

**MINUTES OF THE PLANNING BOARD MEETING OF DECEMBER 5, 2011
AT THE JESSE SMITH LIBRARY COMMUNITY ROOM
SUBJECT TO APPROVAL AT THE NEXT REGULAR MEETING**

I. CALL TO ORDER:

Meeting was called to order at 7:01 p.m., Jeffrey Partington, Chairman, presiding.

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

Members Absent: Dov Pick.

Others Present: Tim Kane, Town Solicitor, Joseph Raymond, Building/Zoning Official, Thomas Kravitz, Planning & Economic Development Director, and Christine Langlois, Deputy Planner.

II. ATTENDANCE REVIEW:

Mr. Partington acknowledged that Mr. Pick was away on business.

III. ACCEPTANCE OF MINUTES:

The **minutes of the Planning Board meeting of November 7, 2011** were read. *A motion to approve the minutes, as present, was made by Mr. Presbrey, seconded by Mr. Desjardins and carried unanimously by the Board.*

IV. CORRESPONDENCE: No correspondence.

V. NEW BUSINESS:

Major Land Development/Subdivision:

Daniele Food's Facility Expansion, Route 102 Commerce Park, Daniele Drive, Burrillville; Map 195, Lot 15 & Map 213, Lot 8: *Combined Master-Preliminary Plan Review*): Mr. Kravitz began by providing a brief overview of the review process so far and the applicant's request for a combined Master-Preliminary Plan review. He informed the Board that the mandatory Public Hearing for this level of submission is scheduled for next month's meeting in order to give the Board an opportunity to review the information provided this evening. He noted that recent questions were brought up by Mr. Presbrey prior to this evening's meeting and that those questions had been forward to Mr. Cabral for him to address. He also noted that the packages provided to the Board for this evening's discussion contain a more detailed analysis of the landscape in its proximity to the Lynmar Estates subdivision that abuts this project. He added that the Town is in the processing of obtaining service availability letters from both the Sewer Commission and the Harrisville Water Dept. in order to show adequate capacity. More detailed specifics on these utilities will be handled between the applicant and the individual entities.

Referring to the questions raised by Mr. Presbrey, Mr. Kravitz stated that they were in reference to three zoning issues: the use as referenced to the Route 102 Overlay Zone, the height of the proposed structure (55 feet) as compared to the front yard setback, and percentage of building coverage on the lot exceeding 25%. Regarding the use issue

(curing of meats), he stated that although the Route 102 Overlay Zone prohibits this type of use, in accordance with Zoning Section 30-210, b, 2, because the facility fronts on a roadway other than Route 102, the zoning uses of the underlying zoning district rule. Regarding the height issue, he noted that the building is sufficiently set back 60 feet, and the number was just a typo. In regards to the building coverage issue, he said that Mr. Cabral would address the parcel size in order to meet all the dimensional requirements, including the existing building. He then turned the discussion over to Scott Gibbs.

Mr. Gibbs, of the Economic Development Foundation of RI, told the Board that both he and Mr. Valois were engaged by the Town and the Industrial Foundation to facilitate this part of the planning process. He noted that the Board had reviewed a Conceptual plan in October dealing with the environmental, civil issues and the building; the plan being reviewed tonight provides more advanced details. He then proceeded to introduce the development team: Mr. Scott Rabideau, of Natural Resources Services, Inc., Mr. Steven Cabral, of Crossman Engineering, Mr. Mark Moore, of CMC Associates, Mr. Marcel Valois, of EDF-RI, Mr. Bruce Rylah and Ms. Renay McLeish, of the Burrillville Industrial Foundation, Mr. Rick St. Pierre and Filippo Oppici, of Daniele Foods, Inc. and turned the presentation over to Scott Rabideau

Mr. Rabideau told the Board that the formal Application to Alter Freshwater Wetlands had been submitted to RIDEM; DEM went out to the site and verified the wetlands edges; they conducted a cursory review of the plans for completeness and went out to Public Notice for 45 days, which is scheduled to expire on January 4, 2012. DEM will then take about 30 days to issue the wetlands permit. He noted the expedited process due to the fact that the application was filed with the Office of Customer & Technical Assistance, and not the normal RIDEM Office of Water Resources – because of the economic nature of this project. He noted that there is a 13,983 sq/ft wetland system that will be completely altered with this building expansion, which with this permit will allow for the creation of a 35,100 sq/ft wetland in the rear of the project. This results in a 2.61-to-1 mitigation-to-alteration ratio – a very good ratio for a mitigation project. Although a small forested area of the wetland would be cut down, a shrub wetland area will be created with sapling trees and a small vernal pool. Once the RIDEM permit is received, the project will also have obtained the Water Quality Certificate, and the RIPDES permit. He noted that the project would require approval from the Army Corp. of Engineers as they also regulate wetlands in Rhode Island. Because the wetlands alteration is above 5,000 sq/ft but below one-acre, the project is eligible for a Programmatic General Permit, Category 2. He told the Board that there will be a meeting on Thursday between RIDEM and the Army Corp. of Engineers and that the Army Corp. of Engineers could defer the project to DEM, or they could take it as an individual project. If they defer to RIDEM, no Corp permit is required. If they decide to review it, there would be another 30-day public comment period. He then turned the presentation over to Steve Cabral.

Mr. Cabral told the Board that the Daniele property, which currently has 34 acres, will acquire 40 acres from the Town to the north and transfer 12 acres in the western portion back to the Town, giving them sufficient area for the building expansion. He stated that

the reason for this configuration was due to the presence of three zoning districts: General Industrial (GI), Residential 20,000 sq/ft (R-20) and Residential 40,000 sq/ft (R-40). The lot line reshaping places the building totally within the GI district. He also noted the presence of the Aquifer Overlay District (A-80).

In regards to the height issue previously mentioned, Mr. Cabral stated that because the proposed building expansion is 55 feet in height, the front setback for the building should have been noted as 60 feet, not the "45 feet minimum" that was listed on the plan (Sheet C6). The error occurred while working with the architect in designing the building and making sure that the number coincide with the Town's Zoning Ordinance. He said the correction was made and is reflected in the handout he provided the Board this evening.

In regards to the allowable building coverage, Mr. Cabral stated that they had to take into account the existing building (89,552 sq/ft), two outbuildings (the process building for waste, the fire pump building), buildings A & B (previously approved when initial building was established), and the building expansion (546,000 sq/ft) for a total of 704,000 sq/ft. He noted that the Zoning Ordinance allows for 25% building coverage. When the total square footage (704,000) is divided by 25%, the required area to accommodate the building is 65 acres of future property. The total area, with the additional land acquired, results in 64.76 acres, or a 24.96% building coverage.

In regards to the proposed ADA van spaces, Mr. Cabral explained that when they designed the parking lot layout, instead of providing various sized spaces for the handicapped parking areas, they provided the type of ADA parking referred to as the universal size (11' parking space with a 5' landing).

In regards to a comment of an "illicit discharge" on sheet C7.1, Mr. Cabral explained that the on-site sewer pumping station is protected from stormwater entering the system by a small enclosure that protects the hatch from rainwater entering the sanitary effluent. The enclosure contains a small 2" drainage hole that allow for any water seeping in to be directed away from the hatch and to prevent icing conditions in the winter.

Referring to sheet C16, Mr. Cabral described the design of the main stormwater management plan based on the new RIDEM regulations from 2010 – the new requirements addressing the identify of groundwater recharge, the water quality volume, downstream channel conveyance dealing with the one-year frequency storm event, and designing for downstream over-bank protection, which includes designs for the 10-year and 100-year storms. He stated that the proposed stormwater system was an aboveground system due to the extensive building rooftop. The roof drains and parking lots would flow into a sediment forebay, and then into a vegetative wetland system, which has multiple water depths to allow for different types of vegetation to grow for more opportunity for pollutant uptake. After the vegetative wetland system, the water flows through another sediment area and into an infiltration system. This type of system allows for no runoff from the site. He also noted a small sand infiltration system near the

access drive connected to Daniele Drive to handle the stormwater flow. He pointed out a small typo in the plan in this area.

Mr. Cabral then displayed a Line of Sight plan, with photos from the site towards the residential development at various locations to show that the project will not have a visual impact on the adjacent residential development. He noted that the expansion is approximately 12,000 feet from the development, with about 800 feet of natural woodland in between. He said that in the summertime, it would be impossible to see the facility; in the winter some areas may be able to glimpse the property. It was decided that additional screening should be added on the northern side of the building, near the loading dock, in the form of evergreens that are planted in a staggered row to shield any headlights from parked vehicles. He then turned the presentation over to Mark Moore.

Mr. Moore told the Board that they are currently in the final design phase but that the expansion is planned to take place in phases. The first phase would be 280,000 sq/ft and contain several isolated mezzanines for production. The existing building would be used as a shipping dock. He said that the Davis Drive facility would be relocated here and expanded. Product will be received, stored, packaged and distributed. The office will still be maintained in the Daniele facility and the administrative offices will be moved from Davis Drive to the new addition.

Mr. Partington then asked if there were any questions from the Board.

Mr. Presbrey pointed out that during construction, there will be heavy silt accumulation into the Daniele Drive drainage system, and requested that the contractor be responsible for cleaning out the drainage culverts upon completion of the project and planting of the vegetation. Referring to Sheet C14, he noted that the details of the outlet control structures do not contain trash racks and also suggested checking the structural integrity of the outlet controls with the 6" diameter hole cut in a 6' round diameter structure. Mr. Cabral said that he agreed with Mr. Presbrey's suggestions and that the final plan set would contain the trash racks. Mr. Presbrey also pointed out that the retention pond, in the area of the deep water zone, continuously holds 3½ feet of water (with a 4-to-1 slope on the inside of the bank) and requested fencing around the basin for security reason as well as the infiltration basin. He noted an additional typo on sheet C16 regarding the bottom elevation of the infiltration basin (7.40 should be 4.70).

Mr. Tremblay noted that the proposed landscape plan includes the use of a plant known as a "burning bush", which is considered an invasive species and requested the applicants consider another type of shrubbery.

Although the Board's review this evening did not include a public hearing, Mr. Partington inquired if there were any questions or comments from members of the audience.

Mr. Roy Cologne stated that he hoped once construction began on the building, the applicants would consider utilizing local contractors.

Mrs. Alice Russell, of Mapleville, asked whether the current noise problem being experienced from the drying fans at the existing Daniele facility, would be addressed prior to any new addition. Mr. Kravitz explained that the Town has a signed Noise Abatement Agreement with Daniele which will be addressed when the building permit is acquired. Mrs. Russell also asked if the new facility would have the same type of drying fans. Mr. Moore stated that the new fans are design to exhaust vertically, not horizontally like the current fans so there shouldn't be any noise.

As there was nothing further, *a motion to continue the Master-Preliminary Plan Review of the Daniele Food's Facility Expansion to the January 10, 2012 meeting was made by Mr. Ferreira, seconded by Mr. Presbrey and carried unanimously by the Board.*

OTHER BUSINESS:

Report from Administrative Officer:

Mr. Kravitz noted that during the month of November, a Certificate of Completeness was issued for: **Daniele Food's Facility Expansion, Route 102 Commerce Park, Daniele Drive, Burrillville** (Combined Master-Preliminary Plan). There were no plans certified as incomplete and no plans were endorsed.

Planning Board Discussions: Nothing further for discussion.

A motion to adjourn was then made by Mr. Ferreira at 7:50 p.m. The motion received a second from Mr. Desjardins and carried unanimously

Recorded by: _____
M. Christine Langlois, Deputy Planner