

FINAL MINUTES

The Charlestown Planning Commission Held a Regular Meeting on Wednesday April 18, 2018 @ 7:00 PM Charlestown Town Hall, 4540 South County Trail, Charlestown, RI 02813

1. Call to Order

The meeting was CALLED TO ORDER by Chair, Ruth Platner at 7:18 p.m.

2. Roll Call

Attendee Name	Title	Status	Arrived
Ruth Platner	Chairwoman	Present	
Barbara A. Heavers	Commissioner	Absent	
Lewis E. Johnson	Vice-Chair	Present	
Sherry D. Krupka	Commissioner	Present	
Erin P. Russell	Commissioner	Absent	
Kathryn M. O'Connor	Alternate #2	Absent	
Frances M. Topping	Alternate #1	Present	

Also present was Ms. Weidman, Town Planner; David Petrarca, Town Solicitor and Ms. VanSlyke, Town Council Liaison.

Ms. Heavers, Dr. O'Connor and Ms. Russell were absent.

3. Minutes Approval

A. Discussion and/or potential action and/or vote(s) concerning: Planning Commission Site Walk Minutes for April 4, 2018 @ 6:30 PM.

Motion

A motion was made by Dr. Johnson, seconded by Ms. Krupka to approve the site walk meeting minutes of April 4, 2018. All in favor. Vote was unanimous.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Lewis E. Johnson, Vice-Chair
SECONDER:	Sherry D. Krupka, Commissioner
AYES:	Platner, Johnson, Krupka, Topping
ABSENT:	Heavers, Russell, O'Connor

B. Discussion and/or potential action and/or vote(s) concerning: Planning Commission Special Meeting Minutes for April 4, 2018 @ 7:00 PM.

Motion

A motion was made by Ms. Krupka, seconded by Dr. Johnson to approve the special meeting minutes of April 4, 2018 with amendments. All in favor. Vote was unanimous.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Sherry D. Krupka, Commissioner
SECONDER:	Lewis E. Johnson, Vice-Chair
AYES:	Platner, Johnson, Krupka, Topping
ABSENT:	Heavers, Russell, O'Connor

4. Planning Commission Comments

Ms. Platner noted that the town has activated a new email account for Planning Commission comments. The address is Plan.Comments@charlestownri.org

Dr. Johnson stated that the Planning Commission has so many things on their plate between the Comprehensive Plan, laws that are passed up state, petitions that come forward to amend the zoning ordinance, etc., but he really thinks on their list of things to do, they need design standards for commercial areas because it is difficult to work out with every applicant what they want. He said if they do not put that on a list, they will never get to it.

5. Public Comments

6. APPLICATIONS

The Commission recessed at 7:37 p.m.

Reconvened at 7:41 p.m.

A. Discussion and/or potential action and/or vote(s) concerning: Shannock Village Cottages, Major Land Development, Low and Moderate Income Housing Comprehensive Permit; Final Plan, AP 28, Lot 164 – 1639A Shannock Road.

Mr. McGunagle, attorney for the applicant, Washington County CDC, provided a brief overview of the project including a summary its financial history. He noted that since the last meeting in November of 2017, they have worked with the Shannock Water District on its concern about where the septic systems are going to be located. Mr. McGunagle stated that they submitted a letter dated March 15th from the Shannock water district showing that the cooperative efforts have succeeded.

Mr. McGunagle then went over the list of preliminary plan conditions and how they complied:

1. All proposed and future site lighting shall be in conformance with the Town of Charlestown lighting ordinance (Article III. Dark Sky Lighting, Chapter 155 of the Code of Ordinances) with no lamps of a color temperature greater than 3000 K used. See lighting plan as submitted.
2. Landscape plan as submitted shows the addition of native species and that existing buffers shall be maintained.
3. Project sign design is submitted herewith.
4. Revised management plan for open space is submitted herewith.
5. Motorized vehicles are prohibited in the common open space
6. Collaboration with the Shannock Water District was completed, see letter of support from the Shannock Water District as submitted herewith.
7. We shall not have underground storage tanks.
8. We shall maintain the onsite wastewater treatment systems in accordance with the Town of Charlestown Wastewater Management Ordinance.
9. We acknowledge that all conditions of approval are binding and run with the land upon which our project is to be built.
10. Final legal documents are submitted herewith.

Mr. McGunagle noted that they made the following few changes:

-They added language for protecting the native (possibly threatened) species.

- They reasserted their plan to maintain their side of the privacy barrier that is up against the parsonage.
- They acknowledge that the river and train warning signs will include images related to the danger that they pose.
- Paragraph #9 of the lease, which talks about how to save energy in the apartments, has been revised and submitted to the Commission.

Mr. Dowdell of Dowdell Engineering talked about the change in the leaching systems and how the septic systems for the site were designed. He concluded that they had switched over to denitrification systems. They sent in a redesign for the existing house and are adding an Advan Tex and switching over to giomats. They did the same thing for new construction applications for the three new buildings.

Following discussion, Ms. Weidman clarified with the Commission that they are not looking for any further modifications during this meeting.

Ms. Platner replied that she does not believe the Planning Commission has any. She stated that in addition to all those as set forth in the preliminary plan approval letter, the Planning Commission conditions the final plan approval on the following approval of:

- Final legal documents by the Town Solicitor prior to recording of final plans and documents.
- Incorporating by reference the previous positive findings and conditions of approval as contained in the preliminary plan approval letter dated November 17, 2017 and recorded in the Land Evidence records of the Town of Charlestown (Book 432 Page 212).

Motion

A motion was made by Ms. Topping to approve the final plan as presented, seconded by Ms. Krupka. All in favor. Vote was unanimous.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Frances M. Topping, Alternate #1
SECONDER:	Sherry D. Krupka, Commissioner
AYES:	Platner, Johnson, Krupka, Topping
ABSENT:	Heavers, Russell, O'Connor

B. Discussion and/or potential action and/or vote(s) concerning: Charlestown Dollar General, LLC, Development Plan Review, Master Plan; Public Informational Meeting, AP 13, Lot 40, Old Post Road.

Ms. Platner provided a brief summary as to where they are in the process. She stated that Dollar General made an application to the town approximately 2 years ago and the Zoning Official, Mr. Warner ruled that the application was for a department store and department stores are not an allowed use in the Traditional Village District (TVD). She said because it was not an allowed use, the applicant could not make an application. The applicant appealed the Zoning Official's decision to the Zoning Board. The Zoning Board upheld the Zoning Official's decision that it was not an allowed use. The applicant appealed the Zoning Board's decision in Superior Court. The court ruled that a Dollar General is a general store and not a department store and general stores are an allowed use in the TVD. Ms. Platner said that they have applied to the town for review of their application as a general store. Ms. Platner then noted to the Planning Commission that they are not to review the use. That was decided by the court. She said they will look at building design, site plan design, drainage, parking, traffic, lighting and those types of things.

Motion

A motion was made by Ms. Topping, seconded by Dr. Johnson to open the public informational meeting. Ms. Platner, Dr. Johnson, Ms. Krupka and Ms. Topping were all in favor. Vote was unanimous.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Frances M. Topping, Alternate #1
SECONDER:	Lewis E. Johnson, Vice-Chair
AYES:	Platner, Johnson, Krupka, Topping
ABSENT:	Heavers, Russell, O'Connor

Ms. Weidman stated that the Planning Commission is considering site and development plans at the initial phase of this project. It is being reviewed under different phases of the Charlestown Zoning Ordinance, although the process of review follows the procedures of the subdivision regulations and that is because this is a commercial development. It's regulated by two different districts in Charlestown. One is the underlying zoning district, which is the Traditional Village District and there are a number of standards that apply within that district. It also lies within the Historic Village Overlay District and there are additional regulations of standards of review contained in that portion of the zoning ordinance. She said because it's a non-residential development, it's regulated under the development plan review procedures and within that component of the zoning ordinance, there are also a number of site and building standards. Ms. Weidman stated that tonight the Planning Commission is not looking at the use, but the design of the building, the placement of the building on the site, the parking, how the parking is landscaped, the buffer with the neighbors and those types of issues. As the project proceeds, there will be more engineering detail dealing with storm water runoff and traffic. At this point, this is called the first phase of a major land development called the Master Plan.

Attorney Sarah Lemke of Hinckley Allen introduced herself as being present on behalf of the applicant. Also present was Andrew Comollo from the applicant Lisciotti Development, and Austin Turner from Bohler Engineering.

Ms. Lemke stated that their goal is to inform the Commission on how they have revised their plan since the last hearing and to address the comments raised in the Planner's letter and in the Peer review letter. She said Mr. Turner from Bohler Engineering will go through the changes to the design.

Mr. Turner explained to the Planning Commission how the site plan evolved in response to their previous discussion.

- They have updated elevations
- The parking has been removed from the front and put on the side and the rear of the site.
- The entrance is on a corner feature which allows them to enhance that side of the building to push parking away from the road, this gives them a substantial amount of landscaping to incorporate into the front.
- They have included additional trees in the parking lot in front of the building and along the perimeter in the back.
- They are going to incorporate a wood fence along the back inside the buffer and thread it into the existing vegetation.

Mr. Turner stated that they do not feel a side walk is appropriate on Post Road. There is not an existing side walk within miles from the property. He said if you put a side walk on Old Post Road, this property or Narrow Lane, all of a sudden you are implying a certain sense of security for a pedestrian. It almost invites a different problem than intended. Mr. Turner asked the Planning Commissions feedback on that.

Ms. Platner replied that they usually do ask that at a minimum it be included in the plan so they can see it. She said if they include it in the plan, the Commission could judge it better whether it's worth doing it now or later, but the long term plan is for sidewalks, so a new site design, should show them.

Ms. Krupka wondered why he would feel it is less safe to have the sidewalks.

Mr. Turner replied that there is no side walk anywhere and if people are walking here, the implication of including a side walk is that one might feel safe on the side walk but to get there they will be on the shoulder of the road. Mr. Turner stated that building it initially implies a certain level of care that isn't necessarily elsewhere.

Dr. Johnson replied that he would be making it safer for your store.

Mr. Turner then asked for the Planning Commissions feedback on the site plan in terms of layout, field composition and landscaping.

Mr. Turner stated that on the layout as it has changed significantly from the plans they had presented in December. The layout from the plans submitted to the town in February are the same but the enhancements are new for this evening.

Ms. Weidman asked how the pavement or asphalt coverage has changed as a result of moving the parking to side and the rear.

Mr. Turner replied that it is similar, it may be plus or minus from the existing but is not appreciably less.

Ms. Topping stated that one of the concerns that they had was the width of the driveway and the double or triple entrance making it about 80 feet wide. She wondered if they had changed it or not.

Mr. Turner stated that they have a single lane in and a single lane out so it should be narrowed in that regard. They had minimized the total width, the outer curb to outer curb, but they still need to make sure they can have appropriate access for emergency response vehicles.

Ms. Topping wondered what the width is now.

Ms. Weidman replied that the width of the driveway is 30 feet.

Mr. Turner agreed and then pointed to his plan on display and said, "from that opening to that opening is approximately 45 or 50 feet.

Ms. Platner replied that most of the streets and new subdivisions in town are just 22 feet and she asked why this would be so wide.

Mr. Turner stated that the width is to accommodate emergency response and delivery vehicles. He said he could narrow that down a little bit but he does not know that he would want to go as narrow as 22 feet because of the nature of the vehicles. He has gone down to 26 feet and in some instances 24 feet.

Ms. Platner noted that it is wider than their town roads.

Ms. Topping stated that emergency vehicles manage the town roads.

Mr. Turner stated that in this instance there would be a delivery vehicle coming in at least once a week. Those town roads are not really intended to accommodate more of a commercial application. When you couple that with the need for emergency response and the delivery, you will want a little bit more space.

Ms. Platner replied that she is not understanding why their roads are capable of handling emergency vehicles and the driveway wouldn't be.

Mr. Turner replied that he will go back and look into the zoning and site plan regulations and he will find out what the minimum standards are for this particular application. If he has the ability to comply with the town code and still reduce the driveway width, he will do that. What he is also going to do is still take a look at making sure if he is able to reduce the driveway, they can accommodate emergency response and delivery vehicles.

Ms. Platner replied that they do allow him to go down to 22 feet.

Mr. Turner replied that it will be his starting point.

Ms. Topping noted that they are also encouraging permeable surfacing for the parking areas. She used an example of Charlestown Wine and Spirits as having some asphalt and they have parking areas that have permeable paving. She wondered if he had considered that.

Mr. Turner replied that he has. He said he is not the biggest fan of it especially in the winter as it requires a lot more sand and in some cases salt to maintain it. If it is not properly maintained, it will start acting more like a

traditional paved surface. He said if he were to employ it here, he would consider a grass paved product similar to what is employed at the Wine and Spirits.

Ms. Topping stated, they had only noted trees in the front as a buffer and wondered if shrubbery will be included.

Mr. Turner replied that lower lying vegetation will be provided between the street trees to fill in gaps.

Ms. Weidman noted that the peer review recommends a traffic study be completed. The consultants questioned the trip generation figures that were used, as it did not account for summer traffic.

Mr. Turner began to provide an overview of the building design:

- All 4 sides of the building will have hardie plank
- The building will have a gable front
- Windows and roofing elements have distinct breakup and articulation in the front of the building.

Mr. Turner then showed a color and material palette to the Commission.

Dr. Johnson stated that these are his comments and he is not speaking on anyone else's behalf. He said, at the last meeting he had suggested the building seemed more like a warehouse in an industrial zone as opposed to a general store in a historic zone. He appreciates the modifications they have made so far and that they are serious improvements. He wished they had brought their architect to the meeting to work some things out. Dr. Johnson said direct communication with the architect is best. He said at the last meeting they talked about the historic district and the formation of the Traditional Village District (TVD), he explained that for a commercial area, that they have picked the most architecturally and an esthetically sensitive district in the town. There needs to be considerable sensitivity to scale, and to traffic impacts. Dr. Johnson said that he reminded the applicant that the buildings are metal sidings buildings are not permitted in the TVD, but the revised conceptual elevations still have galvanized metal panels along the rear and east sides. He said that does not fit town standards. The photos of the West Yarmouth store sent to Ms. Weidman looked better than that. GM2 Associates reviewed the application, and urged modifications to the south and east elevations to include false windows; he would include removal of all metal panels, but strongly agrees with all the other recommendations as well. He realizes that they will need a special use permit, but again asks that if it is possible for them to make this a 5000sf building. The bulk box-like aspect of this structure could be ameliorated and this store could be the gem of all of the Dollar General stores. It would be the small seaside village inviting country store that would be a credit to Dollar General as it relates to a general store in a historic district. Dr. Johnson then read 218-71 Development Plan Review design standards of the zoning ordinance.

Ms. Platner noted that she had looked at the property descriptions for the entire length of Old Post Road throughout the TVD historic district and there are about 110 buildings along the road from the Natalie building. Of those 65 of them are below 2,000sq ft. and many of those have 2 or 3 stories so the footprint is usually less than the total. Twenty are about 2,000to 3,000sq ft. and again, many are in 2 or 3 story buildings so the footprint is half of that. There are 9 that are between 3,000 and 4,000sq ft. and that includes Cumberland Farms. There are about 5 that are between 4,000 and 5,000 sq. ft. and that is including the Dowdell building and the Mini Super in that group, and there are only 8 or 9 buildings that are greater than 5,000sq ft. and that is the General Stanton Inn, the Washington Trust Company. Ms. Platner explained that the General Stanton Inn is a good example of a building that was built using traditional forms. The Washington Trust bank is a modern building but it did use forms that you would see in traditional buildings. The fire station is a new building, it is over 5,000sq ft., but it's a fire station. Ms. Platner noted that she is attempting to give the applicant some insight as to what they would expect.

The Planning Commission moved to public comments;

Bob Long of 4029 Old Post Road stated that it should be kept in compliance with the major goals of the Comprehensive Plan and to try to keep it compatible as much as possible to the immediate surrounding area of the TVD. He talked about historical properties and then noted that lights from the building would be facing historic homes.

Seth Dion of 171 Burdickville Road stressed the importance of keeping the buildings in town in character with the TVD. He referred to the project as a "cheap chain store" and stated that he is opposed to it.

Frank Glista of Genwood Drive stated that for years now in these chambers, he has heard people cry out that we don't want Charlestown to look like Warwick RI. He then stated that you don't get much closer to Warwick RI than a Dollar General. Mr. Glista stated that for 20 years the town has worked tirelessly on trying to do something for the Cross Mills Rt. 1A corridor. He discussed the 1998 design concept of Rt1, the 2002 stakeholders meeting on the TVD, and that in 2003 it produced a report which is a vision of the Rt. 1A commercial corridor. He continued to summarize Charlestown's vision leading up to 2008 and said, "the Traditional Village District is going to turn into the Traditional Vinyl District if we don't watch out."

Rick St. Germain of 355 Narrow Lane stated that with what he sees now, he is ready to put his house up for sale. He said the store would be 30 to 40 feet from where he sits at the fire pit with his family. He then asked about the 20 foot buffer and why it has to be replaced with a fence and then expressed his concern about the 1 loading dock being next to his property. Another concern was the possible smell of food and trash. He said, "this would be a giant building on a small property and it does not belong here."

Mr. St. Germain said this plan and associated negative impacts in the community are inconsistent with Dollar Generals mission statement. He then quoted the following statement from their mission statement; "And for our communities we call home, this means helping support communities we call home". Mr. Germain stated that he does not see that here.

Thomas Penhallow stated that he lives directly across the street and then requested of Mr. Turner to show on the plans, which were on display, where his driveway is located. Mr. Penhallow then expressed concern about a 9100sq ft. building located approximately across the street from his home. He also stated that abutter Joyce McGuinnis, directly next to the Dollar General, has a son who drives a 18 wheeler tractor trailer in and out of her driveway every day and he has been doing this for many years. He said that this project will also affect the real estate values for his house and his neighbor's homes. He then wondered about the septic and wells and how he and close by residents would be affected if they were to expand their properties.

Faith LaBossiere of 30 Daventry Street compared the projected Dollar General building to the size of the Town Hall. She stated that the Town Hall is a very long building and when you really think about the size of this building we are in now (Town Hall) at that site (Dollar General), you realize how completely out of place it is. At least Town Hall at least has some character with roof lines and so forth. Ms. LaBossiere stated that she feels strongly opposed that this project as it is completely out of character for this town.

Joel Glen of Hazen Street talked about the rubbish and bags in town. He said he and his wife enjoy walking down the beach road and every now and then you see the little plastic flyer bags from Walmart or Stop & Shop or Benny's. He stressed that those are all brought in to our community. He then said, "can you imagine now, that we will be generating bags in Charlestown, we will have them all over town". He said it will affect our recycling center and our rubbish removal. Mr. Glen asked that the Planning Commission strongly consider this in the proposal.

Lauren Stevens of Tockwotten Cove Road stated that most residents appreciate the rural character and the difference that Charlestown has compared to other towns. It seems to her in general this type of business just does not bring what the town is looking for in terms of its village character. She said Dollar General has said that they need a 9,100sq ft. building and she assumes it is because they are planning on a certain amount of business which seems to be not in compliance with in our idea of small businesses. She said no matter how you try it does not fit in our plan. She stressed the importance of thoughtful growth and that we need to do whatever we can do to encourage our town feel.

Joyce McGinnis of 46 Old Post Road expressed her concern about runoff coming off the pavement and was wondering if there was going to be a curb on the side where her septic system is located. Ms. McGinnis stated that she too is concerned about the buffering, lighting, rubbish and traffic.

Gordon Foer of 7 Country Drive stated that he does not have much more to add but hopes that the applicant hear that they do not want Dollar General in Charlestown. He said if you have to build here and don't get the message, then maybe you can put 4500sq ft. in Charlestown and put your other 4500sq ft. in the next town.

Sarah St. Laurent of 382 Shumankanuc Hill Road brought up the lighting and signage and that if they build a beautiful building, they should not have an awful yellow sign lit up every day until 10:00 p.m. She said most of the businesses in town close before 10:00 p.m. and they may want to consider reducing their business hours.

Ms. Platner notified the public that they will not receive another notice as this will be a continued master plan Public Informational meeting. It was agreed to continue the meeting to a larger public space because of the anticipated large crowd.

Motion

A motion was made by Ms. Topping, seconded by Ms. Krupka to continue the Dollar General Public Informational Meeting to May 23, 2018 @ 7:00 p.m. at the Charlestown Elementary School. All in favor. Vote was unanimous.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Frances M. Topping, Alternate #1
SECONDER:	Sherry D. Krupka, Commissioner
AYES:	Platner, Johnson, Krupka, Topping
ABSENT:	Heavers, Russell, O'Connor

7. PLANNING PROJECTS and DISCUSSION

- A. Discussion and/ or potential action concerning: Comprehensive Plan Update.

Ms. Weidman notified the Planning Commission that there will be a workshop on May 3rd and the group will be reviewing the housing chapter.

8. PLANNING ISSUES and CONCERNS

A. Planner Comments

Ms. Weidman will be attending the national planner's conference the week of April 23rd.

B. Solicitor Comments

No comments

9. Adjournment

Motion

A motion was made by Ms. Topping and seconded by Dr. Johnson to adjourn the meeting. All in favor. Vote was unanimous. The meeting adjourned at 10:00 p.m.

RESULT:	APPROVED [UNANIMOUS]
AYES:	Platner, Johnson, Krupka, Topping
ABSENT:	Heavers, Russell, O'Connor

Respectfully submitted,
Barbara Beauchaine, Planning Commission Clerk

5/2/18