

**MINUTES OF THE PLANNING BOARD MEETING OF SEPTEMBER 13, 2004
SUBJECT TO APPROVAL AT THE NEXT REGULAR MEETING**

I. CALL TO ORDER:

Meeting was called to order at 7:00 p.m., Ray Levesque, Chairman, presiding.

Members Present: Ray Levesque, Leo Felice, Christopher Desjardins, Bruce Ferreira, Jeffrey Partington, Mike Lupis, Jim Libby, Brian Lanoie and Jeff Presbrey.

Others Present: Richard Bernardo, DPW Director/Engineer, Joseph Raymond, Building Official, Tom Kravitz, Town Planner and Christine Langlois, Recording Secretary.

II. ATTENDANCE REVIEW:

The Chairman noted that all members were in attendance.

III. ACCEPTANCE OF MINUTES:

The **minutes of the Planning Board meeting of August 2, 2004** were read. *A motion to accept the minutes as presented was made by Mr. Ferreira. The motion received a seconded from Mr. Lupis and carried unanimously by the Board.*

IV. CORRESPONDENCE:

- Common Ground Newsletter
- Two Notices of Insignificant Wetlands Alterations from RIDEM

V. NEW BUSINESS:

Subdivision:

Smith Estates for Robert Ballerino, Hill Road, Burrillville; Map 124, Lot 81: Public Hearing/Preliminary Major Subdivision Plan Review: Mr. Norbert Therien, of National Surveyors-Developers, Inc., Mr. Scott Rabideau, of Natural Resources Services, Inc., Mr. Robert Ballerino and Mr. Frank Burnham, principals, were in attendance to represent the request. Mr. Levesque explained to the audience that the applicants would have the opportunity to present the Preliminary plan application and then the Public Hearing would be opened for comments.

Mr. Therien began the discussion by displaying a Major Subdivision plan entitled, "Preliminary Plan of Smith Estates for Robert Ballerino at 275 Hill Road, Burrillville, Rhode Island, dated July 2001 for AP 124, Lot 81". He explained that the project has been ongoing for the past three years and that the review this evening was Phase II of a two-phase project. He noted that originally the plan had called for 14 lots but during preliminary discussions with the Board, the project was downsized to 12 lots – the original farmhouse, which has been preserved and renovated, and 11 lots proposed in Phase II as well as an additional 5-acres parcel designated as open space. This open space area continues along the backside of proposed Lots 6, 7, 8, 9 & 10 and is completely surrounding by an existing stone wall. He pointed out that Phase II contains approximately 15 acres of wooded land, scattered small wetland areas - rather hilly with

some ledge outcroppings – as indicated on the existing site conditions plan. He stated that the proposal was for 11 lots, under a clustered F-2 zone, with the front portion of the property, fronting on Hill Road, lying within the R-20 zoning district, with accessibility through a proposed roadway, of approximately 970 feet, off of Hill Road. The site will be serviced with municipal sewer and water – both of which have received approval from the perspective departments. He noted that RIDEM has reviewed the site and concurred with the wetlands flagging conducted by Natural Resource Services Inc. He added that RIDEM has also approved the proposed drainage analysis. As part of the Town's requirements, he noted that a traffic study had been conducted recently, which stated that any additional trips generated by this development would not be detrimental to the current traffic flow. (Mr. Therien passed a copy of the report to all Board members.)

Turning to the Preliminary Subdivision plan, Mr. Therien pointed out that the plan had been revised in accordance with previous discussion with the Planning Board and Planning Department to reconfigure the driveways for both Lot #1 and Lot 2 to access from the proposed roadway instead of Hill Road, further preserving an existing stone wall along Hill Road, although this revision would eliminate the proposed bus stop.

In regards to any proposed plantings, Mr. Therien stated that a landscape plantings design plan had been reviewed and prepared by Gifford Design Group, of Cumberland, which included the selective plantings of sugar maples to grow along the proposed roadway, in time creating a canopy to the roadway, as well as selective plantings within the proposed island. In regards to the existing on site vegetation, he noted the limit of disturbance was proposed to follow the existing tree line, providing some separation and vegetation between lots.

In regards to the proposed sidewalk and roadway, Mr. Therien noted that the plan required the construction of 43-foot roadway, with 2-11' lanes. He noted an interconnection with the newly constructed sidewalks along Centennial Street. This interconnection would include sidewalk construction along the right-hand side of the proposed roadway, with the creation of a painted pedestrian crosswalk over Hill Road – with handicapped access, and the continuation of a new sidewalk replaced along the southerly side of Hill Road, connecting to the newly installed sidewalks on Centennial Street.

Mr. Therien noted that there had been some discussions in regards to a "spring box" located on the property and whether it had any historical significance. He stated that he had contacted Mrs. Pat Mehrtens, the Town historian, who told him that the property was not located in an historical district, so most likely the "spring box" or water trough was typical to this rural farm area and did not have any historical significance. She did suggest that he contact Mr. Edward Sanderson or Mr. Richard Greenwood, of the State Historical Preservation and Heritage Commission, to verify whether there was any history to the spring box. Mr. Therien noted that he was unable to speak with Mr. Sanderson but would continue to try and make contact with him. He voiced a safety concern in regards to liability with an attempt at preservation.

The Board questioned whether the proposal would require any variances or waivers. Mr. Therien stated the only waivers from the Subdivision & Land Development Regulations this proposal would require would be in regards to the cul-de-sac maximum grade being greater than the regulations requirement of 3.5% (plan displays cul-de-sac at 4.11%; and several lots where the interior angles are greater than 200 degrees. The Board noted that correspondence from the Police Chief had not been signed. Mr. Kravitz stated that he had received the correspondence in the form of an email but that the Planning Department could obtain a signed copy for the Board. The Board noted that some of the comments made by Conservation Commission's review appear that they may have been utilizing the older regulations during their review. The Board pointed out that the correspondence received this evening from Edwards & Kelsey, in regards to the traffic analysis, it stated, "Eight of the residences will share a common driveway. . ." and should be corrected to reflect the fact that this is a proposed roadway. The Board noted that a RIDEM correspondence made reference to sheet #10 of 11 requiring a correction to the elevation of the spillway berm (407). The Board still voiced concern with the location of the proposed house on proposed Lot #9 in proximity to the amount of ledge located on this lot. Mr. Therien asked if the Board would be satisfied if he provided them with a ten-scale plan of Lot #9. The Board agreed to review a ten-scale plan when provided.

The Board voiced concerned with placing the detention pond on Lot #1 and asked if it were possible for the detention pond to be assigned to its own lot. Noting the location of the wetlands and the existing site conditions, Mr. Therien stated that it was almost impossible to move it to any other location. To separate the detention pond from Lot 1 would not allow enough area for Lot 1, as it lies within the A-80 aquifer overlay district and must conform to those regulations for area. He noted that the Town would be granted an easement for routine inspections and maintenance to the detention pond, without disturbing any property owner. The Board asked if bounds would be placed to designate the open space areas. Mr. Therien stated that it was the intention to place the required monumentation on the rear property lines of the open space as well as the rear property lines of the individual property owners.

Mr. Kravitz added that it was the intent of the developer to construct in lieu of bonding so the Board would have to instruct the developer to proceed with the roadway construction prior to final approval of the plan. He noted that the Board would have to receive the inspections fees and a schedule of construction satisfactory to the Director of Public Works. He suggested Mr. Therien make all of the changes being requested by this evening to final plan prior to submission, including the changes to Lots 1 & 9.

Mr. Bernardo asked for the date of the drainage design approval from RIDEM. Mr. Rabideau stated that the first deficiency letter received from RIDEM on the drainage design was dated June 10, 2003 and the preliminary determination authorization to proceed was dated October 10, 2003. Mr. Bernardo requested a copy of the approved drainage calculations. He further pointed out that the plan lists the sidewalk construction at four feet, which would require a 5x5 foot pad every 200 feet, or the construction of five-foot sidewalks. Mr. Therien said that he would change the plan to reflect five-foot

sidewalks. Mr. Bernardo also added that he had reviewed a hand-written construction schedule, which was not adequate for the DPW and requested a revised copy with better timeframes.

As there were no further questions from Board members, Mr. Levesque then opened the Public Hearing at 7:44 p.m., and asked for comments/questions from the audience.

Kevin Cleary, of the Conservation Commission, noting that he had drafted the memo to the Planning Board, apologized for utilizing the older regulations during his review. He voiced concern with the proposed natural swale. Mr. Bernardo noted that he had concerns with that also, but could not comment at the present time until he has an opportunity to review the drainage calculations he requested earlier in the meeting. He agreed that the flow should contain some interception. Mr. Levesque assured Mr. Cleary that the Town would require the drainage design to be in accordance with the Town's requirements, and that during construction of the proposed roadway, the developer would be required to meet the requirements of the Town's Sediment & Erosion Control Ordinance.

Peter Walsh, of 308 Hill Road, voiced concern with the current rate of speed for traffic in the area, asking whether there would be an increase and a safety issue with additional homes. He also noted that his property was not connected to the public sewer system and wondered if this development would bring the sewers into the vicinity of his property. Mr. Therien explained that the Sewer Department requires the developer to extend the current sewer line, located on Centennial Street, to the development for connection. Noting the location of Mr. Walsh's property, he added that the sewer line would not be extended past his property. Mr. Bernardo stating that traffic is not the problem, but enforcement of the speed limit, and that the DPW would have to work more closely with the Police Department in slowing down traffic to the posted limits. Kathleen Walsh stated that she was concerned with the actual road configuration (Centennial & Hill Road intersection) and the site distance. Mr. Bernardo said that when the sidewalks along Hill Road are construction, the trees that are currently deterring the site distance from Centennial Street would be removed, thereby improving the situation.

Lafray Gadoury, of 300 Hill Road, voiced concern with the detention pond and its location adjacent to the wetlands, as well as the drainage of the project. Mr. Therien gave a brief description of how the drainage has been designed to flow from the development into the detention basin and filtering naturally, in a northerly direction within the basin, eventually ending in the wetlands at no greater rate than what would naturally take place. He added that this process has received approval from RIDEM. She further asked if blasting would be necessary, as there was mention of some removal of ledge. Mr. Therien said no, that the Town was initially concerned with the potential of removing. One lot was previously removed due to the presence of ledge. He noted that he could not certify that it was unnecessary to remove any rock, as in regards to the installation of the water and sewer lines during road construction. But blasting is not the only alternative to rock removal. He did point out that if blasting is the method chosen, the process is

governed by state officials. Craig Dusseault, of 415 Hill Road, voiced concern with the possibility of blasting, as he has recently installed a new well and did not want it affected by any activity. In regards to the detention basin and its location, the Board suggested some plantings be provided on the southerly side of the basin to act as a screening.

Kevin Butler, of 390 Hill Road, requested the location of the drainage for proposed Lots 3 & 4. Mr. Therien stated that because they are individual lots, there is no immediate drainage planned for Lots 3 & 4. Mr. Butler expressed concern with the amount of water in the vicinity of his driveway, when it rains, and an increase due to the other two driveways, as the proposed lots are elevated above Hill Road. Mr. Therien said that he could further review the two individual lots fronting on Hill Road. Mr. Levesque assured Mr. Butler that water could not legally be discharged from the property.

Mike Diprete, of 358 Hill Road, pointed out that the windows of his house are level with the proposed roadway, and was concerned with car lights constantly shining into his house. Mr. Therien offered a natural screening of trees to address this problem.

As there were no further questions from the audience, the Public Hearing was closed at 8:17 p.m.

Recapping the discussion, Mr. Kravitz pointed out that if the Board chose to offer a conditional approval, the following would be required:

- granting the two waivers – one from the cul-de-sac requirements and the other from interior angles greater than 200°
- drainage approval by the Town's engineer
- submission of the inspection fees (\$8,376)
- submission of a revised construction schedule with more detail.

He added that the Board could also table this discussion to the next meeting to allow for the developer to provide the materials requested this evening and make a decision at a later date.

A motion to grant the requested waiver from Section 10-9, Table 10-1 Roadway Design Standards, specifically the maximum grade of the cul-de-sac being greater than 3.5% and the waiver from Section 10-9.3 Lot Design Standards, in regards to interior angles being greater than 200° was made by Mr. Partington. The motion received a second from Mr. Ferreira and carried unanimously by the Board.

A motion to approve the Preliminary Plan for Smith Estates was made by Mr. Partington, as the subdivision is in conformance with the Comprehensive Plan; the subdivision is in compliance with the Zoning Ordinance; there will be no significant environmental impacts from this subdivision; the subdivision will not result in the creation of unbuildable lots; and all lots in the subdivision will have adequate and permanent physical access to a public street, conditioned upon the developer providing the above-mentioned items (drainage approval by DPW Director, inspection fees and revised construction schedule) to commence road construction; and corrections be made on the

plan to provide screening on the southerly side of the detention basin and plantings to serve as a screening for the abutter (Diprete) whose property is immediately opposite the proposed roadway by Final Plan submission. The motion received a second from Mr. Ferreira and carried unanimously by the Board.

Land Development:

Granite River Village, School Street, Harrisville; Map 142, Lot 21: Preapplication Major Land Development Plan Review: Attorney, Wyatt Brochu, Mr. Brian Thalmann, of Thalmann Engineering, Architect Ed Wojcik, Mr. Scott Rabideau, of Natural Resource Service, Inc., & Diane Soule, of Soule & Associates, were in attendance to represent the request. Attorney Brochu explained that the site was formerly the Granite Mill site, currently zoned Village Commercial, and the proposal represented a mixed-use, multi-family, commercial retail office development in the form of twelve multi-family dwellings within three townhouse structures – with office/retail comprising the first floor of one of the structures. He presented a plan to the Board entitled, “Preapplication Site Plan Coutu Mixed Use Project-Granite River Village, School Street, Burrillville for Plat 142, Lot 21” as prepared by Thalmann Engineering. He noted the site was located on School Street, along Clear River, and added that the proposal included a walking path around the perimeter of the development with river overlooks, a various vegetation to maintain the village concept look. The development will have a single means of access with an emergency turnaround cul-de-sac. He noted that he had three experts present this evening to address each aspect of the plan. He then turned the floor over to Mr. Brian Thalmann.

Mr. Thalmann began by stating that this project represents the redevelopment of the former Granite Mill site, located at the corner of Callahan School Street, River Street and Chapel Street. He noted the plan before the Board this evening represents the results of several meeting with the Town Planner and Building Official, as well as a recent amendment to the Zoning Ordinance in regards to the Village Commercial district. He stated that under the preferred alternative, the plan provides for the construction of three building units. The unit closest to Callahan School Street would be a two-story structure – with retail office/professional space on the first floor, with a residential unit on the second floor. The remaining two buildings would contain four-units apiece in the central and southerly sections of the property. There will be a single access road, which provide parking for the retail/residential space in the rear of the first building, then traverse into a turnaround towards the south-westerly corner, with each proposed unit having a two-unit garage as well as driveway space. Topography slopes from the north to the south and the middle units would essentially be constructed into the hill so that the existing topography can be maintained. He noted that during discussions, Mr. Kravitz mentioned there was somewhat of a disconnection between Callahan School Street and Chapel Street, and would like to see some form of connectivity with this project. In response to this request, he said that a walking path connection has been developed, essentially running from a north-to-south direction, along the Pascoag River, crossing with a proposed footbridge, and connect near the commercial area along Chapel Street. An additional path is being proposed along the northerly portion of the site, accessible to the public, with overlooks

of the river for their enjoyment. However, he noted that the roadway would be privately owned and maintained by the residents of the development. He mentioned an additional meeting with Mr. Bernardo, who stated that there is a definite need for the extension of sidewalks in this vicinity. It is the intention of the developer to provide this extension along Callahan School Street as part of this development. As Mr. Thalmann's presentation was complete, Mr. Brochu then introduced the architect, Mr. Ed Wojcik.

Mr. Wojcik handed out to the Board members copies of the proposed floor plans for each of the structures. He noted that the topography is very tight in attempting to develop a housing plan for the site. As Mr. Thalmann had mentioned, he stated they were trying to take advantage of the sloping site by placing the basements and garage spaces of the second building into the hillside so that when viewing the site from the south, there is the illusion of a "tall structure" in a village center and the illusion of a two-story structure when viewed from the north. He added that they also tried to place the commercial building facing the street, where the traffic would be in direct view, with the residential units in their own context, with vistas and views from other properties between the structures. Materials being considered for the structures would be wood clapboard or shingle system, using stone at the base of the structure reminiscent of the former mill building. He noted that the building have been offset to create shadow lines – natural screening between units – gabled roofs with false gables as accents – in keeping with the Town's character. Each unit would contain two bedrooms and have approximately 1,500 sq/ft of living area. As Mr. Wojcik's presentation was complete, Mr. Brochu then introduced the landscape architect, Ms. Diane Soule, of Soule & Associates.

Ms. Soule stated that as most of the highlights of the plan have been addressed, she proceeded to describe the proposed entrance to the development. She stated the intent is to utilize the stone from the existing mill to create granite columns with wrought iron steel fencing that stands between two columns with a bronze-mounted sign on either side. The wrought iron fencing will edge the walking path, separating the public space from the private space. The river overlook will contain a gate to provide access, with benches located near the overlook and footbridge areas. She explained the paths are proposed to be of stone dust – wheelchair accessible – and provides a walking loop for residents, with a gazebo stationed in the center of the walking path scheme, acting as a focal point for residents of the development. There will be a system of retaining walls serving to take up the grade between the parking area for the retail/commercial units and the residential units, consisting of stone or versalok blocks. She offered photos of the proposed stonewalls and the gazebo. She noted that additional buffer would be achieved by natural vegetation and the planting of evergreen trees.

The Board questioned the purpose of the easement on the southern portion of the property. Mr. Thalmann responded that he believed it was a state highway plat drainage easement. The Board questioned whether the property had any frontage on Chapel Street and requested that the next submission display a broader area to include Chapel Street and the intersection of River Street and Callahan School Street. Mr. Thalmann explained that from a permitting standpoint, a significant portion of the site lies within the 100-year

floodplain. Because of this factor, he felt that a connection to Chapel Street may complicate the permitting process. He noted that RIDEM has verified the wetland edges but has not reviewed the actual proposal to date. He added that the project may be considered as a minor land development project; however, based upon discussions with the Town Planner and Building Official, he has convinced the developer to follow the major land development process because relief from the Zoning Board will be necessary on several issues (aquifer overlay district, setbacks), and the major land development project allows for more public input. The Board asked if the developer was in possession of any photos of the property as it existed. Mr. Thalmann said they were not but would continue searching as the developer has lived in Town all his life and has a pretty good history of what the mill actually looked like. The Board questioned the statement made in the submitted narrative that this development's impact would only produce two school-age children. Mr. Thalmann stated that because of the size of the units, typically there is not a lot of school-age children produced from these types of developments – typically young professionals or empty nesters. The Board asked if this development would be serviced with public sewer and water. Mr. Thalmann said it would be. The Board questioned the access to the first building, which contains the commercial/retail and residential. Mr. Wojcik stated that the access would be through the front of the building facing Callahan School Street. Individuals parking in the back would have to walk around the front to access the building. The Board questioned the height of the buildings and was told approximately 35 feet. The Board, noting that the plan would require a consideration amount of leniency from the Zoning Board, suggested eliminating two units and providing two affordable units in keeping with the Town's recently adopted housing plan. Mr. Kravitz added that because of the location of the project and its unique design - it being contiguous with the surrounding land use patterns - a request for eleven units would be reasonable, based upon the variances it would require.

The consensus of the Board was for the developer to continue with this development plan presented this evening, incorporating the comments made this evening.

Pascoag Land, LLC, Residential Development, Camp Dixie Road, Burrillville; Map 227, Lot 6: *Preapplication Major Land Development Plan Review:* Mr. Scott Lindgren, of Pare Engineering, was in attendance to represent the request. He presented a Major Land Development Preapplication plan to the Board entitled, "Residential Development, Camp Dixie Road, Burrillville, RI prepared for Pascoag Land, LLC; Assessor's Plat 227, Lot 6, dated July, 2004" as prepared by his firm. He stated that the property comprises of approximately 25 acres and is located on the western side of Camp Dixie Road. The land form has a north-south orientation, with the Pascoag Reservoir located on the west side, with Camp Dixie Road on the east side. The land has varying topography, with existing cart paths, with an elevation difference of 80 feet between the highest point, at the top of the knolls, to Camp Dixie Road. It is a woodland property, with several wetland complexes around the site. The majority of the wetlands are located right along Camp Dixie Road. Drainage is general split on the property, one portion flowing toward Camp Dixie Road, discharging into a small culvert across Camp Dixie Road. The remaining portion of the property drains naturally toward the western end. He stated that the

proposal was for the creation of a 60-unit condominium complex, with the potential for two different architectural styles – two-story townhouse and one-story flat – the flats on either side with the two-story townhouses in the center in approximately 12 units and three two-story townhouses in four units. It is proposed to utilize an existing cart road as a single access to the site, which has a natural gradient in an uphill direction. He noted that it was not the intent to create a cul-de-sac roadway, but more of a circular-flowing pattern of community related activity located on this property. Towards the center of the project, he stated there clusters of bedrock and high knoll points, which they attempted to recognize and utilize them as an amenity to the project, such as the location for a community gathering spot or gazebo. He added that they are still considering a walkway or trail system.

In regards to the proposed structures, he stated that designate parking will be laid out for in front of the buildings, with some discussions as to whether garages will be considered. Some of the pavement will be removed if garages are incorporated into the proposal. The buildings would be wood-framed with varying heights. He noted that all development would be kept away from the designated wetlands as much as possible. The wetlands within the interior of the property have been determined to have no jurisdiction because of their size. He stated that the remaining wetlands have been flagged, submitted to RIDEM, and a verification of wetlands was received last week. He noted the only wetlands buffer is the portion that meets the Pascoag Reservoir. He then asked for Planning Board questions or comments.

The Board questioned the need for the small cul-de-sac area of the roadway in the western portion of the property – is it a required emergency vehicle turnaround? Mr. Lindgren stated that the cul-de-sac was created due to the length of the road for emergency purposes. The Board noted the presence of an existing stone wall and asked Mr. Lindgren to investigate reworking the emergency turnaround in order to preserve more of the stone wall. The Board requested the number of bedrooms per unit and was told they were proposing three bedrooms. The Board questioned whether there was public water & sewer within Camp Dixie Road. Mr. Lindgren stated that public water was present in the roadway; public sewer was located back on Eagle Peak Road and that they are investigating improvements and extensions. The Board voiced concern with a single access for 60 units. The Board made note of a correspondence from Pare Engineering to the Mr. Bernardo, the Town's DPW Director, stating that various test pits had been explored and that Pare determines, that based on RIDEM regulations, the property could not sustain any type of ISDS systems and that mandatory connection to the public sewer system would be required. They further pointed out a correspondence from the Town Planner, itemizing various alternative septic systems that are currently recognized by RIDEM and suggested the applicant investigate these alternatives.

The consensus of the Board was that the proposal was much too dense – there are too many units for a single access - another means of egress should be considered. They suggested the applicant rework the plan and resubmit an additional concept.

VI. OTHER BUSINESS:

Report from Administrative Officer:

Mr. Kravitz noted that during the month of August the following Certificates of Completeness were issued: **Granite River Village, Michael Coutu, School Street, Harrisville** (Conceptual Major Land Development – 12 units); **Oak Valley Estates RRC, Tarklin Road & Douglas Pike, Nasonville** (Final Minor – 5 lots); **Smith Estates for Robert Ballerino, Hill Road, Burrillville** (Preliminary Minor Subdivision – 11 lots); **Pascoag Land LLC, Residential Development, Camp Dixie Road, Burrillville** (Preapplication Major Land Development – 60 units); **Supreme Mid-Atlantic Corp., Douglas Pike, Burrillville** (Administrative – 2 lots). The following plans were rejected at incomplete: **Keith & Alice Fortier, Maple Hill Road, Burrillville** (Administrative – 2 lots). He noted endorsement of the following: **Supreme Mid-Atlantic, Maple Hill Road, Burrillville** (Administrative – 2 lots) and **Oak Valley Estates RRC, Tarklin Road & Douglas Pike, Nasonville** (Final Minor RRC – 5 lots).

Planning Board Discussions: Mr. Levesque informed the Board that the policy for Planning Board compensation has been revised with the new budget. Members must attend a meeting in order to be paid. There is the option for quarterly payments or yearly payment, as in the past. The consensus of the Board was to continue with yearly payments.

Mr. Kravitz told the Board that he was attending a land surveyors' workshop on classes of surveys. He suggested that with conceptual plan review, a Class IV survey be accepted.

A motion to adjourn was then made at 9:52 p.m. by Mr. Ferreira. The motion received a second from Mr. Levesque and carried unanimously by the Board.