

**MINUTES OF THE PLANNING BOARD MEETING OF February 4, 2008**  
**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, Rick Lemek, Leo Felice, Bruce Ferreira, Michael Lupis, Jim Libby, Christopher Desjardins, and Marc Tremblay.

**Members Absent:** Jeff Presbrey

**Others Present:** Ray Cloutier, Zoning Board Chairman, Joseph Raymond, Building/Zoning Official, Thomas Kravitz, Town Planner, and Christine Langlois, Deputy Planner.

**II. ATTENDANCE REVIEW:**

The Chairman acknowledged that Mr. Presbrey was absent this evening due to a death in the family.

**III. ACCEPTANCE OF MINUTES:**

The **minutes of the Planning Board meeting of January 7, 2008** 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:**

- Planning Commissioners Journal.

**V. NEW BUSINESS:**

**Major Land Development:**

**MLM, LLC, Clear River Drive, Burrillville; Map 178, Lot 13: *Conceptual Plan Review:*** Attorney Christopher Zangari, Erin Gallogly, of Marc Nyberg Associates, and Michael Marchon, of MLM, LLC, were in attendance to represent. Attorney Zangari told the Board that the applicant has provided two concept plans that represent the development of his property – Concept 1 (which was displayed for the Board’s viewing), the preferred plan, and Concept 2 (which had been provided earlier to the Board). He then turned the presentation over to Ms. Gallogly.

Ms. Gallogly told the Board that the property, which is located on Clear River Drive, has approximately 9.75 undeveloped acres, with a zoning designation of General Industrial (GI) and the presence of both the A-100 and A-120 Aquifer Overlay Districts. The property also contains two series of forested wetland (depicted as A & B) – as displayed on both concept plans. She stated that each plan shows a proposed paved driveway, from Clear River Drive, and the construction of three separate buildings - an office, a garage and a repair shop. She stated that it is the applicant’s preference for Concept Plan 1 and then asked if there were any questions from the Board.

Mr. Tremblay questioned what the proposed use of the property would be, especially as the property lies within the aquifer protection area. Attorney Zangari stated that the applicant would be using the property for the storage of vehicles and for the transfer and storage of septic facilities (portajohns) - as the property is in such close proximity to the Burrillville Sewer Department. This would allow Mr. Marchon to utilize the Wastewater Treatment facility immediately across the street from his property at the end of the day and then store his vehicles. There will not be any storage of waste product on the site – all waste will be deposited at the wastewater treatment facility, and the units would return to the storage site clean. Mr. Marchon added that the septic units are pumped out on whatever site has used them, cleaned and then returned for storage at the storage site. Mr. Tremblay questioned whether there would be any chemical used in the cleaning process. Mr. Marchon said they no longer use liquid for cleaning. Individual tablets have taken the place of the liquids, which eliminates the spillage of any liquid on site. These vehicles would be stored within the garage. He offered to provide a sample of this product for the Board to review. Mr. Ferreira asked the applicant to provide a copy of the chemical list and/or any Hazmat sheets. Mr. Marchon agreed to do that.

Mr. Tremblay then questioned the proposed grading plan for the property and why the buildings are placed so far back on the property and Mr. Partington asked why there is so much space between the buildings? Ms. Gallogly stated that the applicant wishes to utilize the site to its maximum capacity. Due to the amount of equipment that will be stored on site, the applicant requested that the garage be placed in the back part of the site. This also allows for maneuvering the equipment on the site without incident. Mr. Tremblay questioned whether there would be additional pavement for parking the trucks. Ms. Gallogly said the only pavement would be the driveway. The grade material taken from the area of the garage would be used in construction of the driveway and the turnaround areas for the equipment. She noted that no engineering has been conducted to date. Mr. Tremblay questioned whether there was a limitation in the regulations on the number of vehicles that could be stored on the property. Mr. Kravitz, assuming that the storage of vehicles was the principal use of the property, stated that he would have to review the Zoning Ordinance with the Zoning Officer to see if the use is an allowed use. He noted that this property is part of the Route 102 Overlay zone and that there are parameters for outside storage. Mr. Tremblay noted that the properties that abut this parcel along Central Street are all residential uses, and the Board voiced concerns with several of the buildings being placed very close to the abutting properties. They suggested the applicant revisit these building placements and consider moving the locations or be prepared to defend them at the public hearing stage. Ms. Gallogly noted that there is a wood line that can serve as a buffer.

Mr. Libby, noting that wetland areas have been shaded blue, questioned other hatched areas on the plan. Ms. Gallogly stated that these were areas of constraint, just steep slopes. He then questioned the “ASSF” notations. Ms. Gallogly said they were “areas subject to stormwater flow”. Mr. Libby made note then that stormwater flows down the hill and cuts through. Ms. Gallogly added that Mr. George Gifford, the biologist for the

project, had completed the impact statement and although it was dry at times, it could be piped under the proposed driveway. Mr. Libby, voicing concern with the grade and the amount of disturbance with placing the garage in its proposed location, added that abutters of the project may have problems with the location of these buildings. Ms. Gallogly noted that there is a wood line between properties that can serve as a buffer. Mr. Tremblay asked how tall the garage would be. Mr. Marchon said that the garage door is 14' so the garage is 16' at its peak.

Mr. Lupis questioned the type of trucks that would be stored on site. Mr. Marchon said anywhere from pickups to 26,000 lb six-wheeler. Mr. Lupis asked how many trucks would be stored on the property after hours. Mr. Marchon said there would be about 10 trucks right now that would be stored within the garage, but that he anticipates future growth. Mr. Lupis asked how many trailers. Mr. Marchon said they have a variety of trailers such as 12 restroom trailers and 6 flatbed trailers. Mr. Lupis questioned the level of traffic. Mr. Marchon said once a day.

Mr. Partington questioned whether a retaining wall would be necessary in the area where intense grading would take place. Ms. Gallogly said that they were hoping to use the material on the site but that she would have more information at the next stage when some engineering has been conducted. Mr. Partington questioned the area proposed for a detention pond. Ms. Gallogly again stated once more engineering was conducted she could better determine the detention pond size. Mr. Partington noted that the Town prefers the use of UIC to detention ponds.

Mr. Ferreira stated that he felt Concept Plan 2 was a better option as it would provide current development on the front portion of the property and for future expansion towards the rear. Ms. Gallogly said that she felt development of site should be done with just one site plan and work out all the issues to utilize the back portion of the property now instead of coming back before the Board again. Mr. Ferreira noted that front development, as an office building, provides a good appearance for the business. Mr. Marchon said that he intends to have brick-front on his office building.

Mr. Felice asked if there has been any communications with the Burrillville Sewer Department regarding the intent of dumping the waste on a regular basis. Mr. Marchon said that they currently utilize other companies for dumping waste but hope to utilize the Town's more. There has not been any communications to date. Mr. Felice suggested that he consider talking to them to find out if there is any limit on what can be dumped at their site. Mr. Marchon said that he had considered this site for his business partly because of the wastewater facility but also because it is centrally located between Connecticut, Massachusetts and Rhode Island.

In light of what was discussed this evening, Mr. Kravitz requested a more detailed description of the use from the applicant – possibly even some photos of the equipment so the Board could have it for the record. He also said that he would like to meet with the Building/Zoning Official between now and when the material is submitted to review it

against the Zoning Ordinance to see if this use is allowed. He added that everyone has mentioned the potential of moving the buildings – if the use is allowed and the applicant submits at the next binding stage – the Board should make it clear with the applicant that they expect the buildings to be moved to minimize grading and increase the buffer the currently exists. The Board requested an additional scheme to present to the public showing the relocation of the buildings as an effort to maximize the buffer area for the abutters along Central Street, as well as the proposed location of the trucks, trailers and any other equipment. Ms. Gallogly asked if the applicant had to reappear before the Board with an additional concept plan. The Board said to provide the alternative plan with the next submission.

**Discussion on the Acceptance of the new Jesse Smith Library Roadway:** Mr. Kravitz referenced an email from the Clerk of the Works for the Jesse Smith Library project that states the portion of the roadway for the Library is complete and that the Town is in possession of a set of as-builts for the project. He added that he has been involved in this project every step of the way. This recommendation is for the Town Council's acceptance of the roadway as a means of assisting the Burrillville Redevelopment Agency in their efforts to begin work on Phase III, the Clocktower Phase, by conveying the property. A part of this roadway will be public while a part of the roadway will be private. *A motion to recommend Town Council acceptance of a portion of the roadway for the new Jesse Smith Library complex and to request the Town Council provide a name for such roadway was made by Mr. Partington. The motion received a second from Mr. Lupis and carried unanimously by the Board.*

## **VI. OTHER BUSINESS:**

### **Report from Administrative Officer:**

Mr. Kravitz noted that during the month of January, Certificates of Completeness were issued for: **Boy Scouts, Croff Road, Burrillville** (Administrative Lot Merger – 2 lots); **Burrillville Redevelopment Agency & Town of Burrillville, East Avenue, Harrisville Main Street & Central Street, Harrisville** (Administrative – 2 lots); and **MLM, LLC, Clear River Drive, Burrillville** (Preapplication Major Land Development). There were no plans rejected as incomplete. The following plans were endorsed: **Boy Scouts, Croff Road, Burrillville** (Administrative Lot Merger – 2 lots); and **Burrillville Redevelopment Agency & Town of Burrillville, East Avenue, Harrisville Main Street & Central Street, Harrisville** (Administrative – 2 lots).

A five-minute recess was called at 7:55 p.m.

The meeting resumed at 8:00 p.m.

### **Planning Board Discussions:**

**Workshop on Conservation Easements:** Mr. Paul Roselli, of the Burrillville Land Trust and Conservation Commission and Mr. Rupert Friday, the Executive Director of the Land Trust Council, were in attendance to provide the Planning Board with

information regarding Conservation Easements (see attached power-point presentation provided by Mr. Roselli)

**Planning Board Representative for the Senior Task Force:** Mr. Partington told the Board that a memo had been submitted to the Town Council requesting that the Planning Board have a part in locating the proposed new senior center as well as having a member serve as a liaison to the Senior Task Force. He noted, however, that the Council had not received the memo because the Town Manager felt there was a little too more information being provided, as the memo also included potential site info. The Board directed the Town Planner to rewrite and resubmit the memo to the Council, removing the potential site information.

**Survey from Statewide Planning:** Mr. Kravitz told the Board that the survey was provided by Statewide Planning to assist them in understanding whether the Comprehensive Planning process is efficient and looking for the Board's knowledge of that process.

**Members Reappointment:** Mr. Partington pointed out that Mr. Lemek, Mr. Felice and Mr. Libby were all up for reappointment to the Board and reminded them to submit their paperwork to the Town Clerk for consideration.

As there was nothing further to discuss, *a motion to adjourn was then made at 9:15 p.m. by Mr. Ferreira, seconded by Mr. Desjardins and carried unanimously by the Board.*