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TOWN OF JOHNSTON PLANNING BOARD

100 IRONS AVENUE, JOHNSTON, RI 02919
TEL.: (401) 231-4000 FAX: (401) 231-4181

MINUTES

DECEMBER 7, 2010

The Planning Board of the Town of Johnston held its regularly scheduled meeting at 7:00 p.m. on Tuesday, December 7, 2010, at the Johnston Senior Center, 1291 Hartford Ave.

I. **Call to Order**

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

The November 23 meeting was called to order at 7:07 p.m. Present for the Planning Board: Patricia A. Aguiar, Thomas W. Breckel (Vice-Chair), Michael Campagnone, Lauren Garzone, Peggy A. Passarelli, Mohamad Y. Sasa, and Anthony Verardo (Chair). A quorum was present. Also present for the Town: Joseph R. Ballirano, Esq., Planning Board Solicitor; and Pamela M. Sherrill, AICP, LEED AP, Administrative Officer & Town Planner.

III. **Minutes**

*November 9, 2010 minutes accepted (motion by T. Breckel, second by M. Campagnone).
November 23, 2010 minutes accepted as amended (motion by P. Aguiar, second by P. Passarelli).*

IV. **Public Hearing**

- A. *Preliminary plan review of proposed minor subdivision from 1 to 2 lots at 22 Atwells Avenue—A.P. 18/Lot 151 on 0.29± acres zoned R-15—for Edward A. & Kathleen M. Bedrosian (PB '10-37)*

Al Russo, Esq., representing the owner, testified that although the existing lot is substandard and zoning relief will be needed, the owner is seeking to construct a single family house on a separate lot. Nick Veltri, surveyor, described the project and indicated that roof drains would be tied to a subsurface drainage line. Approval for these drains would be sought during the building permit stage. Mr. Campagnone demonstrated that, based on current house numbering and previous platting of 80; x 80' lots, that this lot may have been historically considered a double lot. The planner presented her recommendations for denying the application.



Preliminary plan approved with final plan review delegated administratively conditional upon Zoning Board approval of dimensional variance (motion by P. Aguiar, second by M. Campagnone; 6-1, with M. Sasa opposed).

- B. *Advisory opinion to Town Council on proposed Comprehensive Plan amendment in re “Planned District/Continuing Care Retirement Community” (2010-CP-128) for a major land development entitled **Briarcliffe Assisted Living**. Located on Old Pocasset Road, A.P. 44-4, Lots 68 + 306 & 43-1/229, R-40 zone; for Briarcliffe Gardens Realty, LLC; Briarcliffe Realty Two, LLC; & Geriatrics Center of North America Realty Corp (Akshay Talwar). (PB '10-20)*

Scott Spear, Esq., Blish and Cavanagh, withdrew Briarcliffe application for a comprehensive plan amendment.

- C. *CONTINUED FROM NOV. 23: Preliminary plan review of proposed major land development entitled **Pocasset Mills** for 91 multi-family apartments to be located at 75 Pocasset Street—A.P. 2/Lot 134 & A.P. 3/Lot 368 on 2.67± acres zoned R-7—for Starr Development Partners, LLC. (PB '09-01)*

John Garrahy, Esq., representing the applicant, outlined the project including state Historic Tax Credit financing and the experience of the joint venture development team. Chris Starr, Starr Development, indicated they would like to complete the approval process this winter in order to complete construction by end 2011.

Joe Casali, PE, reviewed the site and responded to comments in Town Engineer and Town Planner memos. The majority of the site is within 200 feet of the river and therefore is subject to DEM jurisdiction. *FEMA map accepted as Exhibit A with a highlight of the 100-year flood zone on the property.* Mr. Casali indicated that the project will neither exacerbate (or improve) flooding on the Pocasset River. No living quarters are in the flood zone. According to the property owner, most flooding over the past 25 years is limited to a day or less with the March floods resulting in closing the facility for two days. An active alert system will be implemented to alert tenants that the parking lot could be flooded and to move cars. In response to the chair, Mr. Casali indicated lack of a concrete answer as to where cars would be parked during a flood. *Architectural drawing of layout of first floor parking accepted as Exhibit B.* Tandem parking is provided for 12 cars (spaces to be designated for units with two cars).

Responding to the chair, Mr. Casali indicated that there is sufficient sewer capacity as the existing 8” line and 6” lateral are dedicated to the mill. No improvement is needed for slope, size or material. A supplemental field test will be conducted to test the line with a camera.

Responding to T. Breckel, Mr. Starr stated that the anticipated market rates will be \$850 to \$1450 per month, with an anticipated mix of young professional tenants and families unlikely. He cited two or three children at his other two mill conversion projects with 209 units, and no onsite amenities such as playgrounds.

A flood wall has not been included in the design because it would displace flood storage, and therefore would require additional permitting and provision of compensatory flood storage. The applicant has committed, however, to participating in the NRCS floodwall design. Discussions with Michelle Burnett of RIEMA determined parking, storage and access, as proposed in this project, to be good flood-zone uses. Mr. Casali explained that although National Grid may relocate the existing transformers out of the flood zone, any DEM permitting required would be separate. Detailed structural analysis already has been conducted by wireless carriers but the applicant will conduct a structural analysis of the historic stack.



Comparing the proposed project to the Ledges as requested by the chair, Mr. Starr identified the following advantages: 1) smaller, 2) no affordable housing subsidies, 3) slightly higher rent levels with lower square-foot cost due to unit size, 4) nearer to Providence, 5) increased sense of neighborhood, with tenants not isolated in separate buildings, 6) no greenspace for families, 7) no three-bedroom units, 8) common clubhouse, media and workout rooms, 9) washer/dryer units in each unit, and 10) higher construction quality. Mr. Verardo said that many of the same claims were made during the Ledges permitting process. Security issues at other Starr Development complexes have been limited to “smash and grabs” in parking lots (since rectified by increasing lighting). Video cameras are installed at all Starr apartments.

Potential tenants will be notified up front that the site lies within a flood zone and that they are required to participate in the active alert system. The 10,000-gallon leaking underground storage tank that was discussed during refinancing has been pulled and contaminated soil removed. Monitoring and recovery wells have been installed to remove No. 4 and No. 6 heating oils. A financial impact study has not been conducted to determine the net benefit/cost to the community in taxes/services. All appliances will be EnergyStar rated, thermopane windows installed with full insulation (within the historic standards), and the roof replaced and insulated. Mini furnaces and hot water tanks will be installed in each unit, and a natural gas condenser on the roof. The building will be fully sprinklered with heat sensors (including the utility closets). Some walls will be sandblasted, and lead and asbestos have been checked out. Discussion focused on on-street parking and problems with truck access during storms. Mr. Riccio, owner of the mill, indicated a current access problem but that four to five trucks as well as UPS/FedEx trucks currently can make deliveries. The applicant has stipulated to no on-street parking, which would require Town Council approval before being posted.

Preliminary plan approved (motion by L. Garzone, second by P. Aguiar; 7-0) subject to Town Planner 11/16/10 recommendations 1, 3-11, 13-18 and the following:

19. *No tenant parking shall be permitted in Pocasset Street;*
20. *Stack shall be structurally assessed during design stage to certify soundness;*
21. *Security cameras shall be installed and operated in exterior common areas;*
22. *Contractors shall be alerted as to potentially contaminated soil;*
23. *Recovery wells shall be relocated as necessary for access;*
24. *Property manager shall maintain best management practices;*
25. *Financial impact study shall be conducted prior to final approval; and*
26. *Final plan approval shall be delegated administratively.*

V. **Old Business**

*Final Plan approval of proposed minor subdivision from 2 to 2 lots at 63 **Belfield Drive**—A.P. 54/Lots 25+26 on 10.27± acres zoned R-40—for Margaret A. **Barkan**. (PB '10-13)*

Final plan approved (motion by P. Aguiar, second by T. Breckel.; 7-0)

VI. **New Business**

*Advisory Opinion to Town Council on proposed Zoning Ordinances 2010-24, 25, 26, 27, 28, 29, 30, 31 & 32 re: **Planned District, Use Tables, and Parking**. (PB '10-45)*

Town Planner recommended additional amendments for consideration. Mr. Scott Spear, representing Briarcliffe, recommended an amendment to §340-98 A.(1). M. Campagnone and P. Passarelli expressed concern that this amendment had been proposed on the applicant's behalf.



Discussion focused on the town-wide benefits of Planning Board flexibility to waive the 20-acre NET requirement for PD if proposals meet the stated purpose and other recommendations.

Briarcliffe amendment accepted as reviewed by Town Solicitor (motion by T. Breckel, second by M. Campagnone; 7-0).

Positive recommendation to Town Council approved on proposed Zoning Ordinances as amended, (motion by L. Garzone, second by M. Campagnone; 7-0).

VII. Administrative Report & Special Items

VIII. General Business

2011 calendar of meetings adopted as amended (motion by M. Campagnone, second by P. Aguiar).

IX. Adjournment

December 7, 2010 Planning Board meeting adjourned at 10:30 p.m.

Lauren A. Garzone, SECRETARY