

MINUTES OF THE PLANNING BOARD MEETING OF JANUARY 5, 2009
SUBJECT TO APPROVAL AT THE NEXT REGULAR MEETING

I. CALL TO ORDER:

Meeting was called to order at 7:00 p.m., Jim Libby, Vice-Chairman, presiding.

Members Present: Jim Libby, Rick Lemek, Leo Felice, Bruce Ferreira, Mike Lupis, Christopher Desjardins, Jeffrey Presbrey and Marc Tremblay.

Members Absent: Jeff Partington

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

II. ATTENDANCE REVIEW:

The Vice-Chairman acknowledged that the Chairman was not present this evening due to a work-related engagement.

III. ACCEPTANCE OF MINUTES:

The **minutes of the Planning Board meeting of December 1, 2008** were read. *A motion to accept the minutes as presented was made by Mr. Ferreira, seconded by Mr. Lemek and carried unanimously by the Board.*

IV. CORRESPONDENCE:

- DPW letter regarding their final inspection of the Wolfe Hill Estates roadway
- DPW letter regarding the amount of inspection fees utilized for Wolfe Hill Estates

V. NEW BUSINESS:

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;* Developers Mark Bard and Victor Bevilacqua were in attendance to represent the request. Referring to the site plan previously submitted to the Board, Mr. Bard explained that a community center had originally been proposed for this site; however, upon the request of the current occupants of the development, they had sought, and received, approval from the Planning Board to eliminate the community center and propose a visitor parking/dumpster area. The plan before the Board tonight represents the visitor parking/dumpster area proposal. He explained that the parking area would be paved with asphalt and the dumpster area would have a concrete pad. A chain-linked fence, with vinyl slats, would surround the dumpster location to provide screening for the abutting units. Drainage would consist of a sheet flow to the rear of the area, where there will be rip rap placed to catch and slow down this drainage. He noted that there would be two dumpsters provided as well as several bins for recycling.

Mr. Lemek questioned whether they would be planting shrubbery to also serve as a screening besides the fencing. Mr. Bard said that the fencing is the only proposal for now. Mr. Felice asked if they would consider a more decorative fence, such as a cedar fence or a vinyl fence, for aesthetic purposes. Mr. Bard said that he would consider either alternative; however, in his experience, these types of fencing do not hold up to the

wear and tear of a dumpster truck – the chain-linked fence holds up far better. Mr. Lemek added that the aesthetic improvement could be the planting of shrubs. Mr. Bard agreed. Mr. Desjardins suggested that the plantings be placed on both sides in consideration of the abutting units. Mr. Libby suggested that they consider plantings on the northeast side also for the residences in that area and that any plantings should be consistent with the fence height.

Mr. Presbrey suggested they consider installing heavy duty bollards to prevent the dumpsters from hitting any fencing. Mr. Libby asked whether there would be gates provided for the front of the dumpster area to serve as additional screening, as the location is directly opposite the grassed common area with a lovely gazebo. Mr. Bard said he is concerned that some individuals might not take the time to close the gates properly and they would end up being broken. Mr. Libby then asked for the proposed height of the fence and also suggested that if a chain-linked fence was used, they consider a hunter green color for the vinyl slats. Mr. Bard said the fence would be a height of six (6) feet and would definitely consider the hunter green color.

Mr. Ferreira stated that he was glad that the plan proposed for an increase in the number of dumpsters as the site currently is in need of more than one. Mr. Bard said that he has recently contacted the trash company and asked for a larger dumpster. Mr. Ferreira voiced concern with dumpster deliveries being properly lined up. Mr. Bard assured the Board that the companies are aware of their needs.

Mr. Presbrey questioned the amount and rate of runoff. Mr. Bard stated that they have observed a very small amount of runoff from the drains of the abutting unit. Mr. Presbrey said that his concern was with the difference between roof runoff and pavement runoff. He questioned how far were the wetlands, located in the rear of this area, from the proposed parking area. Mr. Bard said that the wetlands were approximately 25 feet from the edge of the parking lot, but the rip rap would pre-clean any runoff before discharging to the wetlands. Mr. Presbrey pointed out that RIDEM would have a problem with this when they conduct an inspection. Mr. Bard noted that there shouldn't be an issue as they will be staying out of the buffer zone. Parking had been originally proposed with the community center plan. He did state that gates could be added at any time if the Board decides later that the gates are important.

As there were no further questions from the Board, a motion to approve the Recycle Dumpster & Parking Plan for Harrisville Village was made by Mr. Tremblay, with the chain-linked fence and vinyl slats for screening, as proposed, without any gates, reserving the right to consider the gates at a future time. The motion was seconded by Mr. Lemek. Under discussions, Mr. Presbrey requested an amendment to the motion to include that the rip rap be placed along the backside and along the southside, protecting the flow direction of runoff at 10 feet in width, according to Rhode Island's standard specifications. The amendment received a second from Mr. Ferreira and carried unanimously. The original motion of approval then carried unanimously.

Harrisville Village, Steere Farm Road & Mowry Street, Harrisville; Map 160, Lot 34: Review of modifications to Buildings 6 & 7; Kevin Munroe, of Munroe & Associates

Architects, and developers Mark Bard and Victor Bevilacqua were in attendance to represent this request. Mr. Munroe began the discussion by stating that several changes have taken place, in the field, in regards to Buildings 6 & 7. The first change to Building 6, Unit 161, was the relocation of the kitchen and the addition of an entranceway, and small deck, in the rear of the unit. The kitchen relocation, however, entailed the elimination of one of the windows on the street side. The second change to this unit involved the elimination of one of the bathrooms, as the unit has been designated affordable. Affordable units contain a single bath, on the second floor, in comparison with a standard unit, that contains two full baths. The change to a single bath layout caused for the elimination of another window on the street side. Also during construction, two other windows were somehow eliminated. As this unit faces the existing street, the side of the unit became like a blank wall. So several of the windows were put back and a single window in the living room area became a double window.

In regards to Building 7, Mr. Munroe stated that because of the grade on the site, a portion of the building had to be stepped up, creating a grade change of one foot between Units 171 and 175. Originally the porch was suppose to extend the length of Unit 171 but became impossible due to the grade change. The current proposal would extend the existing porch past the double windows of the living room on Unit 171. He noted the false gable, which was originally proposed in the area of the extended porch, was has been eliminated.

Mr. Bard noted that although a few errors/changes were made, without the Planning Board's approval, they have added other features to the units, such as sidelights on the front doors and decks off the back of the units. He assured the Board that in the future should any other aspect of the development require a change, they would request the Board's review and approval before constructing the changes.

As there were no further questions, *a motion to approve the modifications to Building 6 & 7 of the Harrisville Village Development as presented this evening, and the extension of the porch, was made by Mr. Felice. The motion received a second from Mr. Desjardins and carried unanimously by the Board.*

Minor Land Development:

Town of Burrillville, 1477 Victory Highway, Oakland; Map 162, Lot 50: Review of Preliminary Plan for Addition & Renovations to the Police Station; Recommendation to Zoning Board: Mr. Marc Saccoccio and Mr. Tom Imondi, of Saccoccio & Associates, Inc., and Mr. Ed Pontes, of Jacobs Engineering, were in attendance to represent the request. Mr. Saccoccio began by explaining the proposed addition and improvements to the current police station facility. He noted that the changes consist of a new community room (which will also be used for Municipal Court), additional public space, a new EMA area, fitness equipment area and general storage. Minor changes include the expansion of the squad room, locker room facilities and updating of the dispatch area. In regards to the exterior modifications, Mr. Saccoccio stated the addition is matching and essentially following the existing facility. He then turned the presentation over to Ed Pontes.

Mr. Pontes stated that his firm is working with Saccoccio & Associates to design the exterior site improvements of the project. He noted the new addition would displace the original access to the site so they have redesigned a new, suitable access that provides access to the rear of the facility for official police vehicle as well as the kennel area and rear fenced container area. In regards to parking, he stated that they took into consideration the existing public parking in the front of the building as well as the parking requirements for the new addition. In accordance with the Town's Zoning Ordinance (Section 30-156), the number of parking spaces, based upon a 9,600 sq/ft addition, would be 35 spaces. Noting that this amount would create an oversized lot, it was determined, in conversations with Town officials, that the creation of no more than 25 parking spaces would be appropriate to service this facility. The parking lot has been designed to be offset from the building and to compliment the site's grading conditions – no significant filling conditions and no significant cuts. The new vehicle access, which is approximately 26 feet in width, will also provide a suitable separation and will be signed appropriately. This width allows for safe ins and outs, and will reduce the damage of berms by plows. The entire parking area is proposed to have berms completely surrounding the perimeter. Access, from the parking lot to the building, is provided by a series of cast-in-place progressive steps. He noted that they are also proposing the relocation of an existing dumpster to the rear of the proposed parking area. Mr. Libby, noting the plan calls for asphalt berms, suggested the use of pre-concrete, as the asphalt berms have a tendency to deteriorate quickly due to the New England weather.

The site lends itself well to providing porous permeable pavement and allows recharge thru the supporting gravel areas, then migrates through to the groundwater. This system is, also known as a detention bio-swale, and is being proposed along with a pretreatment filter strip. Any runoff that does not make it into the system would flow into a collection swale, which is also designed to collect any roof runoff as well as the sheet flow from the parking lot. This represents 100% recharge to the groundwater. Mr. Presbrey questioned whether the stormwater system had been designed for a 100-year storm. Mr. Pontes said that it had been. Mr. Presbrey questioned whether the 15-foot access driveway to the rear of the building was sufficient in width, pointing out that it would only allow one vehicle at a time. He, and several other members, voiced concern with the parking spaces at the end of the driveway. Mr. Pontes said the access driveway is 15 feet only because that is the current width of the driveway. Mr. Saccoccio suggested eliminating the raised island, replacing with pavement to improve the turning radius. Mr. Presbrey suggested moving the propane tank to a better location so that the parking area could possibly be expanded for a better turning radius.

In regards to RIDEM, Mr. Pontes proceeded to point out the limits of disturbance and the 50-foot buffer area, which defines the existing wetland that is an upstream tributary to the Branch River. In terms of permitting, the wetland is recognized as sensitive and has been provided an additional offset, besides the required 50-foot buffer. This would allow for the filing of just a Preliminary Determination from DEM.

In regards to the utilities, Mr. Pontes stated that a sewer injection pump is proposed, with a grinder pump, to feed into the receiving gravity main in the road. Peak flow has been calculated at 35 gallons per minute. He noted that a phone call has been made to the Sewer Commission to verify that number. This injector pump replaces an existing

injector pump. The existing phone system will be maintained in its current location. Electrical service is proposed to be moved from its current location in order to properly connect to the new improvements. Fire protection will be provided by a 20,000 gallon fiberglass underground storage tank, with an emergency water feed. Protection of existing landscaping will be providing during the upgrade of any of the utilities.

Both Mr. Ferreira and Mr. Desjarlais questioned the proposed life of the improvements, pointing out that this would be the third upgrade/addition to the Police Station over the past 25 years. Mr. Saccoccio stated that the proposed additional 4,500 sq/ft for the basement area provides more flexibility than in the past additions. He pointed out that the only area at the Police Station that could possibly require upgrading in the future would be the cell area. The intent of this project is to provide adequate space so future upgrades are not necessary.

Mr. Libby asked whether a landscaping plan would be submitted for their review. Mr. Saccoccio noted that monies for preparation of a landscaping plan had been eliminated from the project. Mr. Libby pointed out that nurseries employ landscape architects who will provide a plan, generally at a nominal cost, when product is being purchased. Perhaps they can obtain a plan that way as a landscape plan is a requirement of the process. He also suggested they consider screening the dumpster, propane tank, and generator areas and consider relocating/hiding the condenser units.

Mr. Saccoccio explained to the Board that the setback variance was necessary as a result of the parking lot location as well as the grading. *A motion to forward a favorable recommendation to the Zoning Board in regards to granting the variance from the front-yard setback was made by Mr. Ferreira. The motion received a second from Mr. Desjardins and carried unanimously by the Board.*

A motion to approve the Preliminary Minor Land Development Plan for the Addition & Renovations to the Police Station was made by Mr. Ferreira, in fulfillment of RIGL 45-23-30, 45-23-38 and 45-23-60, the land development project is consistent with the Town's Comprehensive Plan, specifically Chapter III – Community Services & Facilities Goal III.1; Policy III.1.b; and Implementation Action III.1.b.1; the land development does not harm the intent or purpose of the zoning ordinance and the Planning Board hereby supports the relief necessary from the Zoning Ordinance Section 30-202.D, regarding the 40-foot front setback requirement; it is expected that there will no significant, negative environmental impacts as a result of the addition as evidenced in the Biologist letter dated 12-15-2008; the land development will not result in the creation of an unbuildable lot; the lot has adequate and permanent physical access to Victory Highway, which is a State roadway; conditioned upon the relocation of the propane tank from the rear access driveway to increase parking; receiving approval from RIDEM; and relocating the condensers so that they are less visible. The motion received a second from Mr. Tremblay and carried unanimously by the Board.

Industrial Foundation of Burrillville, Central Street, Burrillville; Map 178, Lot 5: *Review of Preliminary Plan; Recommendation to Zoning Board;* Scott Gibbs, President of the Economic Development Foundation of Rhode Island, Bruce Rylah, Chairman, and Renee McLeish, Treasurer, of the Industrial Foundation, were in attendance to represent

the request. Mr. Gibbs informed the Board that the parcel currently contains approximately 22.15 acres, fronting on both Central Street and Clear River Drive. The zoning of the property is split between the R-20 and GI zones. The proposal would subdivide the property into two lots – Parcel A, within the R-20 zoning district, would have approximately .8407 acres and front on Central Street; Parcel B would contain the remaining land of 21.468 acres, within the GI zoning district and front on Clear River Drive. He told the Board that the Industrial Foundation is currently under a Purchase & Sales Agreement to sell the Town the land along Clear River Drive. He noted, however, that the subdivision would require dimensional relief from the Zoning Board for Parcel A, in regards to area and lot width within the A-80 Aquifer Overlay District. He noted that all wetlands have been delineated on the property and that Parcel B contains a utility easement, as noted on the plan.

A motion to approve the Preliminary Minor Subdivision plan for the Industrial Foundation of Burrillville was made by Mr. Tremblay in accordance with RIGL Section 45-23-30, 45-23-38 and 45-23-60, the minor subdivision is consistent with the Town's Comprehensive Plan, specifically Chapter VII Economic Development, Goal VII.1; Implementation Action VII.1.a.4; the subdivision does not harm the intent or purpose of the Zoning Ordinance, and the Planning Board hereby supports the lot dimensional relief necessary from Zoning Section 30-202. D, regarding lot size and width; there will be no significant, negative environmental impacts; the subdivision will not result in the creation of unbuildable lot; the proposed residential lot has adequate and permanent physical access to Central Street, which is a town-accepted road, while the Town's property will have frontage on Clear River Drive. The motion received a second from Mr. Lemek and carried unanimously by the Board.

A motion to forward a favorable recommendation to the Zoning Board in the granting of the necessary dimensional variances (relief from Section 30-202. D lot size and lot width) was made by Mr. Presbrey. The motion received a second from Mr. Ferreira and carried unanimous by the Board.

Review/Public Hearing on Amendments to the Burrillville Subdivision & Land Development Regulations: Mr. Kravitz told the Board that the changes to the Subdivision & Land Development Regulations were the result of the State's amendments from July 2008 to RIGL 45-23 Subdivision of Land.

Mr. Libby then proceeded to open the Public Hearing at 9:00 p.m. Having no one present in the audience and no further questions, *a motion to close the Public Hearing at 9:01 p.m. was made by Mr. Ferreira, seconded by Mr. Desjardins and carried unanimously.*

A motion was made by Mr. Ferreira to approve the amendments to the Town's Subdivision & Land Development Regulations as presented. 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 December, Certificates of Completion were issued for the following: **Additions & Renovations to the Burrillville Police**

Headquarters, 1477 Victory Highway, Oakland (Preliminary Minor Land Development) and **Industrial Foundation of Burrillville, Central Street, Burrillville** (Preliminary Minor Subdivision – 2 lots). There were no plans rejected as incomplete and no plans endorsed.

Planning Board Discussions:

Update on the Senior Center from the Senior Task Force Liaison for Discussion, Consideration & Action: Mr. Ferreira informed the Board that at the last meeting of the Senior Task Force, in early December, the members rehashed the same issue of siting the Senior Center in Oakland. He noted that they are looking to go before the Town Council to see if, and when, they can schedule a Special Election to request a bond for the Senior Center. Mr. Kravitz reminded the Board they have the right to tell the Senior Task Force that if, and when, a bond is approved, the plan must be reviewed and approved by the Planning Board.

As there was nothing further to discuss, a motion to adjourn was then made at 9:07 p.m. by Mr. Ferreira, seconded by Mr. Desjardins and carried unanimously by the Board.