

**MINUTES OF THE PLANNING BOARD MEETING OF DECEMBER 6, 2004
SUBJECT TO APPROVAL AT THE NEXT REGULAR MEETING**

I. CALL TO ORDER:

Meeting was called to order at 7:08 p.m., Ray Levesque, Chairman, presiding.

Members Present: Ray Levesque, Leo Felice, Bruce Ferreira, Jeffrey Partington, Mike Lupis, Christopher Desjardins, and Jeffrey Presbrey.

Members Absent: Jim Libby

Others Present: Ray Cloutier, Zoning Board Chairman, Joseph Raymond, Building/Zoning Official, Tom Kravitz, Town Planner and Christine Langlois, Recording Secretary.

II. ATTENDANCE REVIEW:

The Chairman noted that all one member was absent.

III. ACCEPTANCE OF MINUTES:

The **minutes of the Planning Board meeting of November 1, 2004** were read. *A motion to accept the minutes as presented was made by Mr. Ferreira. The motion received a seconded from Mr. Partington and carried unanimously by the Board.*

IV. CORRESPONDENCE:

- Two Notices of Wetlands Alterations filings from RIDEM
- Planning Commissioners' Journal

V. OLD BUSINESS:

Land Development:

Harrisville Village, Mowry & Steere Farm Roads, Harrisville; Map 160, Lot 34: Informational Meeting/Master Major Land Development Plan Review (cont'd):

Attorney Andrew Teitz, of Ursillo, Teitz & Ritch, Will Gates, of Gates, Leighton Associates, Russell Crossman, of Crossman Engineering, Scott Rabideau, of Natural Resource Services, and Mark Bard and Victor Bevilacqua, of Harrisville Villages Associates, were in attendance to represent the request. Before Attorney Teitz could begin the discussion, Mr. Levesque, noting the continued review of the Harrisville Village Master Plan submission, pointed out several items, which included:

- Corrected location of buildings with respect to 100' riverbank setback;
- Written correspondence from National Grid or Narragansett Electric regarding relocation of power lines;
- Wetland flags adjusted per RIDEM correspondence dated 5-05-04;
- Variance request from Section 11-8.9.3 which the Planning Board will need to base an opinion on for the Zoning Board of Review.

- Set of preliminary design plans for the Harrisville Main Street, Steere Farm Road realignment.

requested by the Planning Board at the October 4, 2004 meeting and further outlined in a letter from the Town Planner dated October 8, 2004. He stated that only one item had been submitted to the Board and that the missing items had prevented the Board from taking action on the Master plan submission back in October. He questioned whether the Board could render a favorable decision when they still did not possess those items. Mr. Teitz apologized for the lack of information and proceeded to address each missing item. He turned the discussion over to Will Gates to address the corrected location of buildings outside of the 100' riverbank setback. Mr. Levesque again added that the Board had not received this information in the submission package that was submitted nor had they received the correct wetlands flagging.

Mr. Gates then displayed a plan outlining the adjustment to the footprints of several of the buildings, relocating them outside of the 100' riverbank buffer. He added that because of the amount of land involved, it was very easy to move the buildings out of any wetland buffers. Neither the character of the proposal, nor the size of the buildings, was affected by these changes. He noted the addition of the entrance to Steere Farm Road, which has taken a lot of negotiation and work since the last meeting. He turned the discussion over to Russell Crossman.

Mr. Crossman handed out to the Board reduced-size copies of the proposed intersection realignment at Harrisville Main Street and Steere Farm Road, as well as a copy of the RIDOT letter outlining their conceptual agreement of the proposed change. He stated that the roadway would be bumped out to create a T-intersection, thus forcing vehicles heading south on Harrisville Main Street and turning right onto Steere Farm Road to slow down substantially. He added that tractor trailer trucks would still be able to utilize Steere Farm Road. He noted that he had revised his traffic study to include information obtained from the Steere Farm Road and Harrisville Main Street area. These are the following results:

- Level of Service A during the a.m. peak (7:30 a.m. to 8:30 a.m.) 25 cars observed - 14 cars to Mowry; 11 cars to Steere Farm Road;
- Level of Service B during the p.m. peak (22 cars observed – 11 to Mowry; 11 to Steere Farm Road);

resulting in no degradation in the level of service in these areas. The Board questioned the factor of .44 based on 67 units utilized for this review. Mr. Crossman responded that the factor was derived from a national standard publication known as the "Trip Generation Manual" provided by the Institute of Transportation.

In regards to the wetlands flagging issue, Mr. Teitz explained that part of the development team did not provide the revised information to another part of the development team and that is the reason why the Planning Board did not have the

information prior to this evening. He requested the Board's approval of the Master Plan conditioned upon providing the information to the Administrative Officer prior to the Preliminary Plan submission.

In regards to the letter from National Grid, Mr. Teitz stated that they had not received any information to date, although all necessary paperwork was submitted to their headquarters in Westborough, Massachusetts. They are awaiting a responds from them, although they do not expect any problems. If they are unable to obtain approval to move the electrical lines, the developer will have to resubmit an amended Master Plan.

In regards to the variance request, Mr. Teitz stated that the developer was looking to receive the Master Plan approval before proceeding to the Zoning Board for relief.

Mr. Levesque then asked for questions or comments from the Planning Board. Mr. Partington questioned the submission of a letter demonstrating the project's appropriateness and compliance with the Town's Comprehensive Plan. Mr. Kravitz stated that the Board is responsible for determining the project's conformance with the Town's Comprehensive Plan as part of their findings. He noted that if the applicant was willing to prepare a statement, it would be appreciated; however, he stated that he would be willing to provide the information to the Board for their findings.

Mr. Presbrey questioned the proposed grading in close proximity to the wetlands edge, in particular the area of wetlands flagging C-35, C36 & C37. Mr. Gates stated that based upon the vegetation and the slope, there would not be any excessive change from the existing conditions.

Mr. Kravitz noted that he would not have any problems with administratively receiving the requested information from the developer should the Planning Board choose to approve the Master Plan submission with conditions. He added that in regards to the issue of a potential hazardous waste site, as indicated by an abutter during the October meeting, he had contacted RIDEM and discovered that DEM's Hazardous Waste Voluntary Disclosure database had no record of a problem with this site. As a precaution, the Board could request the developer conduct an ASTM Standard ETS (Environmental Transaction Screen) as a simple means of evaluating the site's history as to whether or not hazardous materials were ever on site. The timeframe to complete any ETS is short (sometimes two weeks). He further added that he suggests the Board require the intersection realignment take place as part of the first phase of this project.

Mr. Levesque then asked for questions or comments from the public.

Larry Castonguay, of 55 Mowry Street, questioned the drainage's flow from the Steere Farm Road access. He added that although DEM does not have a record of hazardous waste, he noted witnesses present who could testify to the dumping of dyes by the mill in past years. He questioned the wetlands edge. Mr. Levesque said that the wetlands edge and buffer were determined by a wetlands biologist and verified by RIDEM.

Mr. Richard Guilbeault, of 125 Mowry Street, stated that he lives across from the pond and asked if the pond would be affected in anyway by the development. Mr. Levesque said it would not be affected. Mr. Guilbeault noted that the area is famous for kids to play hockey on in the winter and asked if this activity would be prohibited. Mr. Levesque told him that the question had come up at the last meeting and the developer had stated that nothing would change. Mr. Teitz added that the pond's availability would not be advertised, bearing a welcome sign, but it would remain as it currently is. Mr. Rabideau noted that the developer was in the process of repairing the dam, which would increase the water level of the pond and the vegetation won't be as prevalent in the winter time. A discussion ensued regarding liability and whether a hold-harmless type instrument should be recorded.

Helen Bond, of 135 Mowry Street, stated that she has lived on Mowry Street for a long time and that speed and heavy traffic are a problem on this street. She was concerned with additional traffic from the development utilizing the street.

Carol Waterman, of 203 Harrisville Main Street, questioned the protection of endangered flora, particularly the mayflower, which has been seen on this property. Mr. Rabideau stated that there are no endangered species recorded in DEM's database for this site. In regards to the regulatory perspective, he explained that if a property contains an endangered species, notification can be sent to DEM; they will then verify and add the fact to their database. If there were endangered species detected on a property, they would have to be separated from the project area – it would not mean the project could not proceed.

A motion to approve the Master Major Land Development Plan for Harrisville Village was made by Mr. Partington because the development is in conformance with the Town's Comprehensive Plan; it will conform to the Zoning Ordinance upon receiving a variance from Section 11-8.9.3(1)(A) from the Zoning Board of Review; the development will not have any significant negative environmental impacts; the development will not result in the creation of any unbuildable lots; and the development will have adequate and permanent physical access to a public street; conditioned upon the Administrative Officer receiving the modifications outlined in the letter of October 8, 2004 of any outstanding issues; and the offering of a favorably advisory to the Zoning Board in regards to the requested variance. The motion was seconded by Mr. Ferreira. Upon discussions it was requested that the developer be responsible for providing an ETS in regards to the presence of any hazardous materials on site. Mr. Partington amended his motion to include the ETS as a condition. The amended motion received a second from Mr. Ferreira and carried unanimously by the Board. The original motion carried unanimously.

VI NEW BUSINESS:

Subdivision

Michael D. Scurka, Knibb Road, Pascoag, Map 207, Lot 1: *Preliminary Minor Plan Review:* Mr. Michael Scurka, applicant, was in attendance to represent the request. When Mr. Scurka began his discussion, he stated that since the time when he had submitted this plan, he has been able to research other options for his property and would like to change the plan to exercise other options, possibly a Rural Residential Compound scenario. Mr. Levesque informed him that unfortunately the Board could not discuss other options at this time as they were bound to discuss the plan before them. Mr. Kravitz noted that the RRC is not an option that is just granted by the Planning Board – the applicant has to prove to the Board that the RRC is the best use for the property. The Board noted that if the plan was reconfigured, the applicant may be able to arrive at two conforming lots, along Knibb Road.

As Mr. Scurka did not wish to proceed with the Preliminary Minor plan presented this evening, *a motion to deny the Preliminary Minor subdivision plan for Michael Scurka was made by Mr. Ferreira because the plan was not consistent with the Comprehensive Plan; it did not conform to the Zoning Ordinance as proposed Lots A & B did not contain adequate frontage to conform with the F-5 Zoning District requirements; it have significant negative environmental impacts as each proposed lot contain a large amount of wetlands; it would potential result in the creation of unbuildable lots; although each proposed lot would have adequate and permanent physical access to a public street (Knibb Road). The motion was seconded by Mr. Desjardins and carried unanimously by the Board.*

M.K. Leasing, LLC, Route 102 Bronco Highway, Mapleville; Map 213, Lot 3: *Conceptual Minor Plan Review:* Attorney Jean Fallago, Mr. Bruce Hagerman, of Crossman Engineering, and Mr. Mark Krawiecz, applicant, were in attendance to represent the request. Attorney Fallago began the discussion by stating the property contains approximately 12.88 acres in the General Industrial zone and that applicant was seeking to create five lots. She noted a previously submission to the Board for four lots, but as there are currently two lots on the property, the owner was seeking to place each building on its own lot and obtain three additional lots from the remaining area. She then turned the discussion over to Mr. Hagerman of Crossman Engineering.

Mr. Hagerman presented a plan to the Board entitled, “Preapplication Plan Set for M.K. Leasing, LLC, Assessors Plat 213, Lot 3, Bronco Highway – (Route 102), Burrillville, Rhode Island, dated 10/04” and informed the Board that since the previous discussions with the Board, the applicant has chosen to subdivide proposed lot A into two lots to provide a separate lot for each of the existing buildings. Noting concerns from the last meeting in regards to Lot D’s buildable area as compared to the amount of wetlands, he handed out to the Board information certifying the amount of wetlands and the amount of buildable area for both Lots D and E. He added that the proposed lots will be serviced with public water and public sewer.

The Board noted a discussion, from the last meeting, in regards to the access from Route 102 being eliminated and each of the lots being accessed through the newly constructed Daniele Drive. They referenced the recently adopted Route 102 Plan which recommends limiting accesses from Route 102, as well as maintaining a 50-ft forested buffer. Attorney Fallago argued that Mr. Krawiecz made many concessions when the Town was negotiating for some of his property during the construction of the industrial roadway and that his single access is necessary as his logging trucks cannot maneuver through the new access. Mr. Krawiecz added that approximately 40% of his business utilizes the Route 102 access and that there is an elevation problem with using the Daniele Drive access. Noting the discussion of a proposed stone wall along the property, the Board questioned when he proposed to install it. Mr. Krawiecz stated that it had been installed. The Board replied that there were very large boulders along the property – it wasn't pleasant to the eye. Mr. Krawiecz stated there are variations in what is considered a stone wall – nothing was specified when the discussions took place. He added that they have also planted 500 pine trees.

Mr. Levesque then asked for questions or comments from the Planning Board. A majority of the members expressed no concerns with the single access from Route 102. Mr. Kravitz questioned the location of the pine trees and their size. Mr. Krawiecz stated on the front berm along Route 102 and along Daniele Drive, and they were in two rows and 6-8 inches in height. Mr. Kravitz told the Board that he would investigate the agreements made with the Town to see if trees were suppose to be planted and what was suppose to remain to help clarify issues for the Board. Mr. Krawiecz added that there was no deal for trees to be planted – they just decided to plant trees along the boundaries as the Board was requiring a tree buffer.

As the Board had no further questions, they applicant was instructed to proceed to the next level of submission with this plan.

Land Development:

Proposed School Administrative Building, Burrillville Middle School, Broncos Highway, Glendale; Map 129, Lots 9 & 16: Preliminary Minor Plan Review: Mr. Michael Embury, of Northeast Engineers, and Mr. Gordon Richardson, Facilities Manager, were in attendance to represent the request. He presented a site plan to the Board entitled, "Proposed School Administrative Building, Burrillville Middle School, Burrillville, Rhode Island, Site Plan for 2220 Bronco Highway, AP 113, Lot 4" and explained to the Board that the School Department Administration must move from their existing location by June 2005, and is attempting to obtain all approvals for this proposal. After the approvals are received, they will begin the bidding process for construction of the facility. He noted that approximately ten test holes had been dug for the proposed septic system, with only two possibilities. Therefore, the plan would require a variance from RIDEM. He added that this variance is in regards to a standard system but there were other alternative systems that could be explored. Another problem noted was that the School Administration has not arrived at a final proposal for the interior of the building.

Continuing Mr. Embury explained how the School Administrative had arrived at utilizing the Middle School site for placement of this facility. Mr. Richardson noted that they had investigated private property, which proved to be extremely expensive, so the School Department arrived at utilizing the Middle School property. Mr. Embury added that the plan would require a variance from the Zoning Board in regards to relief from two buildings on one lot and a special use permit to allow for the Administration. Referring to the plan, he said that the proposal called for a pre-engineered steel building, with a proposed brick front façade, although the bricking depends on the budget. He added that the proposal utilizes the existing drainage and contours. He noted that the DPW has requested a ten-foot paved path in the rear of the building for plowing purposes. He added that a covered entrance was proposed with a sidewalk and natural vegetation. The Board noted the importance they placed on façade should steel buildings be proposed by any developer. The Board questioned the covered entrance extruding into the existing paved parking area. Mr. Embury stated that the proposal included a sidewalk and approximately five feet of natural vegetation. The Board further questioned the need for large office areas and multiple conference rooms. Mr. Richardson responded that the facility would not only house the Administration but Special Education and archive storage.

As there were no further questions, a motion to approve the Preliminary Site Plan for the Proposed School Administrative Building to be located on the Burrillville Middle School property was made by Mr. Presbrey, as the land development is consistent with the Comprehensive Plan; the land development will conform to the Zoning Ordinance upon receipt of the necessary variances; the land development will not have any significant negative environmental impacts; the land development will not result in the creation of an unbuildable lot; and the land development will have adequate and permanent physical access to a public street. The motion received a second from Mr. Felice and failed to pass as four members were in opposition, those being Mr. Ferreira, Mr. Partington, Mr. Lupis and Mr. Desjardins.

The Board discussed options for the façade of the building and the associated costs. Mr. Rick Weijlard, of Northeast Engineers, suggested bricking the front and sides, with the rear, facing the wooded area, remaining with the steel construction. The Board suggested alternative materials, such as faux brick panels, available on the market today that are similar to actual brick. Mr. Weijlard said that he could investigate those materials and prepared cost estimates. The Board advised Mr. Embury and Mr. Richardson present the Board's comments to the Superintendent to see if there could be a compromise on the interior office sizes in order to reduce the size, thereby reducing the interior costs to allow for more funding for the exterior surfaces.

VI. OTHER BUSINESS:

Report from Administrative Officer:

Mr. Kravitz noted that during the month of November the following Certificates of Completeness were issued: **Oak Valley Estates, Tarklin Road, Nasonville**

(Administrative – Revised Final Minor Plan); **Michael Scurka, Knibb Road, Pascoag** (Preliminary Minor – 3 lots); **M.K. Leasing, LLC, Broncos Highway, Mapleville** (Conceptual Minor – 5 lots); **Mount Pleasant Estates, Mount Pleasant Road, Nasonville** (Final Minor – 2 lots); **Tarklin Estates, Tarklin Road, Nasonville** (Final Minor – 2 lots); **Ronald Davis, Gig Road, Nasonville** (Preliminary Minor Land – minor plan changes; and **Burrillville Proposed School Administration Building, Broncos Highway, Glendale** (Preliminary Minor Land Development). There were no plans rejected during November and one plan endorsed, **Oak Valley Estates, Tarklin Road, Nasonville** (Administrative – Revised Final Minor).

Planning Board Discussions: There was no other business for the Board to consider.

A motion to adjourn was then made at 8:41 p.m. by Mr. Ferreira. The motion received a second from Mr. Felice and carried unanimously by the Board.