

MINUTES OF THE PLANNING BOARD MEETING OF NOVEMBER 3, 2008
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, Marc Tremblay, Jim Libby, Christopher Desjardins, and Jeffrey Presbrey.

Others Present: Ray Cloutier, Zoning Board Chairman, Thomas Kravitz, Town Planner and Christine Langlois, Deputy Planner.

II. ATTENDANCE REVIEW:

The Chairman acknowledged that all members were present.

III. ACCEPTANCE OF MINUTES:

The **minutes of the Planning Board meeting of October 6, 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:

- Two RIDEM Notices of Insignificant Alterations to Wetlands
- Common Ground Newsletter

V. NEW BUSINESS:

Minor Subdivision:

Peter Gesualdi, Log Road, Burrillville/North Smithfield; Map 236, Lot 18: Conceptual Rural Residential Compound Plan Review: Attorney Scott Partington, Erin Gallogly, of Marc Nyberg Associates, and Mr. Peter Gesualdi were in attendance to represent the request. Attorney Partington told the Board that the property is located on Log Road and consists of approximately 40 acres - 35 acres located in Burrillville and 5 acres located in North Smithfield. There is approximately 70% frontage, to the property, in North Smithfield and the remaining frontage is in Burrillville. He noted that in further reviewing the RRC ordinance and the property with the engineer, the proposal of 5 lots in Burrillville and the additional lot in North Smithfield may not be considered as it does not conform to the density requirement of the RRC ordinance. It appears that when drafting the plan, the engineer created 5 lots in accordance with the 2-acre minimum requirement of the RRC. For purposes of the pre-application, he added that he had conducted cursory research of two zoning cases that dealt with subdivision across town borders, but did not offer any specific citations. He then turned the presentation over to Erin Gallogly, of Marc Nyberg Associates.

Ms. Gallogly stated that she was the project manager and proceeded to explain that upon second review of the plan, they had noted several problems. In regards to a conventional yield plan, a request for a waiver from this regulation had been submitted; however, Mr. Kravitz had informed them that the conventional yield plan is part of the zoning ordinance and the Planning Board cannot waive that requirement. She then proceeded to see what could be developed based upon the conventional yield plan – which was six, possibly seven lots – and said she could provide the plan at the next submission. She

added that she believed the RRC proposal is a better development than a conventional subdivision – having less disturbance to the wetlands. She then asked for questions from the Board.

Mr. Partington noted that the Town has always had the cooperation of North Smithfield in dealing with parcels that cross town borders. Ms. Gallogly added that she had submitted the plan to the North Smithfield Planning Board and Town Planner, and they did not have any problems with it. Mr. Partington further stated that a good portion of the property is wetlands, which may substantially affect the number of proposed lots. The other Board members agreed, pointing out that the property could safely support two, maybe three lots. The Board questioned the proposed roadway for Concept 2. Ms. Gallogly stated that the roadway would cut through the existing property by way of easement from the property owner. Mr. Ferreira pointed out that the **abutters**, on the **North Smithfield side**, have not been identified on the plan and requested that this information be provided. Mr. Presbrey noted that the **text was really too small to read** and asked that the **font size be increased**. The Board questioned whether there was any access to open space. Ms. Gallogly pointed out an area for access on the plan. Mr. Libby questioned whether there was **sufficient frontage in North Smithfield** for the proposed roadway and the remaining house lot. Ms. Gallogly said that she had spoken with the North Smithfield planner and if a variance was required, they would support it. Mr. Libby then suggested the applicant **provide the proper documentation to support North Smithfield's position**. Mr. Presbrey pointed out that the RRC ordinance requires **2-acres of buildable area, excluding wetlands**, for each lot as well as **50% of open space for the subdivision**. Mr. Kravitz suggested the applicant provide the Board with **an additional concept in keeping with the RRC ordinance**. Ms. Gallogly asked if the Board preferred Concept 1. Mr. Partington stated that the Board would like to see Concept 1 revised as well as the conventional yield plan and an additional concept. Mr. Kravitz asked for Attorney Partington to provide a copy of the two zoning cases he referenced at the beginning of the presentation.

Jamie Sousa, Oak Valley Lane, Nasonville; Map 149, Lot 28: Site Plan Review: Mr. & Mrs. Sousa were both in attendance to represent their request. Mr. Sousa told the Board that he and his wife had purchased a parcel within the Oak Valley Estates subdivision, from the developer, but were unhappy with the proposed house location, as it was situated very close to the other houses. They are proposing to move the house location and were requesting approval of the site plan. Mr. Partington noted that the plan displays the new location, but fails to show any new test holes for a septic design and a well. Mr. Sousa said that they are proposing to use the existing test holes locations, as the new house location is much higher than the old. Mr. Partington also questioned a large mound in the rear of the new house location. Mr. Sousa said that the mound is a pile of gravel. Mr. Presbrey questioned whether any wetlands had been impacted by the extensive grading that has taken place on the property by Mr. Sousa. Mr. Sousa said that it was Mr. Therien's opinion that there were no wetlands in the area. Mr. Presbrey questioned whether the siltation fencing has been installed. Mr. Sousa said approximately 60% of it has been installed. Mr. Presbrey voiced concern with the amount of area that has been disturbed and the amount of trees that have been removed. Mr. Sousa explained that prior to purchasing the property, he met with Mr. Therien and

asked if the house location could be moved. He said that Mr. Therien stated that there is no wetlands, no cemeteries and stonewalls so he should have no problem. He added that he did not realize that he had to appear before the Board for this request. Mr. Presbrey pointed out that the proposed area for the septic system has been disturbed which affects its efficiency as a septic system. He also asked if there has been any landscaping and vegetative work done yet. Mr. Sousa said nothing has been done, but he was hoping to get some work done in order to control any erosion. Mr. Presbrey said that he was concerned with erosion. Mr. Tremblay questioned whether relocating the house would have an impact on the adjacent open space. Mr. Partington said he believed that the new location would not affect the open space. Mr. Ferreira voiced concern with the proposed length of the driveway. Mr. Kravitz told the Board that he could receive all information administratively from the applicant, as well as the recording documents, if the Board did not have a problem with it. Mr. Partington stated that he would like to have the fire chief of Nasonville reviewed the proposed driveway before finalizing anything.

As there were no further questions from the Board, a motion to approve the site plan for Jamie Sousa, AP 149 Lot 28, Oak Valley Lane, Burrillville, RI dated October 2008, was made by Mr. Presbrey with the stipulation that all RIDEM required approvals will be submitted to the Planning Department; siltation control will be installed and maintained until the vegetation is re-grown on the site; proposed driveway shall be approved by the Nasonville Fire Chief; the Town Planner will be given access to the site to review progress and condition and report to the Planning Board; the Planner is authorized to receive items and approve the plan administratively. The motion received a second from Mr. Ferreira and carried unanimously by the Board.

Major Land Development:

Harrisville Village, Steere Farm Road & Mowry Street, Harrisville; Map 160, Lot 34: Review of Site Plan for New Parking Lot/Dumpster Location: The Board noted that there was no one in attendance to represent the request. They asked Mr. Kravitz for his comments. Mr. Kravitz told the Board that he had scaled out on the plan and noted that it was a nominal change. He noted that the Board had requested at the last meeting that a plan be provided showing more details such as proposed landscaping and recycling/dumpster area. The Board agreed and directed Mr. Kravitz to draft a letter to the developers requesting this information. They also requested that he check into requiring the developers to recycle and to also talk to the Town Solicitor regarding this issue.

A motion to continue the review of the Harrisville Village Site Plan for New Parking Lot & Dumpster Location was made by Mr. Ferreira until further information is received from the developers showing the shielding of the dumpster area as well as a recycling plan and a landscaping plan. The motion received a second from Mr. Desjardins and carried unanimously by the Board.

VI. OTHER BUSINESS:

Report from Administrative Officer:

Mr. Kravitz noted that during the month of October, the following Certificates of Completion were issued: **Peter Gesualdi, Log Road, Burrillville/North Smithfield** (Conceptual Minor RRC – 5 lots), **Roots & Shoots Garden Center, Esposito Property,**

Broncos Highway, Nasonville (Final Major Land Development); **Irene Gillis & Louise Schofield, Jackson Schoolhouse Road, Pascoag** (Administrative – Survey Plan); **Bruce & David Barnes, Mowry & East Streets, Burrillville** (Administrative – Survey); and **Jamie Sousa, Oak Valley Lane, Nasonville** (Site Plan). There were no plans rejected as incomplete. The following plans were endorsed: **Roots & Shoots Garden Center, Esposito Property, Broncos Highway, Nasonville** (Final Major Land Development) and **Irene Gillis & Louise Schofield, Jackson Schoolhouse Road, Pascoag** (Administrative – Survey Plan).

Planning Board Discussions: Mr. Ferreira informed the Board that the Senior Task Force will not be dismissed so that when the Council decides to pursue a senior center, the advisory board will already be in existence.

As there was nothing further to discuss, a motion to adjourn was then made at 8:05 p.m. by Mr. Tremblay, seconded by Mr. Ferreira and carried unanimously by the Board.