

**MINUTES OF THE PLANNING BOARD MEETING OF MAY 2, 2005
SUBJECT TO APPROVAL AT THE NEXT REGULAR MEETING**

I. CALL TO ORDER:

Meeting was called to order at 7:04 p.m., Ray Levesque, Chairman, presiding.

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

Others Present: Ronald Faford, Town Council Liaison, Ray Cloutier, Zoning Board Chairman, Tom Kravitz, Town Planner and Christine Langlois, Recording Secretary.

II. ATTENDANCE REVIEW:

The Chairman acknowledged that all of the members were present this evening.

III. ACCEPTANCE OF MINUTES:

The **minutes of the Planning Board meeting of April 4, 2005** were read. *A motion to accept the minutes as presented was made by Mr. Ferreira, seconded by Mr. Partington, carried unanimously by the Board.*

IV. CORRESPONDENCE:

- Planning Commissioners Journal
- Two RIDEM Notices of Insignificant Alterations to Wetlands Permits
- Postcard Notice from The Conservation District in regards to their Seed Sales program

V. OLD BUSINESS:

Subdivision:

Wright Concepts, Inc., Colwell Road, Mapleville; Map 254, Lot 1: *Preliminary Minor Review (tabled from last month's meeting):* Mr. Levesque noted that the Town was in receipt of a letter from the Law Offices of Michael E. Kelly requesting that this presentation be continued to the June 6, 2004 Planning Board meeting as he has a prior commitment. *A motion to continue the review of Wright Concepts Preliminary Minor subdivision plan to the June 6, 2005 Planning Board meeting was made by Mr. Partington. The motion received a second from Mr. Ferreira and carried unanimously by the Board.*

Mr. Levesque then read a memo dated May 2, 2005 from the Planning Board, into the record, in response to Attorney Michael Kelly's memo to the Planning Board dated April 4, 2005, which they received at the last meeting of April 4, 2005.

At this point, Mr. Levesque recused himself from discussions in regards to the Community Development Block Grant Application.

VI. NEW BUSINESS:

Community Development Block Grant Application 2005-2006: *Certification of Consistency with the Comprehensive Plan:* Mr. Partington outlined the proposed projects being considered for inclusion in the Town's Community Development Block Grant application for 2005-2006. As there were no questions from the Board in regards to the proposed projects, *a motion to certify that the proposed projects are in conformance with the Town's Comprehensive Plan, as described in Section B. Comprehensive Community Plan Compliance of the CDBG application, was made by Mr. Ferreira. The motion received a second from Mr. Presbrey and carried unanimously by the Board.*

Mr. Levesque then returned to the meeting.

Recommendation to Town Council on Route 102 Study Committee's Review of Phase II Split-Zoned Lots along Route 102 Corridor: Mr. Kravitz explained that this was part of the Route 102 Development District Comprehensive Plan, Phase II, which was approved previously by the Planning Board and the Town Council and amended the Town's Comprehensive Plan. He added that this is the implementation effort. He pointed out on the display maps the lots that are being considered for rezoning. If approved by the Planning Board, it would be forwarded to the Town Council for public advertising and consideration. As there were no questions from the Board, *a motion to approve the recommended rezoning of the split-zoned lots within Phase II of the Route 102 Study Committee's Review of the Route 102 Corridor and to forward a favorable advisory to the Town Council for the implementation of the Phase II map was made by Mr. Partington. The motion received a second from Mr. Ferreira and carried unanimously by the Board.*

Recommendation to Town Council in Regards to Rezoning Request for Map 114, Lot 44: The Board discussed the request and noted that it could be considered "spot" zoning. They noted that the Route 102 Study Committee recommends that this area remain General Commercial because of its close proximity to Route 102. Any rezoning of this area would be against the Town's Comprehensive Plan.

Attorney Thomas Hefner, who was in attendance representing the Pine Crest subdivision, noted that the outcome of the rezoning request affected the Pine Crest subdivision and that he had not anticipated the Board being asked to consider the rezoning at this time. He added that he had submitted to the Town both the conceptual subdivision plan and the rezoning request at the same time. Mr. Kravitz stated that the Planning Board is only responding to the Town Council's request for their opinion on this rezoning. Attorney Hefner noted that his clients had met with the Town Planner and Building Official and had determined that the residential use would have less of an impact on the property. Mr. Kravitz, recognizing the previous meeting with Mr. Hefner's clients, stated that he had suggested they pursue creating mixed use buildings, as the current zoning designation would allow for that concept. He disagreed with the Board that this would be considered spot zoning. Mr. Levesque proceeded to inform Attorney Hefner of the Town's past effort, culminating with the Route 102 Study Committee's recommendations. Mr.

Kravitz also noted that nowhere in the vicinity of this parcel is there a residential zoning district – any residential use within this area is considered a preexisting, nonconforming use. He noted the applicants' opportunity to hit both the commercial and residential markets by creating mixed-use buildings.

*Noting that the rezoning request was not in accordance with the Route 102 Study Committee report and nor in conformance with the Town's **Comprehensive Plan**, specifically: **Economic Development Goal VII.1**; **Economic Development Implementation Action VII.1.a.4**; **Economic Development Implementation Action VII.1.a.11**; **Land Use Implementation Action XI.1.a.3**; **Land Use Policy IX.2.d**, a motion to recommend to the Town Council denial of the requested rezoning of Map 114, Lot 44 from General Commercial to Residential was made by Mr. Ferreira. The motion received a second from Mr. Partington and carried unanimously by the Board.*

Subdivision:

Pine Crest, owned by Al Constantino & Domenic Pallini, Victory Highway, Nasonville; Map 114, Lot 44: Preapplication Minor Plan Review: Attorney Thomas Hefner, Domenic Pallini and Al Constantino, principals, were in attendance to represent the request. Mr. Hefner explained that the property contains 16.62 acres, with scattered wetlands throughout the property. He noted that the proposal was to subdivide this parcel into five (5) residential house lots, in accordance with the F-2 zoning designation that the applicants have requested the parcel be rezoned to, from its present designation of General Commercial, adding that the applicants felt residential development would have less of an impact on the property as commercial development would. He stated that the proposed development also would not infringe on any of the wetland areas, will maintain a 400-foot buffer from any wellhead protection areas and is proposed to have ISDS systems – adding that proposed Lot 5 would require a variance from the Zoning Board in regards to an ISDS within proximity to a wetland. He also noted that the parcel is located within the A-100 Aquifer Overlay zone.

As the Board had previously voted to recommend denial of the rezoning request, Mr. Hefner suggested the Board ignore the residential request and proceed to allow for the property to be subdivided into five lots, for a use that is allowed within the General Commercial zoning district. He noted that the proposal currently meets all of the requirements in size for the GC and A-100 districts. He then turned the presentation over to Mr. Constantino, one of the owners of the property.

Mr. Constantino proceeded to offer the Board a history of the property in regards to its use. He noted that during his research he had met with a company who was interested in the entire site for development. However, he pointed out a vast amount of gravel reserves currently on the site that would have to be removed in order to allow for development. He noted that the Building Official had voiced concerns to him about removing these gravel reserves. He added that any companies interested in moving to the site would require the removal of the gravel in order to accommodate any buildings. He added that he would rather develop the property with as little adverse impact on the

environment as possible. He stated that Scott Rabideau, of Natural Resources Services, had conducted an environmental review of the site and determined that residential use would have the least impact.

The Board suggested that the applicants pursue the subdivision at this time, and then submit land development plans for each of the proposed lots. Mr. Kravitz noted a correspondence from Richard Bernardo, the DPW Director, requesting the necessary information for the creation of lots. Mr. Levesque provided Mr. Hefner with a copy of the memo from Mr. Bernardo.

A motion to table discussion of the Pine Crest Preapplication Minor Plan to the June 6, 2005 Planning Board meeting was made by Mr. Partington. The motion received a second from Mr. Ferreira and carried unanimously by the Board.

Land Development:

Proposed School Administration Building, Burrillville Middle School, Broncos Highway, Glendale; Map 129, Lots 9 & 16: Preliminary/Final Minor Plan Review: Mr. Michael Embury, of Northeast Engineers, was in attendance to represent the School Department. He explained that the revised plans before the Board this evening reflected comments made by the Board in their previous review. He noted that since the last meeting, several individuals have reviewed the plan and recommended changes. He stated that additional research had been conducted in regards to the brick façade, on three sides of the building, and it was discovered that the actual cost for full brick would be about \$36,000 – \$46,000 as compared to a brick sheet material which runs about \$10.50 per sq/ft or around \$21,000. He added that the School Department has requested that they provide specifications for both systems to allow as options. In regards to other interior items, he noted that the School Department has also requested specifications for both radiant heat (running at a cost of a little over \$40,000) and a normal heating system (running about \$22,000-\$23,000). He pointed out that estimates for construction costs, at this time, have a vast range - anywhere from \$600,000 to \$1.5 million. In regards to the submission of the ISDS system to RIDEM, he noted that they have not received approval to date, and have been calling every week, with no comments from DEM as to when it will be finalized.

Mr. Levesque then asked if there were any questions from the Board. The Board noted that the plan this evening significantly represents an attempt to meet the Board's request for conformity with the adjacent Burrillville Middle School. Several members felt that a full brick façade would better serve the building and have longevity as compared to a brick-faced panel. They made note that the Administrative Building will be a public building and that existing town/public buildings that use brick are: Pascoag fire station, Pascoag library, Pascoag post office, Pascoag grammar school, Harrisville library, Harrisville post office, Harrisville fire station, Harrisville town hall, AT Levy School, Steere Farm Elementary, Burrillville High School, Burrillville Middle School, and Burrillville Police Station

They commented that the actual cost for full brick was small in comparison to the longevity of the building.

A motion to approve the combined Preliminary/Final Minor Land Development for the proposed School Administration Building at the Burrillville Middle School on Bronco Highway was made by Mr. Ferreira because:

- 1. the proposed land development is in conformance with the Comprehensive Plan, specifically Chapter IV School Facilities – Goal IV.1 and Chapter IV School Facilities – Policy IV.1.g.;*
- 2. the land development is in compliance with the Zoning Ordinance;*
- 3. the development will not result in any negative environmental impacts;*
- 4. there is adequate, accessible frontage available to Bronco Highway;*

conditioned upon receiving approval of the ISDS system from RIDEM and based upon the most cost effective manner for construction – being full brick or brick veneer. The motion received a second from Mr. Felice.

Under discussions the Board determined that they should strongly request that at least three sides of the proposed building utilize full brick. Mr. Ferreira amended his motion to include that the Board require an actual full brick façade on three sides of the proposed Administration Building, as per the approved plan, and that the Planning Board receive a copy of the bid results before the construction contract is awarded. The amended motion was seconded by Mr. Felice and carried with six in favor (Levesque, Felice, Ferreira, Lupis, Libby, Presbrey) and two against (Partington, Desjardins). The original motion then carried with six in favor (Levesque, Felice, Ferreira, Lupis, Libby, Presbrey) and two against (Partington, Desjardins).

VII. OTHER BUSINESS:

Report from Administrative Officer:

Mr. Kravitz noted that during the month of April the following Certificates of Completeness were issued: **John E. Jr. & Joyce Fortier, Eagle Peak Road & Camp Dixie Road, Pascoag** (Administrative – 2 lots); **Town of Burrillville & Excel Management, Sayles Avenue, Pascoag** (Administrative – 2 lots); **Pine Crest owned by Al Constantino & Domenic Pallini, Victory Highway, Nasonville** (Preapplication Minor Subdivision – 5 lots); **Proposed New Administrative Building for Burrillville School Department, Burrillville Middle School, Glendale** (Preliminary/Final Minor Land Development); **Harrisville Fire District, Steere Farm Road, Harrisville** (Administrative – Plan of Land Taken by Eminent Domain); and **Woonsocket Sportsman Club, Log Road, Nasonville** (Administrative – 2 lots). There were no plans rejected as incomplete. The following plans were endorsed: **John E. Jr. & Joyce Fortier, Eagle Peak Road & Camp Dixie Road, Pascoag** (Administrative – 2 lots); **Town of Burrillville & Excel Management, Sayles Avenue, Pascoag** (Administrative – 2 lots); **Harrisville Fire District, Steere Farm Road, Harrisville** (Administrative –

Land Taken by Eminent Domain); and **Woonsocket Sportsman Club, Log Road, Nasonville** (Administrative – 2 lots).

Planning Board Discussions:

Harrisville Village LLC, Mowry Street & Steere Farm Road, Harrisville; Map 160, Lot 34: *Discussion of Preliminary Site Regrading:* Mr. Kravitz told the Board that the representatives from Harrisville Village LLC had approached him to request the ability to remove gravel (approximately 9,000 cubic yards) from the site in preparation for the final grades and to stake the center line of the roadway. He noted a very steep hill of gravel hindering their efforts to conduct the road layout. He stated that he had contacted RIDEM and they had stated that Harrisville Village can conduct a gravel removal, per their plan, as long as they are not within the jurisdictional setbacks. He noted the applicant has begun installing a silt fence – although he was not aware as to where the silt fence has been installed. He added that the DPW will require a track-pad at the entrance from Steere Farm Road, and between himself and the DPW, an inspection will take place of the silt fence to insure proper installation. Several members requested a grading plan to establish the amount of gravel being removed. Several members felt it was unnecessary. Elevations were discussed, and it was determined that the developers could re-grade to a 360 elevation.

A motion to allow the Harrisville Village LLC to re-grade/remove gravel from the site, prior to preliminary plan approval, for the purpose of staking the roadway centerline and establishing the final grades, under the guidance of the Town Planner and DPW Director, to a set elevation of 360 and to provide the required silt fence and hay bales to prevent soil erosion and protection of the wetland buffers was made by Mr. Partington. The motion received a second from Mr. Felice and carried with seven in favor (Levesque, Felice, Ferreira, Partington, Lupis, Libby, Desjardins) and one opposed (Presbrey).

A motion to adjourn was made at 8:25 p.m. by Mr. Partington. The motion received a second from Mr. Ferreira and carried unanimously by the Board.