

**MINUTES OF THE PLANNING BOARD MEETING OF SEPTEMBER 14, 2009
SUBJECT TO APPROVAL AT THE NEXT REGULAR MEETING**

I. CALL TO ORDER:

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

Members Present: Jeff Partington, Rick Lemek, Leo Felice, Bruce Ferreira, Mike Lupis, Christopher Desjardins and Jeff Presbrey.

Members Absent: Jim Libby and Marc Tremblay.

Others Present: T. J. Mottola, Conservation Commission, Thomas Kravitz, Planning & Economic Development Director, and Christine Langlois, Deputy Planner.

II. ATTENDANCE REVIEW:

The Chairman acknowledged that Mr. Tremblay and Mr. Libby were unavailable this evening due to other obligations.

III. ACCEPTANCE OF MINUTES:

The **minutes of the Planning Board meeting of August 3, 2009** 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:

- Memo from the Town Solicitor regarding questions raised at the August 3rd Planning Board meeting in reference to the proposed Senior Center and the recent zoning amendments
- Notice from the State regarding the CDBG grant award of \$33,075
- Zoning Board agenda for September
- Planning Commissioners Journal

V. NEW BUSINESS:

Minor Subdivision:

Albert & Joan Wiesner III, Sherman Farm Road, Harrisville; Map 108, Lot 7: Preliminary Plan Review: Mr. David Garrigan, PLS, and Mrs. Joan Wiesner, applicant, were in attendance to represent the request. Mr. Garrigan told the Board that the applicants wish to subdivide their property, which currently contains 10.51 acres on Sherman Farm Road, into two lots in order for their son to construct a home. He noted that there is an existing 10-foot access easement on the property but had not shown it on the plan before the Board. Because the easement currently has two of the applicants' sheds sitting on it, he explained that he had prepared a new plan that shows an alternative location for relocating this easement. He submitted a revised plan to the Board showing the easement being located along the proposed new property line for Parcel #2. He also stated that the easement could be provided along the stone wall if the Board felt that it was a better location.

Mr. Kravitz told the Board that he had hoped someone from the Conservation Commission would have been in attendance as the easement along Sherman Farm Road, for access to the Nipmuc property, is under the responsibility of the Conservation Commission. At this point, Mr. Mottola, a Conservation Commission member, informed the Board that he was present. He noted, however, that the Chairman, Steve Rawson, had hoped to attend the meeting, but had been

detained. Mr. Mottola told the Board that the Commission had been working on locating several of the easements along Sherman Farm Road and that they hope to utilize these easements for access to occasionally check out the property and to allow for tree clearing. Mrs. Wiesner stated that she was opposed to any tree clearing and potential damage to her property. Mr. Garrigan asked if Mr. Mottola could comment on the proposed easement location. Mr. Mottola stated that he did not have the authority to comment on the easement without the opinion of the other Board members. Mr. Kravitz suggested the Board table the request so that the Conservation Commission could have the opportunity to review the proposed location and offer comments to the Planning Board.

Mr. Presbrey noted that the property lies in both the A-80 and A-100 aquifer overlay district. Although the proposed Parcel #2 conforms to the underlying F-2 zone (300 feet of lot width/frontage), the A-100 aquifer overlay district requires 325 of lot width/frontage. The applicants would either have to apply to the Zoning Board for a variance or move the proposed lot line. Mr. Garrigan stated that the property line could be moved to allow for the proper lot width/frontage.

In light of the issues still outstanding on this request, a motion to table the request was made by Mr. Ferreira until the applicants could address these issues. The motion received a second from Mr. Desjardins and carried unanimous by the Board.

RIDEM Application Notice to Alter Freshwater Wetlands: *Stanislaw Deptus, Hill Road, Burrillville; Map 71, Lot 10:* The Board reviewed a notice received from RIDEM regarding a request from Mr. Stanislaw Deptus to alter wetlands on his property in order to construct a single family dwelling. The Board voiced concerns with the amount of wetlands and buildable area, noting that it appear the applicant would be filling in a wetland buffer area.

*A motion to forward to RIDEM a statement of opposition and protest against the request was made by Mr. Presbrey as the development would have an adverse impact on the following wetland value: the close proximity of the development to the 100-year floodplain fails to protect the property from future flooding and works to decrease retaining, storing or metering of floodwaters; the request is inconsistent with the Town of Burrillville's Comprehensive Plan, specifically **Chapter II, Goal II.1** "Promote a harmonious relationship between land development and natural resources"; **Policy II.1.a** "Foster new development which is designed sympathetically to site topography, watercourses and waterbodies and unique natural features of the site. Encourage creative site design to preserve a site's natural assets while permitting reasonable development intensity"; **Policy II.2.b** "Wetlands, as critical elements of groundwater recharge, wildlife habitat, flood storage and recreational value will be maintained in their current state to the extent possible." The motion received a second from Mr. Ferreira and carried unanimously by the Board.*

VI. OTHER BUSINESS:

Report from Administrative Officer:

Mr. Kravitz noted that during the month of August, Certificates of Completion were issued for the following: **Albert & Joan Wiesner, Sherman Farm Road, Harrisville** (Preliminary Minor Subdivision – 2 lots) and **Harrisville Village, Mowry Street & Steere Farm Road, Harrisville** (Recycle Dumpster & Parking Plan). There were no

plans rejected as incomplete. The following plan was endorsed: **Harrisville Village, Mowry Street & Steere Farm Road, Harrisville** (Recycle Dumpster & Parking Plan).

Planning Board Discussions:

Update on the Senior Center from the Senior Task Force Liaison for Discussion, Consideration & Action: Mr. Ferreira told the Board that the Task Force had discussed the results of the Informational Meeting that the Town Council has held for the public on August 24, 2009 at the High School. He noted that at the Informational Meeting, the Senior Task Force had concentrated their discussion on the Oakland site. The general public comments were that a Senior Center was not needed at this time.

Mr. Ferreira also told the Board that the Charter Review Commission has begun their review and have provided forms for comments should any Board member wish to submit suggestions.

Mr. Lemek informed the Board that this meeting would most likely be his last as he has recently found a buyer for his home and would be moving temporarily to North Smithfield. It is his hope that within a year he would be able to locate land and build a new home back in Burrillville. The Board members wished him well.

As there was nothing further for discussion, a motion to adjourn was then made at 8:37 p.m. by Mr. Ferreira, seconded by Mr. Desjardins and carried unanimously by the Board.