



City of Woonsocket, RI

River Corridor Review Commission Meeting Minutes

Date/Time: Tue, November 5, 2019 | 6 p.m.
Location: Harris Hall (3rd Floor of City Hall)
169 Main St, Woonsocket, RI 02895

I. Call to Order

Chairman Finlay called the meeting to order at 7:55 p.m.

II. Attendance Review

Members in Attendance:

1. Ken Finlay
2. Roji Eappen
3. Ron Miller
4. Wendall Gardner
5. Jon Pratt

Others in Attendance:

1. Kevin Proft, River Corridor Review Officer

III. Review & Approval of Minutes:

The minutes of the August 6, 2019 river corridor review commission meeting were APPROVED by a vote of 4-0-1 with Member Gardner abstaining. (Motion: Member Pratt, Second: Member Eappen)

IV. New Business

1. **River Corridor Review Application: Riverside Substation Security Fence Upgrade | Owner/Applicant: Narragansett Electric Company | Project Location: Riverside Substation No. 108 at the end of the service road that extends from the northern terminus of Florence Drive (Parcels 15-21, 27-159, 22,50, & 27-159) |** The applicant has proposed replacing an existing six-foot security fence with a nine-foot security fence with barbed wire. The new fence is the minimum allowed by regulation. The River Corridor Review Commission will review and vote on the application.

Mr. Proft stated that the proposed fence replacement would have little visual impact except for directly across the river on the Army Corps of Engineers berm where the Blackstone River Bikeway would travel in the future.

George Watson, representing the applicant, noted that the existing fence is already 8' tall, not 6' feet as described in the agenda and by Mr. Proft. Therefore, the increase in height is only 1', not 3'.

Bill Hallissey, also representing the applicant, noted that the fencing meets national grid standards, but that the standards are not necessarily regulatory in nature. Mr. Watson disagreed stating that he believed the 9' fence was a regulatory requirement.

Mr. Hallissey explained that the fences are designed to be difficult to climb, cut through, or dig under. In response to a board member, he noted that barbed wire is also required as a National Grid standard.

Mr. Proft noted that no river access was proposed. Access to the river is one of the review criteria the RCRC must address. Mr. Proft said that he did not think river access was appropriate in this situation because of the remote location of the site, the use of the site, and the fact that riverfront access could not be extended westward due to the presence of the railroad track.

Mr. Proft noted that the project would have negligible impact on the environment. The project complies with the City's soil erosion and sediment control ordinance and received approval from RIDEM. As the fence replacement is in kind, it will have little additional impact on habitat.

Motion to adopt the findings of the draft approval letter entitled "Narragansett Electric Company Riverside Substation Fence Replacement Project - River Corridor Review Commission Approval," dated November 5, 2019, and APPROVE the River Corridor Review application: Member Eappen
Second: Member Miller
Discussion: None
Vote: The motion PASSED - 5-0-0

- 2. River Corridor Review Application: Fairmount Solar | Owner/Applicant: Direct Energy Solar | Project Location: 85 Fairmont Street, Lot 8-24 |** The application has proposed a 999 KW ground mounted solar array in an I-2 (light industrial) district. The River Corridor Review Commission will review and vote on the application.

Jason Gold, the applicant's engineer, described the existing conditions on the site and the proposed solar development. Mr. Gold said that the towers at the northwest corner of the site would be removed and existing piles of rubble would be leveled. Mr. Gold noted that the rubble areas will be covered with 4" of stone dust (or crushed stone or gravel). Mr. Gold noted that a five-foot vegetated buffer would be planted on the west side of the array. The buffer would be outside the fence. Mr. Gold said that a buffer at least 20' would be planted on the east side of the array. The buffer would be located within the fence in order to avoid the collection of trash within the planted area. Mr. Gold noted that an existing buffer would be left to the north of the array. Mr. Gold noted that no buffer was proposed for the south of the array. He said it was not necessary as the fence line was against a

parking lot on an industrial site. Mr. Gold noted that the electric service and wiring within the system would be buried up to the customer owned utility pole. Mr. Gold stated that no lighting was proposed. Mr. Gold noted that the project had received approval from RIDEM to work within the previously disturbed 200' river buffer. Mr. Gold noted that the site would be surrounded by a chain link fence. Mr. Gold noted that the site would be accessed by a 24' gate with a Knox Lock. Mr. Gold noted that an existing building fronting Fairmount Street would be demolished.

Mr. Gold noted that the application required some zoning relief. The buffer at the north of the array is smaller than is required by the zoning ordinance. The lack of a buffer to the south of the array is not allowed by the zoning ordinance. Mr. Gold also stated that a waiver from the zoning ordinance's 9' fence requirement will be sought to reduce the fence height to 7'.

Member Pratt said that it was important that the sewer easement located directly to the south of the array remain accessible and clear of debris. He noted that it looked like some of the manholes were too close to the proposed fence. Mr. Gold said that the easement will remain accessible and that the manhole covers were not to scale in the site plan, so look closer to the fence than they are.

Member Pratt said that he had concerns about the stormwater on the site. He said that stormwater is probably not currently being controlled on the site, so while no new stormwater is being created by the project in question, there is still a stormwater management issue on the site. Mr. Gold said that stormwater currently drains toward the river on the site and no stormwater control is proposed.

Member Pratt asked if there would be weed whacking on the site. The applicant said that the site would be asphalt and stone dust so growth would be minimal, but some weed whacking would be required.

The Planning Board asked about the metal gate south of the structure to be demolished and whether it would be removed. The applicant said that the gate was outside of the project scope and would be discussed when the southern half of the property is developed in the future. Mr. Proft said that when applications are reviewed, the property is generally considered as a whole, not just the portion where a project is being built. He said the gate is directly to the south of the array so should be considered during this application. Additionally, he noted that the area is overrun with weeds which should also be managed. Charles Kovacic, representing the applicant, said he did not feel comfortable making a decision for the property owner about the gate since it was outside his scope of work.

Mr. Proft said the sidewalk along the frontage of the solar array is deteriorated and in need of replacement. He said the City's engineering department made this determination. He said the design guidelines state that sidewalks should be provided along public roads. He stated that while the Design Review Guidelines are not regulations, the "intent and spirit" of the regulations is supposed to be upheld. He noted that sidewalk maintenance is the

responsibility of the property owner. He said he suggested the sidewalks be replaced, but the applicant did not incorporate this suggestion into the plan.

The applicant said the sidewalk was not within scope of work. Mr. Proft stated that when an application is considered, the whole property is considered, not just the portion undergoing development. He said that if a Wal-Mart were being developed, the developer would not only be responsible for their building and parking lot, but also the sidewalk.

Marlene Marshall said that since the Design Guidelines are written with I-1, not I-2 properties in mind, the sidewalk guideline was not applicable. Mr. Proft agreed that the guidelines are written for I-1 districts, but as no guidelines have been developed for I-2 zones yet, the I-1 guidelines are the best thing the City has to go by. Mr. Proft noted that whether the site is I-1 or I-2, people traveling between the Fairmount neighborhood and River Street still need access to a sidewalk.

Mr. Kovacic said that people could still walk on the existing sidewalk. Member Gardner noted that while the sidewalk may be passable today, it would continue to deteriorate over the life of the solar array – about 20 years. Mr. Proft noted that the sidewalk, in its existing state, is considered deteriorated and in need of replacement by the Engineering Department. He noted that people could technically walk on a dirt path next to a road, but the City would not consider that an acceptable sidewalk.

Ms. Marshall asked how the sidewalk would be repaired if a project were not being developed on the site. Mr. Finlay stated that the property owner could be cited by the City. Ms. Marshall asked if the current application could be approved and the sidewalk concerns be addressed via that channel. Mr. Eappen noted that such a route would allow the land owner to accrue some of the profit from the array before having to pay for the cost of the sidewalk repair. Mr. Proft stated that development applications were a stronger leverage point for the City to request site improvements. The Planning Board agreed that citations are frequently ignored, so the future improvement of the sidewalk could not be guaranteed.

Mr. Kovacic and Ms. Marshall noted that other improvements were being made to the site, in some cases above and beyond what is required by the design guidelines. Mr. Kovacic noted that the towers at the northwest corner of the property would be removed. Ms. Marshall noted that, though not required, the western buffer was added and the eastern buffer was widened. Mr. Proft noted that the buffer improvements, while appreciated, were small-scale concessions, and that he understood those concessions to have been made to offset concern over the eastern buffer being located inside the fence line.

Mr. Finlay stated that the land owner had put the planning board in a challenging situation by asking it to review only a portion of the property and not being willing to make improvements to the site outside that portion.

Mr. Kovacic stated that he could commit to improving the sidewalk along the frontage of the solar array, but not the entire length of the property. He asked if the sidewalk could be

repaired or if it had to be replaced. Mr. Proft said that the stretch along the frontage of the array was all that was being asked and that the remainder would be addressed when the southern portion of the site is developed. He said that based on the engineering department's recommendation, the sidewalk should be replaced, not repaired.

Mr. Kovacic stated that he was concerned that the street could be damaged during the sidewalk reconstruction, and then he would be required to repave the street. The Planning Board determined that the curbing along the street is granite and could remain in place so that the street would remain in tact.

Mr. Gardner said that when a sidewalk is reconstructed, the curbing is usually removed and reset. He said that this process could result in the street being damaged, which would make the project significantly more costly. He said that while a sidewalk could be replaced without removing the curb it was not the best practice.

Mr. Proft said that it was challenging to make a decision because without knowing how much the sidewalk would cost to replace and without knowing what the profit associated with this project is, it is difficult to tell if this is really a make or break concession.

Mr. Finlay noted that the project already called for the creation of a new curb cut and partial reconstruction of the sidewalk, so the applicant should have an idea of the costs associated with the sidewalk reconstruction. He also noted that with a curb cut, the applicant would already be working in the street.

Mr. Pratt noted that the City has approved sidewalk replacements before where the curbing was not reset.

There was general agreement among the planning board that requiring the sidewalk reconstruction without requiring the curbs to be reset was a fair compromise between the City's desire to have an improved sidewalk along the array and the applicants concern that the project could spiral in cost if damage to the road occurred during sidewalk construction.

Ms. Marshall asked the Board to clarify its conditions of approval.

Mr. Finlay stated that (1) access to the sewer line be maintained and kept free of debris, and (2) the sidewalk along the frontage of the solar array be replaced with concrete, not resetting the curb.

Motion to approve the application with the stated conditions: Member ?

Second: Member ?

Discussion: None

Vote: The motion PASSED – 5-0-0

V. Adjournment: The meeting was adjourned at 9:15 p.m. by a unanimous vote of the Board.