

**CITY OF EAST PROVIDENCE
PLANNING BOARD
MINUTES**

Date: June 8th, 2020

Time: 7:00 PM

Place: City Hall, Room 306

As a result of Covid-19 and the closure of City Hall, this meeting was conducted virtually through an application called “Zoom”.

Present: Eric Crook, Alan D’Aiello, Christopher Grant, Burton Batty (Vice-Chair), Octavio Cunha, Michael Robinson (Chair), Travis DeCosta (Assistant Solicitor), William Fazioli (Planning Director), Pamela Sherrill (Waterfront Commission Executive Director) and Patrick Hanner (Staff).

This is an open meeting of the East Providence Planning Board and is being conducted remotely consistent with Governor Raimondo’s executive order 20-25 issued on April 15, 2020 and extended by executive order 20-46 on June 12, 2020 due to the current state of emergency in R.I. due to the outbreak of the Covid-19 virus. In order to mitigate the transmission of the Covid-19 virus, we have been advised and directed by the state to suspend public gatherings and as such the Governor’s order suspends the requirements of the open meeting law to have all meetings in a publicly physical location. Further all members of public bodies are allowed and encouraged to participate remotely. The order allows public bodies to meet entirely remotely so long as adequate means of public access are afforded so the public can follow along.

1. CALL TO ORDER

This Meeting was called to order at 7:04 PM

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was cited.

3. APPROVAL OF PLANING BOARD MINUTES

The minutes of the May11, 2020 to be submitted.

4. APPROVAL OF PLANNING BOARD CORRESPONDENCE

None

5. NEW BUSINESS

A. Request for master plan extension- Narragansett Park Plaza, Applicant/owner: Amalgamated Financial Group IV, Street address: 0 and 52 Narragansett Park Drive, Location: map 501, block 3, parcels 1 & 2.

Mr. Robinson recused himself. Mr. Burton Batty assumed responsibility of the chair.

On a motion by Mr. Grant, seconded by Mr. D'Aiello to move onto item B on the agenda to the first item to be heard.

B. Recommendation to the City Council for the land transfer of a 2.9 acre parcel being map 109, block 1, parcel 1, and 600 foot fishing pier. Owner: Kettle Point LLC.

Mr. Fazioli spoke on the Kettle Point development. A public pier had been rehabilitated by the developer Churchill and Banks. Certain improvements had to be made before the pier could be turned over to the city to be used as a city park.

Mr. Hanner gave a brief summary of the staff memorandum and stated that the Planning Department is recommending to the Planning Board to provide a positive recommendation to the City Council to accept the land transfer subject to the 8 conditions in the staff memorandum.

Ms. Sherrill described in detail the following 8 conditions:

1. Required Coastal Resources Management Council (CRMC) Assent Modification shall be obtained by Kettle Point LLC.
2. Kettle Point LLC shall transfer the \$15,000 reserve fund referenced in the 2016 CRMC Assent Modification to the City of East Providence upon transfer of the property.
3. Kettle Point LLC shall provide the latest pier inspection report.
4. Sage Environmental LLC shall continue to conduct groundwater monitoring and the City of East Providence will be billed for said services at a cost not to exceed \$2,500 per year.
5. Sage Environmental, Inc. shall properly close monitoring wells per RIDEM remedial action work plan.
6. Kettle Point LLC shall complete the following site improvements within 30 days of transfer of the subject parcel to the City of East Providence:
 - a. Sign to be installed at the park entrance: City of East Providence ~ Kettle Point Park ~ donated by Churchill Banks.
 - b. Bike racks and benches to be installed at the park entrance.
 - c. Fence and gate to be retained at the pier entrance so that the city will have the potential to limit access as needed (say for icing/hazardous weather).
7. Receipt of a letter from GZA Environmental indicating that the remedial actions in response to the oil seep adequately protect the City of East Providence's interests.
8. The annual maintenance inspection of the pier that was scheduled for 2020 must take place prior to the City accepting ownership.

Mr. Robinson asked how long Sage Environmental is expected to do the monitoring. Ms. Sherrill stated it's her understanding Sage Environmental will continue the monitoring until the remedial action work plan is complete. Mr. Robinson is concerned that the city will be locked into a single

vendor without the opportunity of seeking bids from similar firms. Ms. Sherrill stated it's in the best interest of the city to retain Sage Environmental since they are aware of the history of the site. Mr. Robinson asked if the City Solicitor has any concerns of retaining Sage Environmental. Mr. DeCosta responded that he has no concerns at this moment but will look into the matter.

Mr. Fazioli stated a peer review has been performed by GZA Environmental. Mr. Lavey representing Churchill and Banks was sworn in by Mr. DeCosta and stated that a detail memorandum was submitted to the City Engineer Erik Skadberg.

Mr. Grant asked if the city takes ownership, will the Parks Department or Highway Department be responsible for the routine maintenance of the pier. Mr. Fazioli stated the City will assume all responsibility for maintenance.

Mr. Batty asked to clarify the acres since one of the documents references the size of the parcel as 2.9 acres. Mr. Hanner stated he is confident that the subject parcel is 2.9 acres.

Mr. Crook asked where on the map the oil seep is located. Ms. Sherrill directed Mr. Crook to the location on the map of the oil seep. Mr. Crook asked if the public could have access to the area of the oil seep. Ms. Sherrill stated that the area has been cleaned and covered with clean fill and seeded. Mr. Crook asked if there had been prior oil seeps identified.

Mr. Mandile was sworn in by Mr. DeCosta. Mr. Mandile stated the original assessment revealed the majority of the petroleum impacts were closer to the bike path. The seeps observed were at the very top of area 1. This seemed to be the result of former overhead pipe that was formerly on the site. The site has been cleaned to the best of their knowledge. Mr. Crook asked the cost involved to which Mr. Mandile stated about \$50,000. Mr. Crook asked who would pay if this incident occurred in the future.

Mr. Lavey was sworn in. He stated it's our intent to transfer the site today, as is, not extending liability as they believe the land is cleaned. GZA also stated the land is clean. Mr. Crook is concerned with any environmental impacts in the future.

On a motion by Mr. Crook, seconded by Mr. Grant, the board voted 6-0 on a roll call vote to enter the following items into the record:

1. Waterfront Planner's Report, dated June 2, 2020.
2. Kettle Point Public Access Improvement Plan, DiPrete Engineers, August 2, 2019
3. RIDEM Interim Letter of Compliance, June 1, 2020
4. Environmental Land Use Restriction, recorded in the City of East Providence Land Evidence Records on June 1, 2020 (Book 4267, Pages 269-282)

On a motion by Mr. D'Aiello, seconded by Mr. Grant, the board voted 6-0 on a roll call vote to provide a positive recommendation to the City Council to accept the land transfer subject to the following conditions:

1. Required Coastal Resources Management Council (CRMC) Assent Modification shall be obtained by Kettle Point LLC.
2. Kettle Point LLC shall transfer the \$15,000 reserve fund referenced in the 2016 CRMC Assent Modification to the City of East Providence upon transfer of the property.
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Request for master plan extension- Narragansett Park Plaza, Applicant/owner: Amalgamated Financial Group IV, Street address: 0 and 52 Narragansett Park Drive, Location: map 501, block 3, parcels 1 & 2.

Mr. Robinson recused himself as Chair. Mr. Batty assumed the responsibility of Chair. Kerin Browning, the attorney representing the applicant stated the request is for a 1-year extension of the master plan approval for this project. The planning board previously approved on July 16, 2018.

Mr. Hanner gave a brief description of the history and status of the project, and stated that the Planning Department is recommending that the Planning Board grant the extension request for a period of one year that will extend the vesting to July 16, 2021.

On a motion by Mr. Grant, and seconded by Mr. Cunha, on a roll call vote the board voted 5-0 to grant the extension request for a period of one year to July 16, 2021.

6. OTHER BUSINESS

None

7. STAFF REPORT

Mr. Fazioli gave an update on several projects and the RFQ process of hiring a firm to complete a Comprehensive Plan.

8. COMMUNICATION

None

9. ANNOUNCEMENTS

The next planning board meeting is scheduled for Tuesday June 23rd, 2020

The Mayor spoke briefly thanking everyone for their hard work.

10. ADJOURNMENT

The meeting was adjourned at 8:01 PM.

CC: Mayor Roberto DaSilva
City Council
Director of Public Works
City Engineer
City Solicitor
Fire Chief
Zoning Officer