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## TOWN OF JOHNSTON PLANNING BOARD

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# February 5, 2013

## MINUTES

The Planning Board of the Town of Johnston held a regular meeting at 6:00 p.m. on Tuesday, February 5, 2013, at the Johnston Senior Center, 1291 Hartford Ave.

### I. **Call to Order, Roll Call & Determination of Quorum**

The meeting was called to order at 6:08 p.m. Quorum present for the Board: Albert Cournoyer, Christine Cunneen, Lauren Garzone/Chair, Peggy Passarelli, Lori Pezzullo, and Sam Sasa. Absent: John Laurito/Vice Chair.

Also present for the Town: Joseph R. Ballirano/Planning Board Solicitor, Lorri Caruso/Town Engineer, Ben Nascenzi/Building/Zoning Official, Pamela Sherrill/Administrative Officer, Rian Smith/Assistant Planner, and Arnold Vecchione/Director of Public Works.

### II. **Minutes**

*January 8, 2013, meeting minutes **accepted** (motion by S. Sasa, 2<sup>nd</sup> by A. Cournoyer — discussion, none—carried, 6-0).*

### III. **Old Business** — none

### IV. **Public Hearing**

Industrial site plan review and advisory opinion to Building Official on proposed wastewater pretreatment for discharge to Cranston municipal sewer for **Landfill Gas—Gas Conditioning & Compression Plant**, 65 Shun Pike, A.P. 31, Lot 46, on 14.85± acres zoned I, for RI Central Genco, LLC.

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L. Garzone reviewed project history, stressing review is limited in scope to business at hand.

B. Nascenzi cited temporary certificate of occupancy (TCO) issued 2/4/13, but that complexity of waste disposal system requires that the planning board issue an advisory opinion to the building official indicating that the industrial performance standards can be met for issuance of the Certificate of Occupancy for sewage disposal under Rhode Island state building code. Cited Zoning 1/31/13 special use permit approval subject to Planning Board positive advisory opinion.

Robert Stolzman, Esq., Adler Pollock & Sheehan, provided overview, beginning with history of methane gas collection, extraction, compression and cleaning in area of state landfill. Broadrock's 1<sup>st</sup> plant compresses gas (CGC) then pipes to 2<sup>nd</sup> where turbines cogenerate electricity (CTC) that is



conveyed to National Grid substation. Purpose of proposed waste disposal system is to pretreat condensate from the landfill gas collection system or as produced by compression and cooling of gas with a 3-tank carbon filtering system prior to discharge to the Cranston municipal sanitary sewer system. Construction of the pretreatment system is required for Cranston to determine if the effluent meets its municipal industrial pretreatment program (MIPP) standards. Copies of prior town approvals, as referenced in the chairwoman's introduction, were presented for the record. Cited administrative amendment to final plan. GZA study indicated that no odors will be produced by the pretreatment system.

Rob Harris, project manager (*accepted as expert witness*), civil engineer, P&IDC, reviewed the temporary pretreatment (frac tanks, exterior carbon filtration with trucking off site) and permanent (carbon filtration located inside the proposed building with discharge to Cranston sewer system). Provided testimony regarding industrial performance standards in Article IV of the zoning ordinance, specifically related to pretreatment program and gas and odor containment system. Pictures (*accepted as exhibit A*) submitted of oil/water separator. Cited RIDEM requirements to reduce sulfur concentration in gas, with ongoing review of effluent quality by Cranston per DEM standards. Noise not an issue.

R. Stolzman addressed Brown & Caldwell peer review conclusions. No issues with noise or vibration; smoke and other pollution appear to be suitably treated; and sewage and waste treatment to be verified during operation of temporary system (proposed building size may enable additional pretreatment facilities); heat and glare, little effect; radiation, none; potential gas pollution and fumes handled by tanks. Five written accounts on system available. New extraction process for RI landfill to meet standards. Analysis and test case for extracting and burning gas through carbon system based on 20+ years data from Waukesha power plant at the Central Landfill.

B. Nascenzi stressed experimental nature of treatment system; if not up to Cranston standards, applicant to return for building, possibly further board, approval. Broadrock will develop test protocol for gauging spent carbon. B. Nascenzi concerned with intermittent system creating odors. 24/7 operation; if power interrupted, no condensate will be drawn from the landfill; surge tank is used to regulate the flow of condensate into the system to assure more efficient pretreatment.

Members of the board including M. Sasa, C. Cunneen, and P. Passerelli strongly expressed concerns of town residents regarding odors at the landfill and the concern that the pretreatment system would emit odors to the atmosphere. R. Stolzmen agreed to a stipulation that no odorous compounds would be released. He indicated that it is the applicant's position that the whole system overall will emit less odor than currently and less odor compared with sending condensate to RIRRC for pretreatment. R. Harris indicated that in the event that gas has to be flared off at the GCC site because the turbine plant is not operational, it would be pretreated to remove sulfur. Redundant vapor filtration systems will be added to collect vapors during blowdown of the carbon filtration system (prior to removal by vacuum truck). R. Harris indicated, and peer review corroborated, that carbon filtration is the best for catchall treatment (a belt and suspenders approach that is not the cheapest solution). M. Sasa addressed amount of condensate per day (R. Harris indicated 15 to 16,000 gallons), and toxins filtered out of condensate (R. Harris indicated that toxins will vary depending on the variability of waste that generates the gas; B. Nascenzi indicated that this plant will pretreat condensate from new wells in a separate section of the landfill so toxins are unknown). M. Sasa questioned disposal of carbon and requested assurance that the applicant wouldn't look for cost savings by not replacing carbon on a timely basis; applicant suggested



removal protocol for tanks as occupancy condition to assure that carbon is removed while it is still effective in removing toxins. M. Sasa requested a numerical or analytical testing procedure to determine efficacy of carbon to assure that there is redundancy in the system. Discussion of mechanized monitoring in addition to actual measurement of carbon.

Stephen Geise, Brown & Caldwell (*accepted as expert witness; credentials and 1/29/13 non-bias statement as the Planning Board's peer review firm accepted as exhibit B*), addressed odors not listed in analytical data. R. Stolzman stated that no other data available. Discussion of how often carbon to be changed and shelf-life of vessels.

B. Nascenzi raised questions regarding direction of flow and size of sewer line to Cranston and the history of line breaks in Johnston, possibly in water or RISE return line. Joseph McCauley, abutter, indicated that when constructed the RISE line was not intended to carry sewage. Deborah McCauley, abutter, requested testing of RISE line and raised safety concerns with location of line in road and proximity to neighborhoods. R. Stolzman stated air quality subject to DEM, state and federal regulations. *Public hearing held.*

*1/29/31 planning report and 2/4/13 Brown & Caldwell Planning Board peer review entered into the record.*

Planner suggested amending recommendations to Building Official, citing receipt of wetlands permit and zoning special use approval. Discussion of purview of industrial board vs. Planning; discussion of ownership and maintenance of Cranston rise line; 14 recommendations presented by the planner are acceptable to applicant.

**Favorable recommendation** on advisory opinion to Building Official on **Landfill Gas—Gas Conditioning & Compression** industrial site plan — based upon application, testimony presented, staff report and memoranda; adherence to general purposes of Johnston Subdivision Regulations §1, and positive findings for §5-2 standards; and consistency with Johnston Comp Plan — with the recommendations included as conditions to industrial site plan approval (1–14 below) subject to legal review for terminology (motion by P. Passarelli, 2<sup>nd</sup> by A. Cournoyer, with discussion) carried, 6–0.

**Landfill Gas—Gas Conditioning & Compression Plant** industrial site plan **conditionally approve** (motion by C. Cunneen; 2<sup>nd</sup> by M. Sasa; no discussion) subject to legal review of terminology, to Building Official as follow:

1. Line the ground below the hopper and super sack filling area with poly-sheeting during removal of carbon media.
2. Submit performance bond for site improvements to Johnston Building Official for building permit (§340–27.H). Town engineer shall review and approve the engineering estimate prior to procuring bond.
3. Obtain required approvals from Johnston Planning and Zoning Boards should additional structures or processes be required to meet Cranston MIPP pretreatment requirements.
4. Include precautionary triplicate liquid-phase GAC vessels to allow intermediate monitoring between vessels.
5. Install a second 55-gallon drum with vapor-phase GAC in series with the first drum to allow monitoring and avoid emissions from the tank vent.
6. Operate and maintain the oil/water separator as part of the pretreatment system to comply with the performance standards of the zoning ordinance and with state and federal regulations.
7. Provide copy of MIPP to Town of Johnston.



8. Provide RIDEM permit or registration for vapor-phase GAC unit(s) to Johnston building official.
9. Copy Town of Johnston building official on all notifications, applications, and permits (including maintenance logs and haul data for oil/water separator) for operation of the wastewater pretreatment system required by the City of Cranston.
10. Install vapor phase GAC filtration in the temporary as well as permanent system.
11. Notify the building official when inspections of the project by the City of Cranston are to be conducted.
12. Submit protocol for carbon filtration replacement to the Johnston building official for approval to assure there is adequate margin of error to mitigate odors.
13. During blowdown of the granulated carbon system no odors shall be released to the atmosphere. No dirty air will be released.
14. Review of the RISE return line for the purposes of this use by the Johnston town engineer.

*Motion carried, 6-0.*

V. **New Business**

Advisory opinion on **Town of Johnston temporary construction and perpetual sewer easements on Central Avenue** at Rte. 295 (from RIDOT).

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*Planning report entered in to the record. Town Planner addressed consistency with Comp Plan, construction of necessary sewer to RIRRC; already approved by mayor. Recommend positive advisory opinion to Town Council. Construction and layout designed to ameliorate drainage issues under I-295 bridge.*

**Favorable advisory opinion** on **Central Avenue sewer easements** based upon application, testimony presented, staff report and memoranda; adherence to general purposes of Johnston Subdivision Regulations §1, and positive findings for §5-2 standards; and consistency with Johnston Comp Plan (motion by C. Cunneen, 2<sup>nd</sup> by A. Cournoyer; no discussion) carried, 6-0.

VI. **Administrative Report & Special Items**

Planner indicated that CIP not yet updated from last meeting. Grow Smart training postponed.

VII. **General Business**

None

VIII. **Adjournment**

January 8, 2013, Planning Board meeting adjourned at 9:40 p.m.

*Peggy A. Passarelli*  
SECRETARY