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Timothy J. Chapman, Esq.

## TOWN OF JOHNSTON PLANNING BOARD

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### MINUTES

JUNE 1, 2010

The Planning Board of the Town of Johnston held its regular monthly meeting at 7:00 p.m. on Tuesday, June 1, 2010, at the Johnston Senior Center, 1291 Hartford Ave.

I. **Call to Order**

II. **Roll Call & Determination of Quorum**

*The June 1 meeting was called to order at 7:07 p.m.* Present for the PLANNING BOARD: Thomas W. Breckel, Lauren A. Garzone (*Secretary*), Peggy A. Passarelli, Mohamad Y. Sasa (*Vice-Chair*), and Anthony Verardo (*Chair*). Also present for the Town: Timothy J. Chapman, Esq., Planning Board Solicitor; Pamela M. Sherrill, AICP, LEED AP, Administrative Officer & Town Planner; and Rian Smith, Assistant Town Planner.

III. **Minutes**

*May 4, 2010, minutes were approved, 5-0.*

IV. **Correspondence** — none.

V. **Public Hearings**

Consideration of *preliminary plan* approval for a minor subdivision located at 63 **Belfield Drive**, A.P. 54, Lots 25+26, in an R-40 zone for Robert E. & Margaret A. **Barkan**. (PB'10-13)

David Gardner, PLS, testified on proposal to subdivide existing 10-acre single lot to create two 6- and 4-acres lots that meet all zoning requirements including frontage. Soil evaluation approved for proposed septic system; no waivers requested; existing house likely to remain.

Discussion of wells and septic, and stormwater drainage. Variable topography; runoff not to drain to street; elevation of foundation.

Town Planner reviewed options for prevention of flooding of surrounding flat lowlands, possibly raising profile of Belfield Drive. Recommended 16' of roadway on applicant's parcels to be reserved for widening to 50'. Alternatively, increased fill and runoff issues from pushing house back further. No existing drainage; improvement needed for future development. Accommodation of stormwater drainage



within site to avoid discharge. Recommended minimal clearing of vegetation and grading, and limitation of clearing to hay-bale line to preserve rural character of Belfield Drive and adjacent state park. *Public hearing closed.*

*Motion to approve preliminary plan, with conditions, for **Belfield Drive — Barkan**, by Ms. Garzone, second by Mr. Breckel, passed, 5–0. Conditions:*

1. *Reserved area for road realignment and widening to be indicated on plan, with 100% of dedicated area to be reserved on applicant parcels.*
2. *Stormwater drainage to be accommodated within site to avoid discharge to Belfield Drive or adjacent parcels; and*
3. *Clearing of vegetation and grading to be minimized to preserve rural character of Belfield Drive and adjacent state park, and hay bale line (sheet 3) to indicate limit of clearing.*

## VI. **Old Business**

Consideration of an *advisory opinion* to Town Council on amendments to Johnston 2010 **Community Development Block Grant** Program (CDBG). (PB '10–11)

Town Planner referenced CDBG projects reviewed by board on April 6 amended in response to subsequent flooding. \$175,000 of \$250,000 to be included for local share for bridge replacement; FEMA to contribute 75% of estimated \$1 million total. Third public hearing held and application submitted May 7. Home repair program decreased to \$122,000 and local administration to \$55,000; no other changes.

*Motion for positive advisory opinion to Town Council on 2010 **Community Development Block Grant**, by Mr. Sasa, second by Mr. Breckel, passed, 5–0.*

## VII. **New Business**

Consideration of *advisory opinions* to Town Council on amendments to **Zoning Ordinance** text and map (2010–CP–86—“Planned District/Continuing Care Retirement Community”) *in re* a major land development entitled **Briarcliffe Assisted Living**, located on Old Pocasset Road, A.P. 44-4, Lots 68 + 306 & 43-1/229, in an R–40 zone, for Briarcliffe Gardens Realty, LLC; Briarcliffe Realty Two, LLC; & Geriatrics Center of North America Realty Corp—Akshay Talwar (PB '10–20). Consideration of *concept & master plan approvals* for **Briarcliffe Assisted Living** (PB '09–56).

*(Ms. Garzone recused herself.)*

Bill Landry, Esq., Blish & Cavanagh, introduced proposed text change to planned district (PD) ordinance, and deferred map change. Proposing integration of compatible uses into ‘campus’ for reasons of economic development as provided in Comprehensive Plan. Cited long-range goal of hospital—2008 text and map changes approved accordingly for 4 to 5-acre state-of- the art Alzheimer’s facility, since built as appropriate site for Continuing Care Retirement Community (CCRC) uses.

Mr. Landry addressed PD requirement of 20 acres; intention to allow waiver flexibility, not to eliminate size requirement. Possible waiver for existing < 20-acre planned developments proposed for expansion, where existing site meets economic development goals and use is harmonious (pedestrian friendly, energy efficient, buffers/green space, adequate parking, etc.), with high standards as possible condition.

Discussion of appropriateness of making changes to petition. Applicant gross property size of 18 acres—net acreage minus significant as yet un-surveyed wetlands, >8% slopes and roadways. Town Solicitor cited on board’s option of including recommendations with advisory opinions. Discussion of exact size, identity current use, and access of lots in proposal.



Chair reminded that changes of ordinance text affect whole Town.

Town Planner reviewed proposed deletion, not amendment, of PD requirements—20 acres, 100-foot continuous frontage, and 40% maximum building coverage. Eliminating lot size to preclude PD from meeting various purposes, such as harmonious use, efficiency, density, clustered site design, natural features, etc. Wetlands prevent required clustering and 20% residential open space exclusive of roads, easements, or development. Reiterated implication of text amendments for entire Town.

Recommended that applicant petition include alternatives for consideration by Town Council, to reference alternative parcel size adequate to: create a campus of buildings and facilities; enable flexible building siting to preserve unique natural features, facilitate meaningful open land meeting 20% residential requirement; maintain harmony with neighboring uses; and enable walkable connections between facilities. Recommended negative advisory opinion based on inconsistency with PD purpose, best interests of town-wide planning, and Comprehensive Plan.

Akshay Talwar, applicant, proposed continuance to July 6 meeting, with letter containing revised language for proposed text changes and waiver of 45-day requirement to be submitted. Town Planner cited inclusion of frontage and 40% maximum building area..

*Motion to continue advisory opinions on Zoning Ordinance text and map amendments for Briarcliffe Assisted Living to July 6, 2010—with waiver of 45-day requirement to be confirmed in writing by applicant, by Mr. Breckel, second by Mr. Sasa—passed, 4-0.*

*(Ms. Garzone returned.)*

## VIII. **Administrative Report & Special Items**

Administrative Officer reported no administrative subdivisions. Comparison of conventional subdivision with conservation development by Providence Water, and executive summary by Rian Smith to be prepared for consideration by Town Council. Report of activities included flood funding, CDBG submission; and training on flood management, energy efficiency. Application with Cranston for appliance rebate program for residential and small businesses. Continuing revision of Zoning Ordinance with Town Solicitor. Pam Sherrill now full time as planner and Sue Leonardi returned as clerk. Anthony Verardo and Lauren Garzone reappointed for three-year terms. No meetings for information held.

## IX. **Adjournment**

*June 1<sup>st</sup> meeting adjourned at 8:13 p.m.*

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*Lauren A. Garzone, SECRETARY*