

Natick Avenue Solar Advisory Committee

August 25 Meeting Minutes 9/4/20

A meeting of the *Natick Avenue Solar Advisory Committee* was called to order via Zoom voice and video conference by Planning Director Jason Pezzullo on **Tuesday August 25, 2020 at 6:34 pm**. All of the Advisory Committee members were present: the applicant's representative Lindsay McGovern, the Planning Department's representative Joshua Berry, AICP, the City Plan Commission's representative Fred Vincent, and two representatives elected by the abutters, Drake Patten and Daniel Zevon. Also present was the professional landscape architect hired by the City Plan Commission to peer review the buffer plans, Sara Bradford, RLA, of Bradford & Associates, as well as the following individuals representing the applicant: Ralph Palumbo (applicant/Reivity Energy, LLC), Robert D. Murray, Esq. (attorney), John Carter, RLA, (landscape architect), and David Russo, P.E. (civil engineer). Several members of the public were in attendance.

Jason Pezzullo started the meeting by giving a brief explanation of the Advisory Committee's main purpose which is to work with the City's selected landscape architect, Sara Bradford of Bradford & Associates, to review the landscape buffer plan prior to the Development Plan Review and Preliminary Plan application review processes. Mr. Pezzullo also made note that there would be no public comment at this evening's meeting, but that there would be at Development Plan Review (DPR) and Plan Commission meetings.

Robert D. Murray, Esq., attorney for the applicant, stated that Ralph Palumbo, Ronald Rossi, David Russo, Jon Carter and Lindsay McGovern were present in his office for any questions during the video conference and asked Mr. Russo to introduce the current buffer plan.

Mr. Russo stated that the preliminary plan has been reviewed and approved by RI Department of Environmental Management and that from his research the closest abutting property to any one panel was approximately 220'. The system would be fenced in its entirety with a gate along the access road from Natick Avenue, a 50' vegetative buffer to the North and wetlands to the Southeast.

Sara Bradford voiced some concerns about the buffer zone to the North, the existing trees to the east and wanted to confirm that the wetlands and wetland buffer to the Southeast would not be compromised.

John Carter explained that their focus was the visual impact of the adjacent properties and attempted to estimate the abutting views of the site. He proposed infill planting, which would take time to mature, and also offered the idea of an immediate remedy in the form of a 10' solid fence.

Sara Bradford expressed that any mitigation in the form of infill planting should be done on the applicants' property and not on any abutting private property.

Ralph Palumbo clarified that the infill plantings were requested by certain abutting property owners and would not be done so without permission.

Ms. Bradford also asked about the limits of clearing near the gas easement to the south. Mr. Russo stated that some selective clearing had been done inside the property line along the gas easement but that in-fill or pocket planting was proposed to grow into a more natural buffer.

Ms. Bradford asked what material the applicant had in mind for the proposed 10' fence. To which Mr. Russo stated solid wood board fencing material. Ms. Bradford explained that over time that type of fencing would require maintenance and instead suggested planting in front of the clearing line for a more natural look. She asked if there was a specific goal for what is to be planted and expressed her concern that the houses higher on Ridgewood, as well as the Eastern boundary, would require additional screening. She stated that the buffer needs to be on the subject property, and that existing vegetation on abutting properties does not suffice.

Drake Patten proposed that the Advisory Committee have a chance to meet as a group without the presence of the applicant to discuss the issue. She stated that there are too many voices that are not part of the Advisory Committee that are talking.

Fred Vincent seconded Ms. Patten's comments and stated that he believed this meeting to be one of many with the goal of developing a feasible buffer plan that looks natural and maintains screening, expressing that just a fence is not adequate.

Mr. Berry, to clarify Ms. Patten's proposal, asked if the Ms. Patten was asking the Committee to meet without the applicant team present. She stated that the Lindsay McGovern was the applicant's representative and should speak for the applicant.

Mr. Murray stated that they are not trying to work across purposes, that they are trying to present and facilitate discussion and are here to answer questions.

Ms. Patten stated that she was shocked that there are no proposed plantings and only a privacy fence. She suggested that an inventory of tree and shrub species indigenous to the area be taken, keeping in consideration that pine and large stands of trees are not consistent with the local vegetation.

Daniel Zevon stated that Ron Rossi had told him prior to the first community meeting to make sure to get an adequate buffer. He said that Mr. Rossi had the done much clearing over the course of a 10-15-year period and he believed that the proposed natural 50' buffer no longer existed. He disputed the property boundary as shown on the plans. He stated that the elevation goes uphill on his 11-acre property and that the transects should not be taken only from 1 vantage point on each property.

Ms. Patten expressed her concerns for the 10' fence and stated that she would like to further discuss a complex visual buffer for all seasons and also the abutting property owners should not be responsible for the required maintenance of any buffer. She questioned Mr. Carter's statement that people were not invested in a long term commitment. Mr. Berry clarified that a 10' fence would be a backstop and provide as an immediate buffer solution while a natural buffer could take time to mature.

John Carter stated that a natural buffer would be a time investment and that it was not possible to install an effective immediate vegetative buffer.

Mr. Berry drew the Committee's attention to the "Process" note on the buffer plan for discussion. He stated that a fence should be in addition to and not instead of a natural buffer.

Mr. Zevon stated that the Rossi property is a tree farm and that the plan is inflammatory because it is a buffering plan without plantings.

Ms. Patten expressed her concern for the "Process" note as well and stated that it although one cannot plant everywhere, that it was possible to plant and establish wooded areas around ledge. She referenced Ms. Bradford's Highland Woods project. Ms. Bradford stated that in a forest there are areas that are going to get more light and liked the idea of layering native plants.

Mr. Vincent stated that we do not have enough information. He would like more details on existing conditions and plant materials, stated that the applicant could tag trees for selective clearing and that he does not see a variety of plantings in the proposed buffer plan. He wants a good plan, not just a series of transect lines.

Mr. Zevon questioned the origin of the transect lines and thought they should be drawn from the property lines.

Mr. Carter explained that this property was a working farm with primarily deciduous Oak. He stated that diversity and interspersed plantings were suggested during the master plan but he did not believe that a native overstory/understory would provide sufficient buffer for abutting properties. Mr. Carter suggested that planning in the 50' buffer is not practical because plantings may not survive. He also suggested planting evergreens along the limit of clearing but he didn't think it was practical to plant within an established forest.

Ms. Patten stated that she'd like to see more language about what CAN be done, not what can't. She suggested mapping assets and constraints as we need a precise and curated approach. She stated that we should take a step back and take the necessary time, proposing that the next step for the Advisory Committee should be a site visit.

Mr. Zevon brought up the noise of the generators on site and would a sound buffer be included in the proposed buffer plan. Mr. Berry informed Mr. Zevon that sound mitigation would specifically be part of the preliminary plan which is a later step in this process, although the fence and plantings would help reduce noise.

Mr. Pezzullo asked for clarification on the effects of new plantings within an established forest. Mr. Carter stated that plantings in an established forest would have to compete with mature plants creating low success rate for new growth.

Ms. Bradford stated that to establish an understory, manual plantings were necessary which would require access from the service road and that most of those trees would only be able to be about 5' in height.

Ms. Patten stated that the screening plan should be complex. She asserted that there were numerous species that would work as understory that can grow in shaded areas and wouldn't take years to mature. Some examples she gave were Witch Hazel, Cohosh, Fern, Dogwood, American Hazelnut, Elderberry, Rhododendron, and Mountain Laurel. Ms. Bradford explained that most of these species are not evergreen so winter screen wouldn't be as dense. Mr. Carter explained the process of "succession" and said that Ms. Patten's options would also take time to mature and that White Spruce and White Pine in pocket clearings would provide year round screen.

Ms. Patten stated that the Advisory Committee would need to take into account the lifespan of the existing buffer on the Rossi Property. Mr. Carter suggested that he and Ms. Bradford assess the problem areas at the site. Ms. Bradford stated that she would like to see more of the North buffer area and Mr. Zevon offered his property.

Ms. Patten stated that all committee members should be included in any additional site walks.

Mr. Vincent asked if the Committee were required to comply with open meetings law. Mr. Pezzullo stated that they were not, but were trying to be as transparent as possible

Attorney Murray stated that John Carter would be available to meet with Sara Bradford on site and added that his client would not participate in any meeting that precludes the public.

Ms. Patten clarified that the Committee that was voted into existence should have a chance to meet to discuss the issues with fewer additional voices and did not intend in any way to exclude any members of the public.

Mr. Murray stated Mr. Carter could meet Ms. Bradford on the site tomorrow and that he wants transparency, no "backroom deals," and would not want to participate in anything that precludes the Committee. He stated that this process should not take months.

Ms. Patten asked Mr. Murray to be more careful with his words, that there are no "backroom deals" being proposed and such language should not be used.

Ms. Bradford asked that the applicant provide more information on the grading plan.

Mr. Pezzullo asked Mr. Russo whether the grading plan had been finalized/approved by RIDEM and asked for a plan without the aerial imagery. Mr. Russo said that the grading plan was approved and they received a RIPDES permit. He stated that he could remove the imagery layer.

Ms. Patten asked to hear from Ms. McGovern.

Ms. McGovern agreed that Mr. Carter and Ms. Bradford should conduct an additional site walk and report back their findings to the Committee.

Mr. Berry stated that denying the entire Committee the ability to conduct an additional site walk was not consistent with the spirit of the inclusive approach.

Mr. Vincent stated that to maintain transparency, Ms. Bradford and Mr. Carter should conduct a site visit and report their findings and asked if Attorney Murray could facilitate that meeting. Attorney Murray stated that he was not in a position to open Mr. Rossi's property other than to allow Ms. Bradford and Mr. Carter to conduct their research.

Mr. Zevon raised the issue of the property line dispute. He recalled the time when he met an employee of DiPrete Engineering named 'German.'

Mr. Russo vouched for German's surveying expertise and stated that the stamped Class I survey is valid and accurate.

Ms. McGovern stated that they could get Ms. Bradford revised plans by tomorrow.

Mr. Vincent suggested everyone let the professionals to the assessment and asked if Mr. Murray could facilitate the site visit.

Mr. Murray suggested that Mr. Berry does not need to see the site because he visited Mr. Zevon's property and that the visit would be restricted to the experts only.

Mr. Vincent asserted that the group's mission statement is in the condition of master plan approval.

Mr. Palumbo clarified that the inclusive approach does not give control over Mr. Rossi's Property.

Mr. Pezzullo concluded the meeting by thanking the participants and explaining that this meeting was the first of many in this process and are an unprecedented procedure as part of a Master Plan. He also stated that he looks forward to Ms. Bradford's and Mr. Carters findings.

The meeting adjourned at 8:13pm.