

# TOWN OF BARRINGTON PLANNING BOARD

## Special Meeting

Minutes of the May 30, 2013 Meeting

Council Chamber, Barrington Town Hall

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**1. Open Meeting:** The meeting was called to order at 7:10 p.m.

### **2. Roll Call and Determination of Quorum**

**Present:** Michael McCormick – Chairman, Michael Carroll, Paul Dulchinos, Anne Galbraith, Seth Milman, Jean Robertson, Christine O’Grady (arrived at 8:00 p.m.), Larry Trim (arrived at 8:21 p.m.)

**Absent:** Edgar Adams

**Also Present:** Assistant Solicitor Nancy Letendre, Town Planner Philip Hervey, Secretary Audra Raleigh

### **3. Public Informational Meeting: Master Plan: Palmer Pointe Neighborhood – Plat 28, Lots 72, 73, 246, 248, 249 and 263 (Sowams Nursery property, east side of Sowams Road).**

Mr. McCormick opened the public informational meeting on the Palmer Pointe Neighborhood comprehensive permit master plan application. The parcels involved are: Assessor’s Plat 28, Lots 72, 73, 246, 248, 249 and 263 (the Sowams Nursery property on the east side of Sowams Road). The proposal calls for the development of 48 new affordable housing units on property totaling approximately 7.5 acres. The property includes two existing single-family houses that are to remain, located on Sowams Road. The applicant is seeking relief from provisions of the Town’s Zoning Ordinance and Land Development & Subdivision Regulations under the comprehensive permit process.

Mr. McCormick said the purpose of this meeting is to discuss the technical aspects of the project and allow the public to ask questions regarding such items.

Ms. Letendre explained the state law regarding the Comprehensive Permit process and the role of the Planning Board in considering approval or denial of Comprehensive Permits. The Low Moderate Income Housing Act requires towns to meet or develop and implement a plan to meet the law’s requirement that a minimum of 10 percent of each town’s total housing units qualify as affordable to low/moderate-income (LMI) households. If a town does not meet that percentage, then developers have the option to submit a comprehensive permit application, which allows for relief to be granted for projects with at least 25 LMI units.

In response to a question from Mr. McCormick, Mr. Hervey said Barrington currently has about 160 LMI units, or 2.5 percent. He noted that the Town has enacted all of the affordable housing strategies in the Comprehensive Plan requiring zoning or subdivision regulation amendments.

Mr. McCormick allowed for questions from the public related to the Comprehensive Permit process.

The following people addressed the Board:

William LeMoult, CODDER representative, 16 Hampden Street, Barrington  
Gary Morse, 2 Westwood Lane, Barrington

Comments included:

- Mr. LeMoult expressed his disagreement regarding Ms. Letendre's interpretation of the Low Moderate Income Housing Act
- Mr. Morse said the project doomed to financial failure because they require a tax abatement in order to be successful, and the Town Council has not approved the request. He said the Board should make a finding that the application is not complete and correct, so it should not even be heard.

Ms. Letendre responded that the financial viability of a project is not considered in review of a comprehensive permit application, as any of the proposed funding sources for a project could change. Once the application is certified by the Administrative Officer, based on fulfillment of application checklist requirements, the application then goes before the Planning Board. Mr. Hervey said he has reviewed and certified as complete many other applications in the past as Administrative Officer. He said the Palmer Pointe application is complete.

The Chairman directed the representatives for the project to begin their presentations.

Shawn Martin, Civil Engineering, Fuss & O'Neill, gave an overview of the technical aspects of the project, noting that the proposed site is on a public roadway, with public utilities (gas/water/sewer) already existing on the property. The sewer will be connected to the Town sewer located within an easement within the eastern portion of the site.

Mr. Martin stated that storm water management system proposed will comply with applicable standards. He described the proposed drainage measures, including bio-retention swales to be located within an open space area between the developed area and wetlands. He noted that all buildings are located at least 225 feet from the coastal feature, and that all construction will be outside of flood zones.

Mr. Martin talked about plans for roads and noted the following items:

- Streets are proposed to be 20 feet in width;
- There will be on-street parking in several locations, in addition to the proposed off-street parking areas;
- Bituminous cape cod berms are proposed instead of granite;
- Sidewalks will be on both sides of the proposed street. He said the applicant will put sidewalks on their frontage, if required; however, those sidewalks would not connect with any existing sidewalks on Sowams. Mr. Martin suggested having funds to be set aside to allow for sidewalks to be built at an alternate location to enhance connectivity in a higher priority area.

Other comments from Mr. Martin included:

- Impervious coverage totals to approximately 24.7% of the entire site;
- The estimate

- The project must meet the regulatory standards of CRMC, DEM for water quality, and RIPDES for runoff, dust, and erosion;
- Prior to funding approval, the project will be required to have soil analyses to determine the presence of contaminants in the soil;
- The design will be modified as needed to comply with the Town's emergency vehicle access requirements.

Derek Hug, Professional Engineer, Fuss & O'Neill, presented the results of the firm's Traffic Impact Statement completed on Palmer Pointe. The analysis used the Ninth Edition of the Institute of Transportation Engineers' *Trip Generation* publication to determine the anticipated traffic volumes based on the 48 new units proposed. The study estimated the development would result in 35 new trips in the weekday morning peak hour and 35 new trips in the weekday afternoon peak hour. Traffic information collected by the DOT and the police showed low volume and low crash counts for Sowams Road, he said.

Mr. Hug noted that should the Board require a more detailed traffic study, traffic counts from Sweetbriar, a similar development in West Barrington, would serve as an example for comparison purposes. He said the results of the Traffic Impact Statement show a full traffic impact study is not needed.

Scott Rabideau, Wetlands Consultant, Natural Resources Inc., said he walked the site in February 2013 to complete a wetland evaluation. He had the following comments:

- The wetlands, which are adjacent to type II waters (low intensity use), have been delineated;
- CRMC will consider the site as one 10-acre parcel for determining buffer zone requirements;
- The project meets the minimum 200-foot setback from the coastal feature, plus an additional 25-foot construction setback;
- CRMC will want to see restoration of some of the wetland buffer zone;
- Passive recreation, not active recreation, is acceptable within the proposed open space lot within the buffer zone;
- The proposed sewer line connection along the northern portion of the property is not inconsistent with CRMC requirements. The path of the sewer line will be restored as needed to meet buffer zone restoration requirements;
- Public access may be allowed to the river should a path be established under a special exception granted by CRMC to achieve a public purpose; however, he said the area is extremely overgrown and difficult to access in its current state.

Edward Pimentel, planning consultant, summarized the report he prepared in advance of the meeting. Mr. Pimentel said the site is designated in Barrington's Comprehensive Plan as a possible site for affordable housing under the "Village" affordable housing strategy. This project provides a higher percentage of affordable housing than called for in the Comprehensive Plan, he said. He said the development will enable the Town to meet its affordable housing target for the Village strategy. Concentrating development on the east side of Sowams Road provides the Board flexibility in the future to reduce the number of units on Village-designated properties on the west side, Mr. Pimentel said. This is a viable development based on the numbers proposed, especially in trying to balance many goals and strategies, he said. Overall, he estimated the Palmer Pointe project will bring the Town's overall LMI unit count to 3.27 percent of total housing units.

Frank Spinella, President, FJS Associates, Portsmouth, RI, described the financial sources that the applicant will be seeking as subsidies for the project, with the vast majority of the financing coming from Low Income Housing Tax Credits. Other sources include Community Development Block Grant funding and a \$1 million deferred loan from RI Housing. Assuming approvals are secured as anticipated, construction would begin in the summer of 2014, with occupancy starting around January 2016. RI Housing does not fund elderly housing; however, the plan includes 12 one-bedroom handicap "adaptable" units which would be attractive to the elderly, he said. Mr. Spinella described rents advertised in local media for apartments in Barrington: \$2,200 to \$3,500 for six four-bedroom units; \$2,150 for one three-bedroom unit; \$1,600 to \$2,000 for two two-bedroom units; and \$900 for one one-bedroom unit.

In response to a question about the 8 percent local property tax "abatement," Mr. Spinella said the request is not an "abatement" – "it is the rate." The tax rate for all 50 of his projects in the state have been set at 8 percent, he said.

Mr. McCormick allowed for public comment.

People speaking included: Kevin Doyle, Lillis Avenue; Ann Callan, 42 Charles Street; David Morris, 35 Orchard Ave.; Les Costa, 3 Colonial Ave.; Mark Hosford, 69 Sowams Road

Comments and questions included:

- What is the impervious coverage?
  - 24.7 percent – total lot area; 42.6 percent – buildable area only (Mr. Martin)
- Is the housing just for people in Barrington?
  - The project includes federal funding; by law, the developer cannot discriminate by location (Mr. Spinella)
- (Question from Mr. Dulchinos): How many residents in Sweetbriar are from Barrington?
  - 41 people out of the 47 units in Sweetbriar are occupied by people who were residents of Barrington before moving to the development (Mr. Spinella) Mr. Spinella later clarified that 51% of the occupants of Sweetbriar are actually from outside of Barrington.
- How would the development affect real estate values?
- A proposal to build eight houses was denied. Now they want to build 48?
- Are there units planned for the west side of Sowams Road?
  - There are no plans to build on the west side (Mr. Spinella)
- What about traffic?
  - The traffic impact statement indicates there are 240 to 270 vehicles on Sowams Road in the peak hour (Mr. Hug)
- Soil testing is needed due to past use of chemicals on site.
- How will drainage be handled to avoid runoff on adjacent properties, in particular those to the north on Orchard Avenue?
  - The development cannot discharge water onto abutters (Mr. Martin)
- People accessing the water through the swamp area could create public safety issues.
  - The access to the water does not need to be in the plan (Ms. Federico)

**Motion:** Mr. Carroll made a motion, seconded by Mr. Dulchinos, to continue the public informational meeting to June 4, 2013; the motion carried unanimously (8-0).

**4. Adjournment**

Upon a motion by Mr. Milman, with a second by Ms. Robertson, the Board unanimously (8-0) voted to adjourn the meeting at 10:50 p.m.