

*(The following is not a verbatim transcript of comments or discussion that occurred during the meeting, but rather a summarization intended for general informational purposes. All motions and votes are the official records).*

## **PUBLIC WORKS COMMITTEE**

Regular meeting of the Public Works Committee was held on Thursday, May 20, 2021 via Zoom webinar.

### **CALL MEETING TO ORDER:**

The meeting was called to order at 6:07 P.M. by the Chair.

Present: Councilwoman Jessica M. Marino  
Councilwoman Nicole Renzulli  
Councilwoman Lammis J. Vargas  
Councilman Matthew R. Reilly  
Council Vice-President Edward J. Brady, Vice-Chair  
Councilman Robert J. Ferri, Chair

Also Present: Councilwoman Aniece Germain  
Councilman John P. Donegan  
Kenneth Mason, Director of Public Works  
John Verdecchia, Assistant City Solicitor  
Stephen Angell, City Council Legal Counsel  
Rosalba Zanni, Assistant City Clerk/Clerk of Committees  
Heather Finger, Stenographer

### **PUBLIC HEARINGS/NEW MATTERS BEFORE THE COMMITTEE**

- ***Presentation from National Grid on the Natick Ave Interconnect***

**Chair** stated that he has a recusal form from Councilwoman Marino and asked her to elaborate. Councilwoman Marino stated that she will be recusing from any discussion on the presentation of National Grid with respect to the Natick Ave. interconnect and she submitted that recusal to the State Ethics Commission and the Clerk. The reason being is that she is a litigant with respect to the Natick Ave. solar project.

**Chair** stated that before starting the meeting, he would like to make some comments. The purpose of this meeting this evening is to address concerns from the Natick Ave. neighborhood group about the Natick Ave. interconnect in conjunction with the Natick Ave. solar project. This meeting is not to address or discuss the solar farm itself. There will be a representative present to answer questions

from National Grid after public comment. There will be no votes taken at this meeting in reference to the interconnect. His research shows that there is ample reason to be concerned about the interconnect based on the fact that there was a certain amount of unfinished business in reference to the telephone poles on Laten Knight Rd. and Lippitt Ave. on a previous solar farm. Because of the intensity of this issue by everyone involved, including the citizens, the Administration and the representation from Natick Solar, he felt it was necessary to dive deeper into this issue. It did not take him long to figure out that we were talking about more than just telephone poles. We are talking about people's lives in their homes, but most of all we are talking about accountability. He acknowledged Attorney Murray on the call and he asked if it is true that he submitted written testimony to this Committee. Robert Murray, Esq., appeared to speak and stated, yes, he did. He forwarded a letter on Monday to the Chair through the City Clerk requesting that it be made part of the record and he attempted to try and provide as much information as possible.

**Councilwoman Renzulli** indicated that Councilwoman Marino is still on the call. Chair stated that she can sit and listen, but she can't make any comments. Councilwoman Marino stated that the Ethics recusal just requires that she does not participate in the presentation, but there is no requirement whatsoever that she refrain from listening to the presentation. That is the requirement so if there is any implication by fellow Council Member Renzulli that she is doing something improper, she takes issue with that and she stands by her position, which is proper. Councilwoman Renzulli stated that she was not accusing Councilwoman Marino of anything. She was just saying she was still here and in the past she remembers her asking the host to let her in and out of the room so that is all.

**Chair** asked for motion to allow Attorney Murray's written testimony to become public record.

On motion by Councilman Reilly, seconded by Councilwoman Renzulli, it was voted to allow Attorney Murray's written testimony to become public record. Motion passed unanimously.

**Chair** asked Attorney Murray to speak and reminded everyone that he does not represent National Grid.

**Robert Murray, Esq.**, appeared to speak and noted that the interconnection does not fall within the jurisdiction of this Committee. They are here to provide information and try and educate and to provide as much information as possible. He also noted that the Committee has a very limited role in this process and the actual solar farm does not fall within the jurisdiction of this Committee. He has his client and a number of consultants available to supplement any additional information to the Committee they may need and they are happy to do so.

**Chair** opened the meeting to the public to speak and indicated that it is just to address concerns and not ask questions.

### **Public Speakers:**

**Vincent Moses**, 826 Natick Ave., appeared to speak and stated that he sent an email regarding the pole and showing a picture of a pole that is in front of his house at 201 Lippitt Ave. This will have an impact on the value of that property if that owner wants to try to sell it. His concern is if this is the kind of pole that is required for the type of voltage that goes through the power lines, then he is very much opposed to that kind of piece of equipment to be on a road like Natick Ave. and that would be a disgrace.

**Daniel Zevon**, 591 Natick Ave., appeared to speak and stated that his concern is he has been stating from the beginning the scope of this project. At a meeting almost three years ago, Attorney Murray had the residents in a church in West Warwick where they laid out plans to the community and it got very hot and testy when he raised his hand and asked a question of whether there would be any new telephone poles on Natick Ave. as a result of this project and Mr. Murray said there would be no new poles on Natick Ave. He then said to him, so there will be no new poles on Natick Ave. and he then came back and said 'well there may be a few poles changed on Natick Ave.' and then the developer stood up and said all the poles on Natick Ave. are going to be changed. So, that initial meeting where Council Vice-President Brady was present and a few other Council Members were in the room, it started out pretty dicey with the truck coming out about what's happening to not only the fact that now he abuts ten acres to the solar farm project, but also on Natick Ave. It was story after story and here we are three years later and we have all seen the devastation that it can do to a neighborhood and these poles and how big they are going to be and people on Natick Ave. that do not even know this development is going on, but now they have takes in their front yard and in their driveways and stakes all up and down the street with these new telephone poles that are going up. He just does not trust what the developer and Mr. Murray are saying.

**Jessica Salter**, 6 Vaughn Lane, appeared to speak and stated that she is not an abutter to this project, but she lives in Western Cranston and within a two-mile radius to her house, there are currently seven solar projects of all different sizes, so even those people that do not directly abut a project are inundated by all of the collateral damage that these projects cause. Many of the people who do not abut these properties still drive these roads and are directly affected by the massive changes that happen with these poles being removed, replaced, added, trees being cut, trees being removed. It changes the environment in which we live.

**Rachel Clark**, 41 Woodcrest Court, appeared to speak and stated that we already know that this facility does not belong here because the City reversed its decision to allow solar in A-80. We all know that it has been said before. The City realizes what a huge mistake it had made. How is it fair that Mr. Rossi gets to keep his land and gets paid for the project and he does not have to suffer any of the consequences or inconveniences, but the residents do. He does not have to look at the destruction or devastation or any of the massive telephone pole. We all know that these solar facilities do not belong here.

**Cindy Capezza**, 745 Laten Knight Rd., appeared to speak and stated that she shares the same sentiments of all the previous speakers. She has the following requests: 1) The timing when these poles will be replaced as promised last year? 2) The date of cleanup from the mess that was left behind from the installation of the poles, such as old mounds of boulder and dirt, the silt protection tubes are on the street? These are on Laten Knight Rd.

**Chair** stated that he will address those questions to Director Mason after public testimony.

**Drake Patten**, 684 Natick Ave., appeared to speak and stated that she is speaking as a resident and also as one of the representatives that has been working with the community as we have gone through the process of the solar installation and now the related project of the poles. She stated that as a neighborhood representative, she feels compelled to state that there are concerns by others beyond Natick. The commercial nature of this interconnect on a rural road creates for those who drive it, who are not from here, who perhaps do not know it as well, there is tremendous speeding problems and accidents on this road.

**Douglas Doe**, 178 Lippitt Ave., appeared to speak and thanked the Chair for this meeting this evening. He stated to the Committee that as you listen to the developer, his attorney, National Grid, you have to just consider their creditability and he hopes the City Council does what is best for the residents of Natick Ave.

**Heather Thibodeau**, 137 Blackamore Ave., appeared to speak and addressed the environmental impact because of the tree roots absorb especially oak. When you cut down trees, you have more flooding and when you have flooding, it is going to impact the quality of water in the reservoir and potentially impact our drinking water all over the City and beyond.

Public hearings were closed.

**Chair** opened the floor to any members of the Committee who would like to speak on this matter. No one from the Committee spoke.

**Chair** acknowledged Marissa Albanese and Thomas Capobianco from National Grid and indicated that he will ask some questions that the neighborhood group submitted to Councilman Donegan and himself and he asked if Ms. Albanese would like to speak on the matter first. Ms. Albanese stated, yes, and she also stated that she sent a copy of the presentation to the Council prior to the meeting regarding the interconnection process that they follow per State Law, so they have an obligation to connect solar farms, wind farms and any type of distributed generation that comes before them. She asked to be allowed to go through her presentation, which she thinks will answer a lot of questions about the poles and the type of poles that they were installing and other matters that will be before the Committee. She stated that, basically, they are installing ten new poles and those are jointly owned poles between Verizon and National Grid. Nine of them will be stub poles and they are located in the public right of way across the road or a street from a pole that needs support. The replacement poles that we are talking about are 40 foot as opposed to the 25 foot pole and they are requiring 62 replacements. Replacements do not require a petition because they are placed in the same location as the existing pole. The other part they need to do is tree trimming and some tree removal to facilitate the installation of the new poles. National Grid trims all its circuits once every four years, but we are holding off on the trimming on Natick Ave. until they start the pole replacement so it does not have to be done twice.

**Chair** read the following questions that were presented by the neighborhood group:

- 1) Was consideration given to an alternate route to the sub-station on Laten Knight Rd.? Ms. Albanese stated that this was discussed with Director Mason. More than one route is always looked at for any project they do. Alternate routes were considered, but this was not just a financial decision, but also this was the closest sub-station and the most reliable.
- 2) Can graphics be supplied to illustrate the entire pole project for the Natick Ave. project? Ms. Albanese stated, yes, and Director Mason has the full set of plans and the plans indicate where the new pole are going.
- 3) Has the regular right of way on Natick Ave. been surveyed to avoid placing poles outside of the right of way? Ms. Albanese stated that she believes the developer has surveyed it, from National Grid's standpoint, they are putting the poles back in exactly the same location or a little bit further back, but they would check it against the survey that has been completed.
- 4) What are the specifications of the poles that will be used as to the material, height, anchor placement and stub poles and can photos of these poles be provided in color at some point, if not tonight? Ms. Albanese stated that their intent is to install 40 foot wood poles as replacement poles on Natick Ave. and 2, she believes 25 foot wood stub poles.

- 5) Is it possible not to have stub poles because on a narrow road there is going to be telephone poles on both sides of the road? This looks like it is going to be an incredible obstruction and a danger. Ms. Albanese stated that she would have to ask that question of the developer. Mr. Capobianco stated that the reason for the stub poles is if there were a straight road, you would not need any guide or anchors.
- 6) Why were fiberglass poles used on Laten Knight Rd. and also Lippitt Ave.: Ms. Albanese stated that her understanding is that the developer of that project could not obtain easements from customers to put push brace poles or anchors on their property and the only way that we could install infrastructure that would be safe within the anchors was to install the fiberglass poles. There was a meeting with former Mayor Fung in his Office with the developer and the developer agreed he would go back to those customers and those property owners and if he could obtain the easements with the anchors, then he would pay for the replacement of those fiberglass poles with wooden poles. Chair stated that he was under the impression and has been told by some of the neighbors that that is not entirely true and that there was never an opportunity to replace the fiberglass poles in situations where they could have been replaced. He asked Director Mason if there was ample effort made to replace the fiberglass poles on Natick Ave. and Lippitt Ave.? Director Mason stated that he has not been involved in that section at all. That was the previous Administration and, to his knowledge, he is not aware of anything happening.
- 7) If an easement is required, when would the property owner be notified and if a property owner declines, what is the alternate plan? Ms. Albanese stated that they address that on a case by case basis, so if an easement is needed for an anchor, her understanding is that the developer is going to request those of the property owners and she does not know if they started that process yet. If the easements are declined, then they would have to go back and review the design and determine a different way to support the pole without an anchor, which is what happened on Laten Knight, then they would have to request from the City permission to install a fiberglass pole, which would be they only other option, but they would not install those without coming before this Committee with a pole petition request. Mr. Capobianco stated that the other option is to go back to design, either moving the power line to the other side of the road.
- 8) Will all the poles require new wire handers and wires, if not, are you identifying the poles that will? Ms. Albanese stated, yes.
- 9) What is projected length of time for the project? Ms. Albanese stated she does not know how to really answer that question because she does not know if their internal crews are doing the work or if a contractor crew will be doing that and it really depends on the time of the year when the project is started. Her assumption is it will take several months to install that many poles, but it could take less.
- 10) What will be the hours of construction and will there be any attempt made to avoid commuting hours? Ms. Albanese stated that their normal construction hours are 7-5, but also working with Director Mason, they can delay that if it makes sense.
- 11) Will detours be needed and how will the neighbors be notified, if so? Ms. Albanese stated that the contractor will have a full traffic plan with detours and neighbors will be notified.
- 12) Will trees be removed along the route and, if so, how many? Ms. Albanese stated, yes. As to the amount, she does not know offhand, but the arborist has submitted some information to Director Mason.

**Chair** opened the meeting to the Committee Members for any questions from National Grid.

**Councilman Reilly** asked Solicitor what authority this City Council has in terms of questioning the plans of National Grid, making requests of time and things of that nature. Solicitor stated that the Council does have some authority, but the only question he would have it is not something he would be willing to answer this evening. He would need to research the applicable State Law because this is another area where State preemption may apply. The City Council, by Charter, has the say as to approval of pole locations, so he is not even sure what an interconnect is, but it seems to be something that is controlled by the State, so he would need to look into this more before he can really give a good comprehensive answer. Councilman Reilly stated that given that the zoning for the solar farm passed previously, he asked if the council is required to approve some plan. Solicitor stated that if there were a reasonable basis to challenge or deny something that National Grid wanted to do, it would be probably upheld, but if this goes through the Court system and it turns out that the Council's approval was appropriately given, certainly any City or municipality can't be obstructionist and basically deny the means to accomplish the goal, which is the solar farm so that would really be factual on the situation. If you just blank denied everything they wanted to do, he thinks we would run into a legal problem.

**Council Vice-President Brady** stated that he has the following questions from a resident:

- 1) When were the pole standards last update? Ms. Albanese stated that she does not know that at this time. Their standards are updated all the time.
- 2) Exactly where is the interconnect? Ms. Albanese stated that the interconnect is solely on the solar access road not on a public right of way.

**Attorney Murray** addressed the issue the Chair mentioned about the discussion of the laminate poles on Laten Knight Rd. and Lipping Ave. section. He stated that there was discussion with previous Mayor Fung. His client did offer to replace those laminate poles at the time, but with the wooden pole that was originally proposed, those were only installed because residents chose, as that is their right, not to grant National Grid the necessary easement so the laminate poles had to be used as an alternative. At the time, they did reach out to Mayor Fung and did not get a positive response back from anybody as to being willing to grant either a push brace pull easement or the necessary anchors and wire guy wires that would be necessary to actually put a wooden pole in.

**Chair** thanked Ms. Albanese and Mr. Capobianco for their attendance and Attorney Murray for testifying and all the pole that did testify.

- **ADJOURNMENT**

The meeting adjourned at 8:00 P.M.

Respectfully submitted,

/s/ Rosalba Zanni

Assistant City Clerk/Clerk of Committees