

**MINUTES OF THE PLANNING BOARD MEETING OF JUNE 20, 2016
AT THE BURRILLVILLE HIGH SCHOOL AUDITORIUM
SUBJECT TO APPROVAL AT THE NEXT MEETING**

I. CALL TO ORDER:

Meeting was called to order at 6:05 p.m., Jeffrey Partington, Chairman, presiding.

Members Present: Jeffrey Partington, Robert Woods, Marc Tremblay, Leo Felice, Bruce Ferreira, Michael Lupis, Dov Pick, Christopher Desjardins and Jeffrey Presbrey.

Others Present: Ray Cloutier, Zoning Board Chairman, George Keeling, Zoning Board Member, Joseph Raymond, Building Official, Thomas Kravitz, Planning Director, and Christine Langlois, Deputy Planner.

Burrillville Representatives: Michael McElroy, Special Counsel, David Hessler, Hessler Associates, Tom Hevner, of Sovereign Consulting, Inc., James Jackson, of CDR Maguire, Eric Epner, of Fuss & O'Neill.

Invenergy (CREC): Elizabeth McDonough Noonan, of Adler, Pollock & Sheehan, John Niland, Director of Business Development, Michael Feinblatt, of ESS Group, Inc., Robert Smith, of McMahon & Associates, Maureen Chlebek, of McMahon & Associates, and Michael Hankard, of Hankard Environmental.

II. ATTENDANCE REVIEW: Mr. Partington acknowledged that all members were present.

III. ACCEPTANCE OF MINUTES: The minutes of the April 28, 2016 joint workshop and the May 2, 2016 meeting were read. *A motion to accept both sets of minutes as presented was made by Mr. Ferreira, seconded by Mr. Pick and carried unanimously by the Board.*

IV. CORRESPONDENCE: *June 14th email request from resident, Barry Craig.* Chairman Partington stated that the correspondence was a request for the Town Solicitor, Oleg Nikolyszyn, to recuse himself from providing legal counsel to the Planning Board due to the allegation that he may have been involved with an Open Meetings Law violation at one of the recent Town Council meetings. He noted that Attorney Nikolyszyn had recently recused himself from discussions dealing with the Invenergy proposal so the correspondence was received and filed.

V. NEW BUSINESS:

Major Subdivision/Land Development: Invenergy Thermal Development LLC's (Invenergy) Clear River Energy Center, Wallum Lake Road, Burrillville; *Map 120, Lot 7; Map 135, Lot 2, Map 137, Lots 1, 2, 3 & 21; Map 153, Lots 1 & 2: Master Plan Review/Informational Meeting:* The discussion began with Attorney McElroy explaining the process the Planning Board would follow to render an advisory opinion on the proposed Clear River Energy Center as to whether such a facility was in conformance with the Town of Burrillville's Comprehensive Plan and whether the facility would conform with the Town's Noise Ordinance. He then requested the Town experts provide their input on reviewing the materials provided by the Invenergy representatives.

David Hessler, of Hessler Associates, provided testimony as to the information provided by the Invenergy experts in regards to noise.

Eric Epner, of Fuss & O'Neill, provided testimony as to the information provided by the Invenergy experts in regards to air quality.

Tom Hevner, of Sovereign Consulting, Inc., provided testimony as to the information provided by the Invenergy experts in regards to the proposed ammonia storage as well as the proposed water use from Well 3A, of the Pascoag Utility District, in reference to the elimination of the MBTE contamination.

James Jackson, of CDR Maguire, provided testimony as to the information provided by the Invenergy experts in regards to traffic, drainage, the Master Plan submission, and the proposed connection to the Burrillville Wastewater Treatment Facility.

A motion to have a 10-minute recess was made by Mr. Ferreira at 8:43 p.m., seconded by Mr. Desjardins and carried unanimously by the Board.

The meeting resumed at 8:53 p.m.

At this point, Attorney Noonan began calling the Invenergy experts to offer their testimony.

Michael Hankard, of Hankard Environmental, provided testimony in regards to noise from the proposed facility.

Maureen Chlebek, of McMahon Associates, provided testimony in regards to proposed traffic from the proposed facility.

Robert Smith, of McMahon & Associates, provided testimony in regards to the pavement conditions (current and proposed) for the roadways involved in the route to the proposed facility.

Michael Feinblatt, of ESS Group, provided testimony, in regards to air quality from the proposed facility.

At this point, noting that the applicant still had more experts to offer testimony, and noting the time (10 p.m.) *a motion to continue the Master Plan Review/Informational Meeting for the Invenergy Thermal Development, LLC's (Invenergy) Clear River Energy Center to the date of July 11, 2016 at 6:00 p.m. was made by Mr. Ferreira, seconded by Mr. Pick and carried unanimously by the Board.*

(The hearing on July 11th will include the continued expert testimony from the Invenergy representatives, as well as written and oral input from the public.)

- VI. MOTION TO ADJOURN:** *A motion to adjourn was made at 10:12 p.m. by Mr. Ferreira, seconded by Mr. Tremblay and carried unanimously by the Board.*

Recorded by: M. Christine Langlois
M. Christine Langlois, Deputy Planner