V. **Adjournment**

*March 2<sup>nd</sup> meeting adjourned at 9:09 p.m.*

---

*Lauren A. Garzone, SECRETARY*