

**MINUTES OF THE PLANNING BOARD MEETING OF JULY 11, 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, and Jeffrey Presbrey.

**Members Absent:** Christopher Desjardins.

**Others Present:** Ray Cloutier, Zoning Board Chairman, Jeremy Page, Zoning Board Member, Oleg Nikolyszyn, Town Solicitor, 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 except for Mr. Desjardins, who was excused.

**III. ACCEPTANCE OF MINUTES:** *A motion to table approval of the June 20, 2016 minutes was made by Mr. Ferreira, seconded by Mr. Pick and carried unanimously by the Board.*

**IV. CORRESPONDENCE:**

- Notice from F.E.R.C. of the Intent to File an Environmental Impact Statement for the Planned Access Northeast Project (Spectra);
- Letter from Town Planner to F.E.R.C. regarding the noise pollution from the Spectra Energy's recent compression station upgrade;

**V. OLD 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 with Written/Verbal Testimony from the Public (cont'd from June 20, 2016):*

At this point, Mr. Woods read into the record a letter of recusal from discussions involving the Invenergy Thermal Development LLC's (Invenergy) Clear River Energy Center due to the fact that he had previously testified in opposition to the proposal before the Energy Facility Siting Board in May.

Attorney Noonan then began the discussion by first addressing a question presented by Mr. Presbrey from the last meeting in regards to the submitted survey not being in conformance with the new survey standards in effect as of January 1, 2016. She stated that she had spoken with Richard Lipsitz, a registered land surveyor, who indicated that under those regulations any survey commenced prior to January 1, 2016 are subject to the 1994 regulations and that this survey is in full compliance with those regulations. Mr. Presbrey stated that the survey

was still not in conformance with the 1994 regulations as it is unreadable, noting that the dimensions and bearings cannot be read and no calculations can be done because it is unreadable. Attorney Noonan said that she could provide full size copies of the survey.

She then called Edward Pimentel, Professional Planning Consultant, to offer his testimony.

Edward Pimentel provided testimony regarding the project and how, in his opinion, it complies with the Town's Comprehensive Plan.

For the record, Mr. Kravitz told the Board that his memo dated June 18, 2016 regarding his review of the Comprehensive Plan Analysis by Invenergy conducted by Pimentel Consulting still stands on its own, as to the reasons why the proposal may not conform to the Town's Comprehensive Plan. He stated that Mr. Pimentel looks at the Comprehensive Plan from a different perspective where he should recognize that there are goals and objectives that relate to other types of planning in Town, that the Town is trying to effectuate as well.

*At this time, a motion to open the public comment period at 6:49 p.m. was made by Mr. Ferreira, seconded by Mr. Pick and carried unanimously by the Board.*

Chairman Partington informed the public that he would be calling each person by name who had signed up at the last meeting (June 20<sup>th</sup>) to provide questions or comments and that each person would be allowed 5-minutes to speak.

Approximately 35 individuals spoke, either offering comments or questions and some provided documentation in support of their requests.

Attorney McElroy requested two items from the Invenergy representatives: written confirmation as to whether the proposed power plant can comply with the recommendations from the Town's hired experts, and if not, the reasons why; and written confirmation as to whether the proposed power plant can comply with the recommendations offered by the RI Department of Health report.

*A motion to close the public comment period at 10:19 p.m. was made by Mr. Ferreira, seconded by Mr. Pick and carried unanimously by the Board.*

In light of the URI MTBE Study, Mr. Kravitz asked Mr. Hevner how much and over what duration would one have to pump the wells in Pascoag to confirm in reality what the modeling will predict, and what would we have to do to confirm the model. (Do we pump the wells assuming the maximum of 925,000 gallons per days over a 60-day period during dry summertime conditions?)

*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 August 15, 2016 at 6:00 p.m. was made from the Chair, seconded by Mr. Ferreira and carried unanimously by the Board.*

**VI. MOTION TO ADJOURN:** *A motion to adjourn was made at 10:24 p.m. by Mr. Ferreira, seconded by Mr. Pick and carried unanimously by the Board.*

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