

**MINUTES OF THE PLANNING BOARD MEETING OF SEPTEMBER 11, 2006  
SUBJECT TO APPROVAL AT THE NEXT REGULAR MEETING**

**I. CALL TO ORDER:**

Meeting was called to order at 7:00 p.m., Jeffrey Partington, Chairman, presiding.

**Members Present:** Jeffrey Partington, Leo Felice, Rick Lemek, Bruce Ferreira, Michael Lupis, Jim Libby, Christopher Desjardins and Jeff Presbrey.

**Others Present:** Ron 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 members were present.

**III. ACCEPTANCE OF MINUTES:**

The minutes of the Planning Board meeting of August 7, 2006 were read. *A motion to accept the minutes as presented was made by Mr. Ferreira, seconded by Mr. Desjardins and carried unanimously by the Board.*

**IV. CORRESPONDENCE:**

- Common Ground Newsletter
- RI League of Cities & Towns Memo regarding Rolling Quorums
- Four RIDEM Notices of Insignificant Alterations to Wetlands

**V. OLD BUSINESS:**

**Minor Subdivision:**

**Edmund & Annette Delmonico, Nichols Road, Nasonville; Map 185, Lot 15: Submission of Information Required as Conditions of Preliminary Minor RRC Plan Approval (cont'd from July meeting;** For the record, Mr. Partington read a letter from the applicant's attorney, Thomas Hefner, requesting that the petition for a rural residential compound be withdrawn without prejudice because of personal family issues. *A motion to approve the Delmonico's request to withdraw the rural residential compound proposal for their property on Nichols road was made by Mr. Ferreira, and that the withdrawal nullifies the Board's approval of the project from December 5, 2005. The motion received a second from Mr. Lemek and carried unanimously by the Board.*

**Pine Ridge Village Planned Development (Age-Restricted), Steere Farm Road & Mowry Street, Harrisville; Map 176, Lots 3 & 5; Map 177, Lot 30: Preliminary Major Plan Review/Public Hearing (continued from last month's meeting):** Attorney Brian LaPlante, Dr. Lucien Benoit and Joseph Houle, Adam Gaudette and Cheryl Peterson, of Heritage Design Group, John Shevlin, of Pare Engineering, and Steve Guglielmo, of Saccoccio & Associates were in attendance to represent the request. Mr. Partington reminded the Board that the Public Hearing is still open from last month's meeting. Mr. Kravitz informed the Board that the Planning Department had received

additional information (responses to the Board's number of concerns from last month – some of the information being technical in regards to the wetlands) from the Heritage Design Group on Friday, September 8, 2006 at 12:25 p.m. in response to the application, and that there had not been enough time to disburse it to the Board members. He asked if they wished to receive the information tonight. Mr. Gaudette stated that the information was in regards to Mr. Presbrey's concerns from last meeting and that they have provided additional plans with a cover letter. He offered to hand out additional copies and the Board could follow his discussions. Given the technical nature of the plans, the Board felt that they would need more time to review and did not receive the information from the developers.

Mr. Gaudette then informed the Board that the RIDEM approval had not been received; that he had spoken with the RIDEM representative reviewing the project this week, and she had informed him that the project was still on the waiting list.

Attorney LaPlante then stated to the Board that the developers are attempting to address the Board's concerns for the project as well as the abutters concerns. He noted proposed setbacks of 50-feet whereas the Town's minimum requirement is 30 feet. He stated that it was unfeasible for the developers to consider redesigning the buildings layout at this stage, when the Board had previously approved the layout at the Master Plan level. He pointed out that significant forested buffer (of mature evergreens) are located along the boundary between the proposed developers and the abutters – allowing for more than adequate separation from the abutting properties. The project will not be seen from Steere Farm Road. He presented photos to the Board illustrating the type of screened buffer that currently exists.

In regards to drainage, Attorney LaPlante stated that the development team is a group of scientists whose job is to analyze the flow and retention of water on a site to insure that there will be no negative impact to abutting properties. At the present time, the site is not draining in any systematic direction. These professionals have designed systems that are scientifically addressing the drainage that currently exists and that will be created as a result of the development. It will be an improved situation from a drainage perspective. He noted that the plan is consistent with the Town's VPD Ordinance and it is the developers' intention to conform to the Town's regulations but there has to be an economic viability to the project. Mr. Partington told him that often when the Board reviews a plan for the first time, it makes sense but then when more information is provided later on in the process, they get a little better perspective. Sometimes the Board doesn't always see everything the first time around – sometimes a better solution presents itself. Noting that the DEM permit is not in hand, Mr. Partington stated that no decision would be made this evening. He added that if there were any other general items, which may help the public, they could be presented this evening. Attorney LaPlante then turned the meeting over to Mr. Gaudette for an explanation of the drainage.

Mr. Gaudette, for the benefit of the public, explained that detention basins are located in low-lying points, near edges of properties and are design to capture as much water as

possible – not only controlling water quantity but treating water quality. Because of the extensive amount of wetlands on the property, RIDEM would require a review for water quality as well as an alteration in the northwest portion. In addition to RIDEM's review, RIDOT was required to review all improvements to the entrance from Steere Farm Road. Their requirement was for an additional basin near the intersection to allow for additional treatment for water quality prior to releasing the drainage towards Steere Farm Road. He added that no drainage facilities are located in the rear of the property, and the drainage has been designed to be captured within the right-of-way and released into the detention facilities, where it is treated for water quality and released over time so that there is no impact to abutting properties. He then asked Cheryl Peterson to describe the detention basin in the northeast corner.

Ms. Peterson, trying to alleviate the abutters concerns, explained that the Detention Basin C was located in the northeast corner of the parcel as this is a low area on the property. With a hill on either side, it drains toward the detention area. She pointed out a high point area approximately 30 feet off of the property line. As the natural topography drains in that direction, an excavation has taken place in the existing ground to create the detention basin. All but one foot of the detention basin is within existing soil – it's not being built up. The one-foot area represents the free-board (emergency storage area) section of the basin. If the basin were to fill up and become clogged with debris, with an emergency spillway on the northwestern side of the property, not on the abutting property side, the water would flow in the direction of the property owned by Harrisville Village, LLC, into their open space area within the wetlands. There will be no impact to the existing homes from this detention basin. The Board questioned the grade of the proposed detention basin. Ms. Peterson stated that the inside slope is 3-to-1. No drainage is flowing in an easterly direction behind the abutting homes on Steere Farm Road. The Board questioned the need for two detention basins in one area of the project and only one detention basin in the other area and asked if it was due to volume. Ms. Peterson stated that Detention Basin C was handling more volume than the others and that the both common areas of the project will contain infiltration areas that will help to capture, treat and recharge the system. In drafting the drainage design, the engineers have attempted to keep the detention basin as small as possible.

In regards to the 50-foot buffer, tree-lined dimension from the edge of the property to the residential structures, the Board, noting that clearing and grubbing activities would take place, ask for a disturbance work limit from the property line. Mr. Gaudette pointed out the areas of disturbance and the fact that there are backyard buffers of approximately 20 feet. Attorney LaPlante noted a 30-foot tree-lined buffer; although there are some areas where the buffer is only 10 feet. The Board asked that the established tree-line be staked out as an undisturbed easement in respect to the neighbors.

The Board asked if the proposal allows for infiltration of roof runoff or is it exiting directly into the basin. Ms. Peterson stated that there was a little of each. There is an infiltration trench which will capture all roof runoff on the backsides of the units, and the front side of the units will pick up in the catch basins within the roadway.

Mr. Partington then asked if there were any comments from the public, as the public hearing has remained open from last month's meeting.

William Guilbeault, of 109 Steere Farm Road, asked for the length and height of the proposed building (Building #1) directly in the rear of this property. Mr. Gaudette stated that Building #1 was a four-unit building and that the total length is 120 feet. The height is approximately 22 feet. Mr. Gaudette added that because the project is being designed for residents 55 years of age and older, the house style is a typical one-story ranch design. A colonial style dwelling could have a height of 35 feet. Mr. Guilbeault asked what the elevation would be in relation to his property. Mr. Gaudette stated that there is approximately a 15-foot rise from the bottom of Mr. Guilbeault's foundation up hill, with a tree-line above, with a 15-foot foundation for Building #1, approximately 40 feet. Mr. Guilbeault stated that he did not have 10 feet of trees on his property-the trees start at the property line. Mr. Gaudette asked for permission to go out to Mr. Guilbeault's property to locate where the tree-line begins. Mr. Guilbeault then stated when the spring thaw happens or there is a good size rain, his property gets about 6" of silt which he has to remove and that an abutting neighbor has had to have the local fire department pump out his cellar several times. He felt the developers were misrepresenting the facts. Mr. Partington told the public that the developers are trying to develop an overall plan for the property, and assured them that the plans would hopefully be more beneficial than it is today. Ms. Peterson attempted to explain what currently exists and how the calculations are prepared to prevent any further runoff onto the abutting properties. Mr. Gaudette added that the other alternative is a swale system, but that would involve removing the trees that are serving as a buffer. Mr. Guilbeault questioned where the water would be directed. Mr. Gaudette said that it would be diverted toward the roadway and into a basin. Mr. Guilbeault stated that Steere Farm Road cannot handle the water right now. Mr. Gaudette noted that a drainage basin has been added at the intersection, which would catch water from the new roadway as well as Steere Farm Road.

Jim McGovern, of 50 North Hill Road, offered an observation of the facts presented to the Board this evening as well as the previous two meetings.

Joseph Houle III, of 99 Steere Farm Road, stated that his property is the lowest property on the street and that he gets the most amount of water in his property. He added that the fire department has had to pump out his yard, not his basement. And if he didn't have a walkout basement, there wouldn't be an issue with water in his basement. He stated that he felt the development would improve the drainage in his yard.

As there were no further comments from the public, Mr. Partington noted that the public hearing would still remain open as the applicants have not secured their wetlands permit for the project. *A motion to continue the Preliminary Plan Review and Public Hearing to the October 2, 2006 Planning Board agenda was made by Mr. Ferreira, seconded by Mr. Desjardins, and carried unanimously by the Board.*

**VI. NEW BUSINESS:**

**Land Development:**

**Burrillville Self-Storage, Eleven Properties, LLC, South Main Street, Pascoag; Map 229, Lot 6: Final Minor Plan Review:** Mr. Jeffrey Hanson, of John P. Caito Corporation, and Mr. John O'Neill, principal, were in attendance to represent the request. Mr. Hanson noted that the preliminary approval of the project was granted by the Planning Board on July 12, 2004 and zoning relief from building coverage by the Zoning Board on November 9, 2004. Since that time, the applicant has been seeking a wetlands permit from RIDEM, which was received last month (August, 2006), and the plan is before the Board this evening for final approval. He pointed out the only change from the Preliminary plan that the Board approved was movement of the detention pond from the rear of the property. Although there are no freshwater wetlands on the property, the detention basin was located within the jurisdictional 50-foot limit. Because they were unable to traverse the abutting property, they could not identify the wetlands limit and so several meetings were held with RIDEM to determine a solution. The solution was to remove the detention basin from the rear of the property and have stormwater control with underground piping that discharges to the wetlands. Other than this change, he noted that everything is basically the same. He asked if there were any questions from the Board.

Mr. Presbrey noted that, within the vicinity of the front detention basin, there is a discrepancy in the elevation of the discharge point of the outlet (discharge pipe at 465'; proposed elevation 468') and that the pipe should extend out further into the street r-o-w. Mr. Hanson pointed out that the plan has been approved and reviewed by RIDEM. Mr. Presbrey also suggested that they provide more riprap in this area. He further requested that Catch Basins 3 & 4 be changed from a 4' diameter with 3' sump to either 5' or 6' with a 4' sump to keep the control structure cleaner in Catch Basin 1 and also include a couple T's or hoods. Mr. Libby asked if it was still the applicant's intent to construct the building with the split-faced block, different colored muted doors, as was illustrated at the Preliminary Plan hearing. Mr. O'Neill stated that the building would remain the same. Mr. Libby then asked to review the cut-sheets for the proposed lighting that would remain on at all times. Mr. Hanson said the lighting remains the same as was illustrated on the Preliminary Plan, the motion-sensor, low-wattage wall pack. Mr. Libby then requested that the applicant include evergreen screening on the south side – the same as proposed on the north side – as the previous vegetation on the south side has been removed by the abutting property owner. Mr. O'Neill agreed to provide the evergreen screening.

*A motion to approve the Final Minor Land Development plan for Burrillville Self-Storage was made by Mr. Ferreira, because the land development is consistent with the Town's Comprehensive Plan, specifically Chapter VII, Goal VII.1 "to broaden the sources of Town revenue through development in the industrial and commercial sectors in order to ensure a sound financial future and assist in funding the achievement of Town goals"; Implementation Action VII.a.4 "conserve and enhance desirable existing industrial areas to maximize the investment and utilization of existing infrastructure"; the land*

*development is in compliance with the zoning ordinance; there will be no significant negative environmental impacts; the land development will not result in the creation of an unbuildable lot; the lot has adequate and permanent physical access to a public street; conditioned upon the plan being revised to require the same evergreen screening on the southern side of the property as is required on the northern side; the building aesthetic and the light fixtures proposed are the same as presented during the preliminary plan review; the plan being revised so that the outlet for the front retention basin is extended to meet existing elevation; a revision of the size of Catch Basins 3 and 4 to 5-foot with 4-foot sumps; provide T's or hoods as covers. The motion received a second from Mr. Lupis and carried unanimously by the Board.*

**Subdivision:**

**Smith Estates, Hill Road, Pascoag; Map 124, Lot 81: Review for Bond Reduction/Extension; Setting of Maintenance Fee Amount:** Attorney Alan Greenwald and Mr. Roger Gagnon were in attendance to represent the request. Attorney Greenwald told the Board that he was under the impression that his client would be able to obtain the Board's signature of the final plan for Smith Estates. He noted previous conversations with the Town Planner in regards to what was required for the final plan submission. Mr. Ferreira interrupted and stated that the only order of business for the Board was the bond reduction and maintenance fee. Mr. Partington agreed with him and informed Attorney Greenwald that the Board may only address items on the posted agenda and that he could only speak to the bond and maintenance fee issues. Attorney Greenwald apologized for the confusion and stated that he was not prepared to discuss the posted items, but that it was important for his client to obtain the Board's signature of the final plan and record it as there are financial commitments to meet. Mr. Partington then asked Mr. Kravitz to explain the situation.

Mr. Kravitz told the Board that the applicant has been submitting the required items for final plan submission in bits and pieces. He noted that the reason the bond reduction was on the agenda tonight was to assure the Town that there is adequate security to protect the public investment. It is his intention to review the items submitted by the applicant tomorrow morning to see if the final checklist is complete. He asked if the Board would like to review the Final Plan submission or authorize him, as the Administrative Officer, to approve the Final Plan administratively. He has to make sure that everything discussed at the Preliminary Plan stage is met and provided with the Final Plan. The Board agreed to allow Mr. Kravitz to approve the Final Plan submission.

Mr. Partington then asked the Board for their input on the bond reduction request. *A motion to approve a reduction in the Smith Estates bond from \$328,900 to \$228,204.48 and to set a maintenance fee of \$16,445.20 for the project was made by Mr. Ferreira. The motion received a second from Mr. Felice and carried unanimously by the Board.*

**Administrative Subdivision:**

**George Fenley, III and Daniel W. Greene, Gazza Road, Mapleville; Map 250, Lots 9, 10 & 11: Administrative Plan Review:** Both Mr. Fenley and Mr. Greene were in both in attendance to represent the request. Mr. Kravitz told the Board that the Administrative plan represents the applicants' intent to combine three lots into two lots by the movement of lot lines. He noted that he had originally thought the plan would require relief from the Zoning Board because of an issue with frontage – thus the reason for the plan being before the Board; however, upon further review, he found that the lots were already non-conforming and that the addition of land makes the lots more conforming. Typically he would have reviewed this type of plan in the office.

The Board agreed with Mr. Kravitz and said that he could review the plan as he would normally review an administrative plan.

**VII. OTHER BUSINESS:**

**Report from Administrative Officer:**

Mr. Kravitz noted that during the month of August, Certificates of Completeness were issued for: **Luc & Donna Couture and Ernie Dubey, Paula Drive, Harrisville** (Administrative – two lots) and **Burrillville Self-Storage, South Main Street, Pascoag** (Final Minor Land Development). The following plans were rejected as incomplete: **Robert & Joyce Buckley, Lapham Farm Road, Harrisville** (Preapplication Minor Subdivision – 2 lots); **Michelle Champagne, Douglas Pike, Nasonville** (Preapplication Minor Subdivision – 2 lots); **Stephen Normandin, et als, Warner Lane, Pascoag** (Administrative – Boundary survey); **George Fenley, Gazza Road, Mapleville** (Administrative – 2 lots); **Richard Fontaine, Bronco Highway, Mapleville** (Preliminary Minor – two lots) and **Wolfe Hill Estates, Michael & Joyce Scurka, Knibb Road, Pascoag** (Preliminary Minor RRC – four lots). A plan for **RI Housing & Mortgage Finance Corporation, South Main Street, Reservoir Road & George Eddy Drive, Pascoag** (Administrative – eleven lots).

**Planning Board Discussions:** The Board discussed the fact that the Planning Department receives submissions that are incomplete and are pressured to place the items on the Board's agendas prior to receiving all information. The Board decided that if an application is incomplete, they will not review it until all information has been provided.

As there was no further business to address, *a motion to adjourn was then made at 8:50 p.m. by Mr. Ferreira, seconded by Mr. Felice and carried unanimously by the Board.*