

# TOWN OF BARRINGTON PLANNING BOARD

Regular Business Meeting  
Minutes of the August 5, 2014 Meeting  
Council Chamber, Barrington Town Hall

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- Open Meeting:** The meeting was called to order at 7:10 p.m.
- Present:** Michael McCormick – Chairman, Edgar Adams, Michael Carroll, Paul Dulchinos, Jean Robertson, Lawrence Trim
- Absent:** Anne Galbraith, Christine O’Grady, Adam Streit
- Also Present:** Assistant Solicitor Andrew Teitz, Assistant Solicitor Amy Goins, Town Planner Philip Hervey, Council liaison Kate Weymouth, Audra Raleigh, secretary

## Consent Agenda

### **Item 3.1: Approve Minutes: July 1, 2014 Regular Business Meeting (CA)**

Motion: Mr. Dulchinos moved to approve the minutes as written; Mr. Trim seconded the motion and it carried unanimously (6-0).

## Public Hearings

### **Item 4.1: Public Hearing on Bluemead Farm Plat – Phase II/Preliminary Plan Comprehensive Permit Submission**

Bruce Cox, attorney for the applicant, stated that the proposed foundations of the houses will be closer to Chachapacassett Road and will meet the setbacks for R-25 district; however, the porches will encroach into the front yard setback by about 8 feet. Ms. Carla DiStefano and Mr. David Gardner discussed the design elements of the houses and site layout. Additionally, it was noted that the new Flood Insurance Rate Maps, which were issued by FEMA and became effective on July 7, 2014, show that portions of the property are no longer in the floodplain. CRMC has given approval for this project.

At the final plan stage, an estimate for the improvement bond will be required, with a recommendation provided by the Department of Public Works. The Board discussed revisions to a draft motion prepared by Mr. Hervey.

Motion: On a motion by Mr. Carroll seconded by Mr. Dulchinos, the Board voted (6-0) to grant approval of the project to the Administrative Officer with consulting assistance from the Chair of the Planning Board.

“The Barrington Planning Board hereby grants Preliminary Plan approval for the ‘Bluemead Farm Plat,’ as depicted on plans for property located on Chachapacassett Road, Beach Road and Rumstick Road in the Town of Barrington, Rhode Island, Assessor's Plat 10, Lots 3 and 8, Residence 25 and Residence 40 Zoning Districts. Plans by: David D. Gardner & Associates, Inc., 200 Metro Center Blvd., Warwick, RI 02886, dated June 2013, with revisions through July 28, 2014. Approval is based upon the following findings of fact and conditions of approval:

#### Findings of Fact:

1. By providing 3 affordable units, the proposed development is consistent with local needs as identified in the local Comprehensive Community Plan, in particular the following affordable housing strategies:

- a. The provision of a two-family building within the development is consistent with Housing & Neighborhoods Strategy 5-3, 'Identify areas that could support a mix of housing types,' including duplexes.
  - b. The proposed density bonus is consistent with Housing & Neighborhoods Strategy 5-8, as the overall units proposed within the development is consistent with the inclusionary density bonus available to comprehensive permit applications with less than 50 percent of the overall units designated to qualify as affordable housing.
  - c. The addition of market rate lot 10 still complies with the Housing & Neighborhoods Strategy 5-8 which allows the applicant one added market rate lot proximate to the affordable dwelling units.
2. The proposed development is in compliance with the standards and provisions of Barrington's zoning ordinance and subdivision regulations, and where expressly varied or waived, local concerns that have been affected by the relief granted do not outweigh the state and local need for low- and moderate-income housing, as described below.
- a. The waivers for dimensional variances allow for development of the affordable units on lots smaller than required. Overall, the density of the development, at approximately one unit per acre, is less than the density contemplated in the Affordable Housing Plan for projects proceeding under Strategy 8: Strongly negotiate new comprehensive permits.
  - b. The variance requested for Lot 4, for insufficient frontage on Rumstick Road, allows for the reduction of land disturbance that otherwise would be required to provide access from the new roadway through construction of a driveway into a hillside.
  - c. The requested Subdivision and Land Development Regulations waiver, for a 22-foot-wide street within a major subdivision, allow for reduced impacts in an environmentally sensitive coastal site that features a pond and some significant trees, by reducing the amount of impervious surface and allowing for less land disturbance required for grading and drainage than would be required under a conventional subdivision plan.
  - d. The requested waiver for encroachment into the minimum front-yard setback in the Residence 40 zone for the affordable housing structures proposed on Lots 1 and 2, 10,965 square feet and 11,813 square feet in size respectively, would establish setbacks more in keeping with the houses in the Residence 10 zone across Chachapacasset Road, allow for a front porch improving the architectural compatibility of the buildings in the neighborhood, and provides additional rear yard area to add outdoor livability space.
  - e. A waiver of the requirement to have the grade of each lot at the house foundation to be at least 18 inches above the grade at the center of the street (Land Development and Subdivision Standards, Section 200-47.C) is granted for Lots 1 and 2, both "affordable housing" lots, due the natural slope of the land, which slopes away from Chachapacasset Road. Meeting this standard would require a significant amount of fill and clearance of the lots, negatively altering the character of the site and raising the cost of developing the affordable units.
3. There will be no significant negative environmental impacts from the proposed development as shown on the Preliminary Plan, as the plan will avoid disturbances within

the 100-foot wetland buffer, be required to comply with storm-water standards such that there will be no net increase in runoff from the development, and, in comparison to the conventional subdivision plan, reduce the amount of fill required within the floodplain, with all required conditions for approval and with completion of CRMC freshwater wetland review.

4. Additional plantings are identified on the landscape plan (Sheets L-1 and L-2) in compliance with Town standards, including the provision of street trees to offset the loss of trees removed for development of the site.
5. There will be no significant negative impacts on the health and safety of current or future residents of the community in areas including, but not limited to, safe circulation of traffic, provision of emergency services, sewage disposal, provision of sufficient off-street parking, availability of potable water, and adequate surface water runoff.
6. The proposed development will have adequate and permanent physical access to a new public street extending off Chachapacasset Road and, for Lot 4, Rumstick Road.
7. The proposed development will not result in the creation of individual lots with any physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable.
8. In the case of the Bluemead subdivision, a walkover of the project by RIHPHC archaeologists determined that although there has been some disturbance within the project area, a large part of it may well contain Native American archaeological materials.

#### Findings: Sidewalks

The Planning Board determines that the applicant shall submit a fee in lieu of providing a sidewalk, as the proposed subdivision, though in close proximity to a Town recreational facility (the Town Beach), would not provide public access through the site to the beach. In addition, there are no sidewalks within the surrounding neighborhood.

#### Conditions of Approval:

1. The three proposed low- to moderate-income dwelling units shall be restricted as low- and moderate-income housing in accordance with R.I. General Laws 45-53.
2. The applicant shall receive approval from the Assistant Town Solicitor of the supporting legal documents for the affordable housing deed restrictions, the conservation easement along and including the portion of the pond within the site, and for maintenance of the bioretention area handling runoff from the street.
3. A fee in lieu of providing the required sidewalk shall be paid prior to the final plan approval, based on the cost of constructing a sidewalk in accordance with Town standards, subject to approval by the Town's Public Works Director.
4. The configuration of the affordable housing lots and affordable housing dwelling unit types (single family or duplex) are approved; proposed exterior building materials and interior finishes shall be provided for review and approval at the Final Plan stage.
5. The applicant shall address the comments, including revisions to the plan and drainage report, in Crossman Engineering's June 30, 2014 memorandum summarizing its review of the Preliminary Plan submission, for the Final Plan application to the satisfaction of the Town."

#### **New Business**

**Item 6.1: Final Plan – 83 Rumstick Road. Review/approve final plan creating an additional house lot to the rear of an existing house at 83 Rumstick Road**

Mr. Kevin Morin from DiPrete Engineering presented the final plan for 83 Rumstick Road. Mr. Morin summarized how the plan addressed the conditions set forth by the Planning Board at preliminary plan. In response to questions from the Board, Ms. Susan Shedd stated that the reason for the “meandering” driveway is so that it follows the hedge and avoids the existing giant tree.

Mr. Teitz noted that all of the improvements to the private road need to be made prior to the building permit being issued, along with all of the conditions set forth by the Board.

Motion: On a motion by Mr. Carroll seconded by Ms. Robertson, the Board voted (6-0) to approve the following motion:

“The Barrington Planning Board hereby grants Final Plan approval for the “83 Rumstick Road Subdivision,” as depicted on plans for property located on Rumstick Road in Barrington, Rhode Island, Assessor's Plat 24, Lot 239, Residence 25 Zoning District. Plans by: DiPrete Engineering, Two Stafford Court, Cranston, RI 02920, dated May 2014, with revisions through June 18, 2014. Approval is based upon the following findings of fact and conditions of approval:

Findings of Fact:

1. The proposed subdivision is consistent with the Comprehensive Community Plan in that the site is zoned for residential development with a minimum lot size of 25,000 square feet each (Residence 25 zoning);
2. The proposed lots are in compliance with the standards and provisions of the Barrington Zoning Ordinance, with the exception of insufficient frontage for the new house lot, for which a dimensional variance has been granted by the Zoning Board of Review.
3. There will be no significant negative environmental impacts from the proposed subdivision, which is located on an infill site within an established neighborhood and requires minimal grading and vegetation removal for construction of the new house. Further, the property is partially in the “X” flood zone, with 0.2% annual chance of flooding, and the site contains no wetlands.
4. All proposed lots have adequate and permanent physical access to public roadways – Rumstick Road. Lot 1 has frontage on Rumstick Road; Lot 2 has access to Rumstick Road through a 50-foot access easement on Lot 1.

Conditions of Approval:

The applicant shall:

1. Revise the plan to provide granite bounds at the property corners of Lot 1 at Rumstick Road;
2. Revise, as required by the Town’s Assistant Solicitor, the easement agreements for the shared driveway and utilities on Lot 1 and the sewer line, and the deed restrictions prohibiting further subdivision of either parcel;
3. Specify diameter(s) of proposed trees depicted on the landscape plans;
4. Submit a fee in lieu of sidewalks in the amount of \$9,358.43;
5. Add note to Record Plan referencing deed restrictions prohibiting further subdivision of either Lot 1 or Lot 2;
6. As required by the Fire Chief, the new house shall be required to have residential sprinklers to provide adequate fire protection;

7. No building permit shall be issued for a new house on Lot 2 prior to the completion of the shared driveway and landscape buffer in accordance with the plans, to the satisfaction of the Department of Public Works, the Fire Department and Administrative Officer; a note to this effect shall be added to the lot record plan.”

### **Reports & Special Items**

#### **Item 7.2: Discussion: Fee-In Lieu Option for Inclusionary Zoning proposals, SHAB decision re: Residences at the Preserve**

Mr. Teitz said the law provides the option to have a fee-in-lieu for providing affordable housing units required under inclusionary zoning. The Town is not required to have it, but if the option is provided, the decision to submit the fee or build the unit(s) is up to the developer/applicant.

*Mr. Teitz left the meeting at 9:20 p.m.*

### **New Business**

#### **Item 6.2: Discuss and make recommendation on potential locations of new Senior Center/Community Center pursued by the Community Center Task Force**

The Senior Center has been in its current location since 2009 and is looking into the long term viability of the current senior center, and looking for a new space. The Community Center Task Force looked into potential site such as Bay Spring, Police Cove, Zion, but all were ruled out. The property next to the YMCA is a good possibility; there is currently a park there, it is in the center of town and next to the Y, but not connected to the Y. The Barrington Senior Center is similar in scale to the North Kingstown Senior Center. The Town Council has had a lukewarm response to the search. Members of the Board suggested that they should leverage multi-use facilities, and not rule out specific sites until more information is available.

### **Reports & Special Items**

#### **Item 7.1: Develop schedule for completing Comprehensive Plan Update, including public outreach; review State comments on Circulation, Economic Development elements**

The Board decided to schedule community meetings for public outreach on the Comprehensive Plan at locations across town, at schools and possibly the Bay Spring Community Center. These meetings will be held in mid- to late-September and are expected to be 1-2 hours in duration. One presentation will be prepared so that the Board will present the same information at each meeting. Council members are should be encouraged to attend.

Mr. Hervey took note of the few edits to the Comprehensive Plan as currently written.

### **Adjournment**

Upon a motion by Ms. Robertson, with a second by Mr. Carroll, the Board unanimously (6-0) voted to adjourn the meeting at 10:35 p.m.