

**RHODE ISLAND STATEWIDE PLANNING PROGRAM
TECHNICAL COMMITTEE MEETING**

Friday, January 8, 2016
RIDOA, Conference Room A
One Capitol Hill, Providence, RI

DRAFT MINUTES

I. Attendance

1. Members Present

Mr. Robert Azar, Chair	City of Providence
Mr. Michael DeLuca, Vice Chair	Town of Narragansett
Mr. Jared Rhodes, Secretary	RI Statewide Planning Program
Mr. John Chambers	Fuss & O'Neill, Incorporated
Mr. Steve Devine	RI Department of Transportation
Mr. Nate Kelly	Rhode Island American Planning Association
Mr. Thomas Kogut	RI Public Utilities Commission
Ms. Nicole LaFontaine	Town of North Kingstown
Ms. Lisa Primiano	RI Department of Environmental Management
Mr. Michael Walker	RI Commerce Corporation
Mr. Ronald Wolanski	Town of Middletown

2. Members Absent

Ms. Ashley Hahn	Town of Exeter
Ms. Eliza Lawson	RI Department of Health
Mr. Arnold Robinson	Roger Williams University
Ms. Jennifer Siciliano	City of Woonsocket
Mr. Jeffrey Willis	RI Coastal Resources Management Council

3. Staff Present

Ms. Kimberly Crabill	RI Statewide Planning Program
Ms. Caitlyn Greeley	RI Statewide Planning Program
Mr. Kevin Nelson	RI Statewide Planning Program
Ms. Chelsea Seifert	RI Statewide Planning Program

4. Guests Present

Ms. Kathryn Trapani	Quonset Development Corporation
---------------------	---------------------------------

II. Agenda Items

1. Call to Order

Chairman Azar called the meeting to order at 9:05 a.m.

2. Approval of December 4, 2015 Meeting Minutes – for action

Chairman Azar asked for a motion to approve the meeting minutes of December 4, 2015. Mr. Walker moved to approve and the motion was seconded by Mr. DeLuca. There was no discussion. The following members voted aye: Azar, Chambers, DeLuca, Devine, Kelly, Kogut, LaFontaine, Primiano, Walker, and Wolanski. Mr. Rhodes abstained. There were no nay votes.

3. Public Comment on Agenda Items – for discussion

There was none.

4. Comprehensive Planning Standards – for action

Chairman Azar introduced Chelsea Siefert who delivered the attached presentation relative to the adoption of the proposed Comprehensive Planning Standards and Handbook Series. Instances where the Committee engaged in discussion were as follows:

Mr. Walker asked whether the proposed standards, given the post comment period revisions, would need to go back to the Office of Regulatory Review (ORR) for a determination as to whether further hearings will be required and if this would happen prior to the State Planning Council's consideration. In response, Mr. Rhodes indicated that the revisions in question are technical as opposed to substantive in nature but regardless, and as required, the final package will be submitted to ORR, post State Planning Council adoption, for a final determination to be made prior to filing with the Secretary of State's Office.

Chairman Azar next asked for a motion to recommend that the State Planning Council adopt the standards contained within the Rhode Island Comprehensive Standards Manual as State Planning Council Rule 4 – Part 2. Mr. Wolanski made the first motion and the motion was seconded by Mr. Devine. There was no discussion. The following members voted aye: Azar, Chambers, DeLuca, Devine, Kelly, Kogut, LaFontaine, Primiano, Walker, and Wolanski. Mr. Rhodes abstained. There were no nay votes.

Chairman Azar asked for a motion to recommend the State Planning Council's approval of the Rhode Island Comprehensive Planning Guidance Handbook Series in accordance with Rule 4.2 of the Rules and Standards of the State Planning Council. Ms. Primiano made the first motion and the motion was seconded by Mr. DeLuca. There was no discussion. The following members voted aye: Azar, Chambers, DeLuca, Devine, Kelly, Kogut, LaFontaine, Primiano, Walker, and Wolanski. Mr. Rhodes abstained. There were no nay votes.

5. Quonset Business Park Project Review Memorandum of Understanding - for action

Chairman Azar called the next agenda item and as a result Committee Member Kelly recused himself from the proceedings.

The Chairman next introduced Ms. Trapani who delivered the attached presentation. Instances where the Committee engaged in discussion were as follows:

Ms. Primiano asked how Quonset Development Corporation (QDC) would deal with a significant change of use in a property and would it require the company to go back through a process of approval. Ms.

Trapani responded that an expansion of existing use would typically not need to go back but anyone who were to lease new land would have to go through the approval process. Mr. Rhodes also noted that QDC includes Statewide Planning in their monthly Technical Review Committee meetings which is helpful to stay up-to-date on what is happening there.

Ms. Primiano also asked if the lease specified the use for specific properties. Ms. Trapani responded that it does.

Mr. Devine noted that the proposed Agreement stated it was a three party agreement but perhaps should be considered a four party agreement. Mr. Devine then asked what the timeline was for the Master Plan update. Ms. Trapani indicated that they hope to have it complete by the end of the year. Finally, Mr. Devine highlighted how the State's investment in rail is really paying off for QDC and the state as a whole.

Mr. Chambers asked for clarification on how the environmental permitting works for the site readiness program which Ms. Trapani provided.

Mr. Azar asked for clarification on the map with regard to the areas that are undeveloped which Ms. Trapani provided.

Chairman Azar asked for a motion to recommend the State Planning Council approve the proposed Agreement. Mr. Walker made the first motion and it was seconded by Mr. Devine. There was no discussion. The following members voted aye: Azar, Chambers, DeLuca, Devine, Kogut, LaFontaine, Primiano, Walker, and Wolanski. Mr. Rhodes abstained. There were no nay votes.

6. Announcements – for discussion

Mr. Rhodes announced that today was the deadline for the TIP Submittals and that a series of four workshops would be held around the state over the course of the following week.

7. Adjourn

Chairman Azar called for a motion to adjourn. Committee member Walker made the first motion. The motion was seconded by Committee member DeLuca. There was no discussion. The following members voted aye: Azar, Chambers, DeLuca, Devine, Kelly, Kogut, LaFontaine, Primiano, Walker, and Wolanski. Mr. Rhodes abstained. There were no nay votes.

Respectfully Submitted,

Jared L. Rhodes, II
Secretary

Statement of Conflict of Interest
pursuant to R.I. Gen. Laws § 36-14-6

I Nathan Kelly, holding the position of
Principal Planner Harsley Witten Group, hereby under oath depose and say:
(job title or appointed/elected position and name of board/commission/agency/department)

1. A matter involving Quonset Development Corporation
is presently before State Technical Committee.
(name of board/commission/agency/department)

2. I have the following interest in the matter noted in paragraph 1 above:
The Quonset Development Corporation is currently a client of Harsley Witten Group.

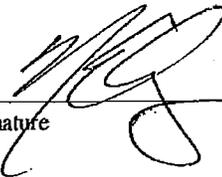
3. [Please select one of the following]:

A. In compliance with R.I. Gen. Laws § 36-14-6(1), I hereby recuse from participating in the discussion of or taking official action relating to said matter. (This does not prohibit participation as a member of the public in an open meeting, pursuant to Commission Regulation 7003.)

B. In compliance with R.I. Gen. Laws § 36-14-6(1), I hereby state that despite the interest described above, I believe I am able to participate fairly, objectively and in the public interest regarding said matter for the following reasons:

Signed under the penalties of perjury this 8th day of January, 2016.

Signature



Comprehensive Plan Standards & Guidance Handbook Series

A decorative graphic consisting of three overlapping wavy lines in shades of blue, green, and white, positioned at the bottom right of the page.

RI
SPP

OCTOBER 2015

NOVEMBER 2015

DECEMBER 2015

2nd

5th 7th

7th 13th

Authorization of Public Hearing by State Planning Council

RI Office of Regulatory Reform Review Completed

Public Notice Posted in Providence Journal

Public Hearings

Comment Period Closed

Public Hearings

- ✓ 11:00 a.m. and 6:00 p.m.
 - ✓ 9 people attended
 - ✓ 3 people gave oral comment
- ✓ 1 set of written comments received



PUBLIC HEARING REPORT | DECEMBER 2015

PROPOSED AMENDMENT TO THE RULES AND STANDARDS OF THE STATE PLANNING COUNCIL



SECTION 1. INTRODUCTION

Purpose of the Proposed Amendment

The State Planning Council has under consideration an amendment to Rule 4 – Part 2 of the Rules and Standards of the State Planning Council, entitled, “Comprehensive Plan Review Standards.” In accordance with the General Laws, subsections 45-22.2-10(b), the Division of Planning is to develop standards to assist municipalities in the incorporation of state goals and policies into comprehensive plans, and to assist the Division in the review of comprehensive plans. Draft Rule 4 – Part 2 satisfies this requirement.

The standards are accompanied by the RI Comprehensive Planning Guidance Handbook Series, comprised of sixteen (16) separate handbooks that are intended to assist communities in preparing plans that will fulfill each standard. Each handbook provides helpful guidance on fulfilling the standards, including data sources, as well as general information on including the required topics within a comprehensive plan.

Public Hearings and Comment Period

Pursuant to the provisions of section 29-3.1-4.1(b)(3) and 29-3.1-4(b)(7)(ii) of the General Laws of Rhode Island, and in accordance with the Administrative Procedures Act Chapter 42-35 of the General Laws, the State Planning Council gave notice of its intent to amend its Rules and Standards and gave notice of its intent to hold a public hearing to afford interested parties the opportunity to provide public comment. Notice of the two public hearings and opportunity to comment on the draft plan were provided in English and Spanish through advertisement in the Providence Journal on November 9, 2015, posting on the Secretary of State website, posting on the Statewide Planning Program’s website, a direct mailing to the over 380 planning and transportation contacts in the Statewide Planning Program’s database, and inclusion in the Statewide Planning Program’s December newsletter, which was sent to interested parties on December 1, 2015. Both the English and Spanish hearing notices posted in the Providence Journal have been included within Appendix A.

All persons were invited to present their views on the proposed amendments in person at the public hearings, through a representative, or by filing a written statement with the Secretary of the State Planning Council

through a representative, or by filing a written statement with the Secretary of the State Planning Council. All persons were invited to present their views on the proposed amendments in person at the public hearings, and Spanish hearing notices posted in the Providence Journal have been included within Appendix A.

13.5f The FLUM must be consistent with Figure 21-02(1) of Land Use 2025: Rhode Island's State Land Use Policies and Plan, by applying the following minimum and/or maximum residential densities, or, ~~in the limited instances~~ where the municipality feels that consistency may not be appropriate, giving a narrative that describes why the minimum and/or maximum residential density is not warranted [...]

1.1 There shall be a single version of the comprehensive plan, including all amendments, appendices and supplements, which is fully updated and re-adopted at least once every 10 years.

4.2a A list and description discussion of the significant historic and cultural resource areas, types and/or sites that exist within the community;

5.1c. Year-round and seasonal, single-family and multi-family housing units, both the number and as a percentage of total housing units;

5.1d ~~Single family, multi-family,~~ Owner-occupied and rental units, both the number and as a percentage of occupied housing units;

5.1g The current ~~median~~average home sale price, and the general trend in home sales prices over the past 10 or more years;

8.2c Wastewater pump stations and wastewater treatment plants.

13A.1b and 13B.1b The future land ~~uses that are to be targeted for the various areas~~ use designations within the growth center.

Recommend that the State Planning Council:

1. Adopt the standards contained within the RI Comprehensive Planning Standards Manual as State Planning Council Rule 4 – Part 2; and
2. Approve the RI Comprehensive Planning Guidance Handbook Series in accordance with Rule 4.2 of the Rules and Standards of the State Planning Council.

Streamlining the ERF & SERF

Environmental Review Form and
Socio Economic Review Form

RI Statewide Planning
Program and Quonset
Development Corporation

Presentation to
Technical Committee
January 8, 2016

RHODE ISLAND
DIVISION OF
PLANNING



QUONSET
DEVELOPMENT CORPORATION

Background

- ❖ Settlement Agreement of 1979 resulted from lawsuit brought against the federal government by environmental groups.* Adopts Protective Controls and Development Restrictions for Quonset to be enforced by RIDEM and CRMC.
- ❖ Review Agreement of 1979 between RI Port Authority (now QDC), RIDEM, CRMC, and State Planning Council (SPC) requires review of projects at Quonset for environmental impact and consistency with State Guide Plan.
- ❖ The vehicle for this review is the Environmental Review Form and Socio Economic Review Form (ERF & SERF) for land development projects. Project notifications go to members of the State Planning Council.

*Conservation Law Foundation, Ecology Action for Rhode Island, Save the Bay, Audubon Society for Rhode Island, and Aquidneck Island Ecology.

- ❖ More sophisticated environmental and coastal regulations (air, fresh and saltwater wetlands, stormwater, solid waste, hazmat, etc.)
- ❖ Comprehensive Planning Act requires municipalities to have comp plans that are consistent with State Guide Plan
- ❖ QDC has a Master Plan consistent with NK Plan
- ❖ Updated State Guide Plan elements
- ❖ QDC Board has 4 members appointed by neighboring communities
- ❖ Dozens of ERF and SERF's have been reviewed and approved

❖ QDC and Town Agreements

- Unified Development Regulations including RIDEM Stormwater Regulations
- NK amended its Comp Plan and Zoning to adopt regulations and joint review process
- Development review and variance process that includes Town participation
- NK is currently updating its Comprehensive Plan
- QDC is updating our Master Plan (with SPP on TRC)

❖ Site Readiness Program

- Pre-design and pre-permitting by RIDEM and CRMC of virtually all developable parcels consistent with Unified Development Regulations
- 90 day plan review process gives Quonset Business Park a competitive advantage over other business parks in New England

- ❖ QDC and Statewide Planning have worked over many months on this agreement
- ❖ Legal review by DOA counsel, QDC counsel, and Conservation Law Foundation – they concur that this MOA is consistent with Review Agreement
- ❖ Review and comment by Settlement Agreement parties (CLF, Save the Bay, Audubon, Ecology Action)
 - CLF concern about major water users – added a provision for more review time
 - STB concern about parcels that are not pre-permitted – clarified that the normal 45 day review process applies to those parcels
- ❖ Review by RIDEM and CRMC – their permitting authority is not in any way diminished

Proposed Unified ERF and SERF Agreement

- ❖ QDC will complete and submit a single ERF & SERF to SPC for the pre-permitted parcels in the Site Readiness Program
- ❖ SPC to review for consistency with State Guide Plan to serve as a “pre-approval”
- ❖ As parcels are developed, QDC to submit abbreviated form to SPC with details of the company/project
- ❖ SPC to review within 7 business days (30 business days for “major water users”)
- ❖ A finding of inconsistency would trigger reversion back to long ERF & SERF
- ❖ Quonset Master Plan revision to include participation and review by Town and Statewide Planning to ensure consistency

- ❖ Provides certainty and predictability of the development process
- ❖ Complies with Review Agreement
- ❖ All agencies maintain authority
- ❖ Environment is protected
- ❖ Consistent with Regulatory Reform efforts
- ❖ Builds on success of Site Readiness Plan
- ❖ More jobs and investment for Rhode Island
- ❖ Improved standing in the business community

Why now?

- ❖ The Park is 3/4 developed and land use districts are well established.
- ❖ The agencies have developed very strong working relationships.
- ❖ This aligns with the administration's push for jobs and economic development.

Thank you.