

# **CITY OF EAST PROVIDENCE**

## **PLANNING BOARD**

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### **MINUTES OF JULY 11, 2011**

**Present: Chairman Robinson, Mr. Almeida, Mr. Batty, Mr. Cole, Mr. Cunha, Ms. Moravec, Mr. Robinson, Jeanne Boyle (staff), Diane Feather (staff), and Orlando Andreoni, City Solicitor/Interim City Manager.**

#### **1. SEATING OF ALTERNATE MEMBER**

#### **2. APPROVAL OF PLANNING BOARD MINUTES**

##### **A. Minutes of May 9, 2011**

**It was noted the minutes of May 9, 2011 would be forthcoming**

##### **B. Minutes of June 13, 2011**

**On a motion by Mr. Batty, seconded by Mr. Cole, the Board unanimously voted to accept the Minutes of June 13, 2011.**

#### **3. APPROVAL OF PLANNING BOARD CORRESPONDENCE**

**There was no new correspondence**

#### **4. NEW BUSINESS**

##### **A. Forbes Street Landfill – Amendments to Chapter 19 Zoning Regarding Large-Scale Ground-Mounted Solar Photovoltaic Facility**

**Ms. Boyle noted that Diane Feather would be presenting the staff recommendation and she also noted that CME Corporation is here to give a brief presentation to the Board regarding the nature of the project regarding the zone changes.**

**The Chairman and Present of CME gave an overview of the project. It's a great opportunity to turn the landfill around economically. It will create more jobs and help the City out with green communities. Bill Martin gave a more specific overview of the project.**

**At this time, City Solicitor Orlando Andreoni swore in Mr. Martin.**

**Mr. Martin said legislation has been passed and they agree with the amendments to Chapter 19, Zoning for the project. He noted that CME will have to interconnect with the electricity grid. They will have a long-term contract with National Grid and this law will enable us to move electricity back into the grid. There is a method of arriving at the pricing. He noted that pricing is coming down and there are tax**

incentives for those investing in solar project. We have hired a company by the name of Whitman who has much experience with landfills and solar projects. There have been public meetings for any issues and we will be giving a presentation as to what the impact on the landfill will be. The real uncertainty is the size of the project and the utilization of the land. It was noted that the megawatts will be 1,000 kilowatts. They discussed the megawatts and CME thinks it will be around 5 megawatts, which will be about a 25 million dollar project. He noted it would not be on the balance sheet of the City and CME will finance it themselves. A meeting will be held with National Grid and the PUC this week. Mr. Martin said he really appreciates the cooperation of the Planning staff and City staff during this development process.

Chairman Robinson asked the Board if they had any questions. Mr. Batty asked if they spoke to National Grid and if they agree on the costs. Mr. Martin said they have spoken with National Grid and they are committed to the renewable energy initiatives proposed. At a later time, they will walk the Board through what the economic benefits are and the revenue benefits for the City.

Mr. Batty asked about the costs of developing the land. He said the grants the City has secured are covering most of the costs and at a certain point of time; it will be CME's expense as the project developers. Ms. Boyle said the City was very fortunate to receive 50,000 cubic yards of soil at no cost from the Department of

**Transportation. That has a value almost 1 million dollars. 50,000 cubic yards will cover more than half of the landfill. We were able to get between \$400,000 and \$450,000 dollars in state and federal grants to pay for the pre-development costs.**

**Mr. Batty asked how many homes would use the electricity. Mr. Martin said about 4,000 homes.**

**There were not other questions from the Board.**

**At this time, Diane Feather presented the staff memorandum. She explained the Chapter 19 Zoning proposed amendments that would allow the facility to be developed at the former Forbes Street landfill. With the aid of a map Ms. Feather showed the Board the area that will house the solar panels and the existing compost facility near the Riverside Junior High School.**

**Ms. Feather explained the advertising requirements by the City Council and noted that there was a neighborhood meeting on the proposed project on March 14th . It was well attended and some of the neighbors expressed concern about drainage. Staff has originally asked that a follow-up meeting be held in August, but are now asking the Board to put it back to September so that the development team has time to coordinate the engineering details.**

**Ms. Feather further explained that the developer will be required to**

**submit an application for a Land Development Project which will come before the Board for approval. It will require studies, plans and specifics of the proposal, a drainage analysis and any impacts of the closed landfill and Comprehensive Plan analysis.**

**Chairman Robinson asked what she based the proposed amendments on. Ms. Feather noted she reviewed our ordinances and other model ordinances of the Commonwealth of Massachusetts ordinances regarding solar projects on landfills.**

**This project will also give future generations the ability to know the importance of renewable energy and also the fact that it is solar and it is coming down in price which will make it more affordable for future generations.**

**Ms. Feather went through the Land Use and Comprehensive Plan Consistency. She noted the landfill is set back and that the entire property is made up of 225 acres. There is no neighboring other uses in close proximity to the Forbes Street property. The development will not generate any noise, glare or other physical impacts on neighboring properties. She noted the City will continue to work with RIDEM and will continue to pursue grants from the State and Federal agencies.**

**Ms. Feather noted the current yard waste composing area located in the front will need to be relocated and RIDEM is working with the City on a landfill closure process. The landfill will eventually be vegetated**

**with grasses to reduce runoff. The solar development will not contribute to any additional drainage or flooding impacts to downstream neighborhoods. The proposal and site will become a more secure facility and reduce the potential impacts associated with unauthorized activities on the property. Ms. Feather also noted that the proposed amendments are the first step in developing renewable energy ordinances for the City. Future amendments will include small wind energy systems and solar. The Statewide Planning Program is working on a model wind ordinance which should prove helpful as we proceed with the renewable energy initiatives.**

#### **Staff recommendation and attachments**

**The Planning Department asks that the Planning Board recommend that the City Council adopt the proposed amendments to Chapter 19, Zoning, and the development of a large-scale ground-mounted solar photovoltaic system at the former Forbes Street landfill be approved as presented and discussed above, including the negotiation of a ground lease and power purchase agreement.**

**Matthew Robinson inquired as to whether the entire property will be fenced for security purposes or just the proposed solar development.**

**Ms. Boyle answered that the solar development will be the only area secured with a fence.**

#### **Recommendation – Staff Memorandum and Attachments**

## **Motion**

**On a motion by Mr. Batty, seconded by Ms. Moravec the Board unanimously voted to accept the staff recommendation and attachments and make them part of the Board's official records.**

## **Recommendation to the City Council to Adopt the Proposed Amendments**

## **Motion**

**On a motion by Ms. Moravec, seconded by Mr. Batty, the Board unanimously voted to recommend to the City Council the adoption of the proposed amendments of Chapter 19, Zoning and the development of a large-scale ground-mounted solar photovoltaic system at the former Forbes Street landfill be approved as presented and discussed above, including the negotiation of a ground lease and Power Purchase Agreement.**

## **Roll Call Vote**

**Mr. Almeida Aye**

**Mr. Batty Aye**

**Mr. Cole Aye**

**Ms. Moravec Aye**

## **Chairman Robinson Aye**

### **B. Capital Budget FY 2012 and Program FY 2012 – 2016 Six Year Capital Improvement Program (enclosures)**

**Matthew Robinson recused himself at this time because there was a Capital Budget item under the Police Department and he is not a voting member. Chairman Robinson said that Mr. Andreoni would give him the recusal form to fill out.**

**Mr. Barnes went through the Capital Budget and FY 20-12 Capital Improvement Program process and projects for City Council approval. He notes that this year's total amount over five years is a little over 92 million dollars. The actual City requested amount is a little over 12 million dollars. A tremendous amount of grant money has come into the City over the past several years. Staff supports and continues to advocate necessary bond issues for large ticket capital items, especially in times of low interest rates, but as "one-time" expenditures for those necessary capital projects for which grant funding is not available, and which would result in an inordinate increase in the tax rate if funded in a single year.**

**There are seven items listed below that Mr. Barnes briefly explained to the Board. They are as follows:**

- Enterprise Resource Planning System - \$230,000**

- **Personal Computer Replacement Program \$60,000**
- **Silver Spring Basketball Court and Playground**
- **Renovation \$42,500**
- **Parks Division – 3 Zero-Turning Radius Mowers \$36,000**
- **Tranquility Place at Jones Pond \$15,000**
- **Aerial Bucket Truck (DPW Highway) \$100,000**
- **Sweetland House Roof Replacement \$ 35,000**

**Mr. Barnes asked if he could amended the list to include a new printer in the amount of \$25,500 for the Finance Department. The request came in late, but one of the printers is down and they are borrowing one in order to keep one of the stations running. He asks that this also be included in the approval process. The \$483,500 original total would now be \$509,000.**

**Mr. Barnes also went through the other department initiatives noted in the staff memorandum.**

### **Staff Recommendation**

**Staff recommends that the Planning Board advise that the City Manager and City Council support the recommended Capital Budget funding for fiscal year 2012 to support the listed projects in the staff memorandum dated July 7, 2011.**

**Motion – Staff Memoranda and attachments**

**On a motion by Ms. Moravec, seconded by Mr. Cole, the Board unanimously voted to accept the staff memoranda and attached spreadsheet as part of the Board's official records.**

**Motion – Capital Budget Fiscal Year 2012 and Six Year Capital Improvement Program**

**On a motion by Mr. Batty, seconded by Ms. Moravec, the Board unanimously voted to accept the Capital Budget funding requests for fiscal 2012 and the Six Year Capital Improvement Program in the amount of \$509,000 which includes the addition of a printer for the Finance Department**

**Roll Call Vote**

**Mr. Almeida Aye**

**Mr. Batty Aye**

**Mr. Cole Aye**

**Ms. Moravec Aye**

**Chairman Robinson Aye**

**At this time, Matthew Robinson joined the Board again.**

**5. CONTINUED BUSINESS**

## **A. Staff Report.**

### **1. Taunton Avenue /Auto Row**

**Ms. Feather briefed the Board. She explained that the City applied to the Department of Transportation who was offering grants. The City received a grant for \$52,000 and had to match that with approximately \$13,000 of in-kind staff work. There was a public meeting on June 22nd and the consultant, Horsley Witten presented their findings regarding road improvements, drainage and more pedestrian access.**

**Ms. Feather noted that there were a lot of vacancies in the Auto-Row. A study was done to see what kinds of uses could be determined at that section of Taunton Avenue, i.e. possibly try to improve the transit through Taunton Avenue and have more businesses in there and more pedestrian access. Also the park and ride on Taunton Avenue could be improved to be a more formalized hub.. There were many key people at the meeting from the RI Department of Transportation Highway Division including their consultant, the RI Public Transit Authority and our City Engineer, Erik Skadberg. She said that RIDOT is looking again at the resurfacing of part Taunton Avenue near Commercial Way where the road dips. Another idea was to reduce the lanes and having a three-lane road instead of four lanes. It would be one lane in each direction and a center lane that people in both directions could use while making a left-hand turn.**

**Ms. Feather said there will be follow-up meeting with RIDOT and RIPTA. The results of the final study will be incorporated in the Comprehensive Plan. What we are required to do as part of this grant is to do land use amendments and some changes to subdivision and zoning as well. Ms. Feather noted we welcome any ideas or comments.**

## **2. Phillipsdale National Historic District Nomination**

**Ms. Boyle said this is another grant. A consultant was hired. There will be a public hearing on Wednesday before the State Historic Preservation Board. A lot of people don't appreciate the historic value of the Phillipsdale district and to have this recognized on a national scale is remarkable and wonderful. We received a positive response from the people in this district. If the hearing goes well on Wednesday, it will be referred to the National Parks Service. Ms. Boyle said a National Register designation places no obligations on private property owners and no restrictions on the use, treatment, transfer, or disposition of private property. This designation honors the history and significance of this area.**

## **3. EMA Updates**

**Mr. Barnes informed the Board as active Emergency Management initiatives for the City, as he now runs emergency management**

operations out of the Planning Department in addition to Planner I duties. Ongoing activities include Department of Health programming, various plans to maintain compliance with FEMA requirements, flood insurance and flood map coordinating, emergency exercises, and grant management. Ms. Boyle noted that this necessary work now takes up most of Mr. Barnes's time.

#### **4. East Bay Home Consortium**

Ms. Boyle explained the process. She noted that the neighboring cities are teaming together to apply for federal home funds which can be used for different housing initiatives. By David Bachrach's estimate based upon HUD regulations the City could be able to get close to \$900,000 a year in home funds. East Providence's share would be about \$240,000 and we would be considered an "entitlement" community which means that every year we would get that amount of money.

#### **6. COMMUNICATIONS**

**A. Certificate of Completeness dated 6/30/11, Applicant Thomas F. Fleming, Address: 49 White Avenue, File Number 2011-04 Administrative**

**Motion**

**On a motion by Mr. Batty, seconded by Ms. Moravec Communication A was unanimously approved by the Board.**

## **7. ANNOUNCEMENT**

**Next Meeting – Tuesday, August 9, 7:00 p.m., Room 306 because of the holiday.**

## **8. ADJOURNMENT**

**Respectfully submitted,**

**Michael Robinson**

**Chairman**

**MR/JMB/sac**