



TOWN OF PORTSMOUTH

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July 19, 2023

Energy Facilities Siting Board
RI Public Utilities Commission
89 Jefferson Boulevard
Warwick, RI 02888

RE: The Narragansett Electric Company d/b/a Rhode Island Energy Application to Construct an LNG Vaporization Facility on Old Mill Lane, Portsmouth, Rhode Island (Docket No. SB-2021-04)

To the Board:

The Portsmouth Planning Board was directed by the Energy Facilities Siting Board (EFSB) to render an advisory opinion on Docket No. SB-2021-04 (Narragansett Electric Company Application for a License to Mobilize and Operate a Liquefied Natural Gas Vaporization Facility at Old Mill Lane. The EFSB directed the Planning Board to render an advisory opinion as to whether a major variance is required and will be granted for the facility; and whether the Narragansett Electric Company will be able to comply with the Town of Portsmouth Comprehensive Community Plan.

The Narragansett Electric Company, represented by Attorney George Watson III of the firm Robinson & Cole LLP, presented the application to the Planning Board on June 14, 2023. Members participating in formulating an advisory opinion were Vice-Chairman Mr. Luke Harding, Mr. Ryan Tibbetts, Mr. David Garceau, and Ms. Norah Kane-Daly. The Board heard the presentation of Attorney Watson and testimony from Ms. Julie Porcaro, Mr. Jeff Montigny, and Mr. Brian Kirkwood of R.I. Energy.

Attorney Watson and R.I. Energy representatives walked the Board through a PowerPoint presentation concerning the subject property, the neighborhood, and the equipment and facilities proposed to be operated on the site and responded to questions from members of the Board.

After hearing testimony from the petitioner, the Board considered the two questions posed by the EFSB. Regarding question one (1), whether a major variance is required and will be granted for the facility, the Board found there is no terminology in Portsmouth's zoning or land development regulations that refers to or requires a "major variance" for a proposed development. The proposed LNG vaporization facility on Old Mill Lane will require a Special Use Permit under Article V, Section B.5 of the Zoning Ordinance for "Public utilities, limited to electrical, telephone, water, gas, cable television and sewer." The local board to hear this application and issue an advisory opinion to the EFSB is the Zoning Board of Review. Therefore, a major variance is not required.

With regard to question two (2), whether the Narragansett Electric Company will be able to comply with the Town of Portsmouth Comprehensive Community Plan. The Board established there were two elements of the Comprehensive Community Plan that were relevant to the application, being Element 8, "Energy" and Element 12 "Land Use." The Portsmouth Energy Vision states the Town will be an energy efficient community in all its municipal functions which supports the development of both public and private renewable energy

production within the community. The Board found a favorable advisory opinion in that the Narragansett Electric Company petition will be able to comply with the Town's Comprehensive Plan specific to Element 8; the petition is not inconsistent with the vision towards energy efficiency and renewable energy yet the project, currently and for the foreseeable future, provides critical energy infrastructure resiliency and reliability. Element 12 states the landscape of Portsmouth will present an orderly, balanced, and rational development pattern that helps preserve community character, enhance fiscal stability, and protect the quality of the natural environment. Based on testimony and evidence provided by the Applicant, the Board determined the proposal was consistent with Element 12, in that the project would ensure continued strength and stability of the residential neighborhood, coupled by compliance with RIDEM mitigation and protection measures to protect the natural environment as it also enhances the fiscal stability of the community.

Please contact me with any questions regarding the Portsmouth Planning Board's advisory opinion at lhitchen@portsmouthri.gov or 401.643.0332.

Respectfully Submitted



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Town Planner