

**MINUTES OF THE PLANNING BOARD MEETING OF JULY 11, 2011
AT THE JESSE SMITH LIBRARY COMMUNITY ROOM
SUBJECT TO APPROVAL AT THE NEXT REGULAR MEETING**

I. CALL TO ORDER:

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

Members Present: Leo Felice, Marc Tremblay, Dov Pick, Bruce Ferreira, Michael Lupis, Christopher Desjardins and Jeff Presbrey.

Members Absent: Jeff Presbrey.

Others Present: Ray Cloutier, Zoning Board Chairman, Thomas Kravitz, Planning & Economic Development Director, and Christine Langlois, Deputy Planner.

II. ATTENDANCE REVIEW:

The Vice-Chairman acknowledged that all members were present with the exception of the Chair who is away on business.

III. ACCEPTANCE OF MINUTES:

The **minutes of the Planning Board meeting of June 6, 2011** were read. *A motion to approve the minutes was made by Mr. Ferreira, seconded by Mr. Desjardins and carried unanimously by the Board.*

IV. CORRESPONDENCE:

- Correspondence from the DPW Director regarding Harrisville Village's involvement in the sidewalk installation on Mowry Street

At this point, Mr. Felice proceeded to explain the procedures for the Public Hearing process for the benefit of the audience as two of the items on the agenda this evening involved Public Hearings.

V. OLD BUSINESS:

Minor Subdivision:

Pascoag Village, South Main Street, Reservoir Road & George Eddy Drive, Pascoag; Map 210, Lot 23: *Preliminary Plan Review (cont'd from the June 6, 2011 meeting):* Mr. Kravitz informed the Board that the representatives of the Pascoag Village submission have again requested a continuance as they are still awaiting the completed Conservation Easement. *A motion to continue the Pascoag Village Preliminary Plan review to the August 2011 meeting was made by Mr. Tremblay, seconded by Mr. Ferreira and carried unanimously by the Board.*

JJP Pascoag, LLC/CVS, High Street, Pascoag; Map 174, Lots 132 & 133; Map 191, Lot 114: *Review of Proposed Signage/Advisory to Zoning Board (cont'd from the June 6, 2011 meeting):* Mr. Gary McCoy, of Poyant Sign Co., was in attendance to continue the review. He stated that after the last meeting, he had taken the Board's comments and

incorporated changes to the original plan. He outlined the changes for the benefit of the audience:

1. Monument sign at entrance has been reduced to a height of 5'10" from the original 24' pylon sign – similar to the Chepachet CVS signage;
2. The channel lettering on the building has been changed to raised lettering with "halo" lighting; gooseneck lighting added as an aesthetic element; monument sign lettering to mimic the raised lettering with the "halo" element proposed for the building;
3. Lettering proposed on the pharmacy canopy but not lighted; same for the drive-thru signage which will be approximately 3' in height and located in various spots in the parking area;

Mr. Kravitz informed the Board that with this recent change in the signage, it was determined by Mr. Raymond that the application would not need Zoning Board approval.

Mr. Ferreira stated that he felt the monument sign was not really necessary but was not opposed to it either. He further requested that the small portion of the existing structure that will remain on site be required to match the signage as that of the new CVS building.

As there were no further questions, *a motion was made by Mr. Tremblay to approve the Signage proposal for CVS in accordance with the Town's Subdivision & Land Development Regulations, Burrillville Development Plan Review Regulations, Section 2.11 Signage, Section 1 Design, Dimension, Scale and Location, "[Sign] size should be proportional to the size of the overall development and immediate streetscape;" Zoning Ordinance Section 30-157. Sign Regulations, Subsection (a) Purpose ". . . [sign regulations are intended to enhance] the historic culture of the community"; (g) Requirements by zone. (3) Commercial and industrial districts. "Signs shall be either constructed of wood, hardy board (hardiplank), or wood composite material and may be indirectly illuminated;" conditioned upon the other building having the same signage/lighting as proposed for the new CVS building. The motion received a second from Mr. Pick and carried unanimously by the Board.*

At this point, Mr. Felice requested the Board consider changing the order of business to discuss the Adler Properties submission first. *A motion to move the Adler Properties Master-Preliminary plan review to the beginning of New Business was made by Mr. Ferreira, seconded by Mr. Desjardins and carried unanimously by the Board.*

VI. NEW BUSINESS:

Major Land Development:

Adler Properties, Clear River Industrial Park, Lot 123 Industrial Building, Burrillville; Map 179, Lot 123: Master-Preliminary Plan Review/Public Hearing: Mr. Nick Piampiano, of Advanced Civil Design, and Mr. Jeremiah Adler, of Adler Bros., were in attendance to represent the request. Mr. Adler told the Board that the plan represents the construction of a five-unit, 11,600 sq/ft. metal industrial building within the Clear River Industrial Park - similar to the four-unit industrial building located at 70

Locust Lane. The building will be serviced by public sewer and water. He stated that a landscaping plan had been provided for the Board's review along with several photos showing the condition of the rear slope of the property.

Mr. Piampiano noted that they would be installing riprap to stabilize the 2-to-1 slope and that the existing treeline would remain to provide a natural-screening buffer. The overall height of the slope is approximately 12'. He further noted that test holes dug resulted in from 18' in the front of the property to 11' to the rear with a grade distance of about 10'. In regards to the water and sewer connections, he stated that the utility applications have been submitted for review. He added that they are also proposing the installation of underground injection control systems (3) to handle the drainage of the site, which currently flows off site onto an adjacent vacant lot. The application for these systems was submitted to RIDEM for their review and approval. Once installed, 100% of the pervious runoff will be treated and infiltrated into the ground. Only a small portion of runoff will be allowed to enter the roadway drainage system, which is in the vicinity of the two access points. Mr. Kravitz pointed out to the Board that the submission includes correspondence that certifies water and sewer availability and provides the physical alteration permit issued by the Town's DPW Director. The only item missing is the DEM approval of the UIC systems.

Mr. Ferreira questioned the type of riprap proposed for use on the slope area. Mr. Piampiano stated that it would probably be a Class C type riprap, (R03-R4), which is a medium-size stone.

Mr. Tremblay questioned whether the UIC systems included any interior floor drains or will it be a contained system. Mr. Adler replied that there were no interior floor drains proposed. Mr. Piampiano stated the only runoff into the systems was from roof drains and the parking. Mr. Tremblay then asked if there was any type of containment, based upon what type of business would be within the building. Mr. Adler stated that there would not be any type of truck manufacturing within the proposed building; proposed uses include a form of manufacturing, a cold storage business. No trucks of any kind would be brought within the building. Noting that the proposal calls for a couple of loading docks, Mr. Tremblay questioned whether there was any spill containment proposed and whether there were any requirements under the Town's Design Standards. Mr. Kravitz stated that the Design Standards do not address anything on the interior of the buildings.

Mr. Tremblay then questioned why the landscaping plant outlined the installation of plantings along the ridge of the slope, whereas during discussions, it was stated that riprap would be installed instead. Mr. Adler stated that upon completing the clearing work, it was determined that the plantings were not necessary – that it was better to install the riprap. Mr. Tremblay expressed concerns with the existing pine trees toppling down. He suggested that they consider removing a row of trees and replant the area to stabilize the area to prevent the trees from falling over. Mr. Pick expressed the same concerns as Mr. Tremblay.

Mr. Ferreira, noting the loading dock is proposed to be below grade, questioned whether this would create a water collection area and that he would request the installation of an oil-water separator within this area to prevent contamination. Mr. Piampiano explained that currently there is a trench drain, which leads to a hooded catch basin. Mr. Ferreira requested the oil-water separator be placed within the catch basin. Mr. Piampiano also noted that the UIC systems are designed with filtering at the inlets to prevent any contaminants from entering the system.

In regards to the building appearance, Mr. Ferreira noted that the front of the building contains an overhand and asked whether the developer was considering the installation of columns. Mr. Adler said they were, and that the columns would be simply decorative and not structural. He noted that the building design would be very similar to the other industrial building located at 70 Locust Lane, with a change to a light tan color on the sides and a blue trim on the front. The stone block would continue up the entire front of the building.

Mr. Presbrey pointed out that it may be difficult to construct the retaining wall along the entrance to the where the loading dock will be because of the closeness to the surface of 52" HDPE. He voiced concerns with the retaining wall to the north, which will be about 10' high and asked whether it would be a pre-cast concrete wall. Mr. Piampiano said it would be and Mr. Adler added that they were now considering a 46' high boulder wall with riprap on the top.

Mr. Felice questioned whether the riprap was the best method for preventing the slope from washing away. Mr. Adler said it was. Mr. Felice also stated that he thought it was a good idea for the additional row of plantings along the top of the slope to prevent the existing pine trees from toppling down.

Having no further questions from the Planning Board, the Public Hearing was opened at 7:45 p.m.

Samuel Potter, of 570 Central Street, stated that he has a clear view of the project from his backyard and asked if there would be any additional screening provided. Mr. Adler said that he has not walked on Mr. Potter's property and offered to meet with Mr. Potter and address his problem.

Jack Koprusak, of 66 Clear River Drive, stated that the Adler's have done a fine job with the other buildings within the Clear River Industrial Park and he had no doubt they would continue doing a good job.

As there were no further questions from the audience, the Public Hearing was closed at 7:47 p.m.

A motion to approve the Master-Preliminary Major Land Development Plan for Lot 123 of the Clear River Industrial Park for Adler Properties was made by Mr. Presbrey in accordance with RIGL Section 45-23-40 & Section 45-23-41 the following Findings of Fact shall serve as the decision of record:

- 1. The Major Land Development is consistent with the Town's Comprehensive Plan, specifically Chapter VII Economic Development, Goal VII.1, and Implementation Action VII.1.a.4;*
- 2. The Land Development does not harm the intent or purpose of the Zoning Ordinance and complies with Section 30-111 Table of Dimensional Regulations;*
- 3. There will be no significant, negative environmental impacts;*
- 4. The Land Development will not result in the creation of an unbuildable lot;*
- 5. The proposed industrial lot has adequate and permanent physical access to Locust Lane, which is a town-accepted road;*

conditioned upon receipt of UIC approvals from RIDEM and upon the developer and property owner arriving at a solution for the screening concerns. The motion received a second from Mr. Ferreira and carried unanimously by the Board.

Minor Subdivision:

The Estate of Pauline S. Rabideau, Steere Farm Road, Harrisville, RI Map 177, Lot 47: *Preliminary Plan Review:* Mr. Scott Rabideau, Executor, was in attendance to represent the request. He stated the he was the executor of his mother's estate and that the property had been owned by his parents since the mid 1960's. The intent of the plan is to subdivide the 5.16-acre parcel into two conforming lots, the first lot with 2.674 acres and an existing house and a second lot with 2.486 acres and 301 feet of frontage, within the R-40 and A-80 aquifer overlay districts. Both lots are serviced by public water and sewer – with the proposed second lot having an existing sewer lateral. The soil type on the lot is Hinkley, which is a well draining soil. Being a wetlands biologist, Mr. Rabideau stated, for the record, that there are no wetlands on the property.

Having no questions from the Board on this request, a motion was made by Mr. Ferreira to approve the Preliminary Minor Subdivision plan for The Estate of Pauline S. Rabideau as per RIGL Section 45-23-60, the subdivision is consistent with the Comprehensive Plan, Chapter V – Housing, Implementation Action V.1.a.1; the application is in conformance with the Town's Zoning Ordinance regarding lot dimension and use; there will be no negative environmental impacts as evidenced by the soils map contained within the application; the subdivision will not result in the creation of unbuildable lots; the subdivision will create two lots that will have adequate and permanent physical access to Steere Farm Road, with the stipulation that the Final Plan submission may be reviewed by the Administrative Officer. The motion received a second from Mr. Desjardins and carried unanimously by the Board.

At this point, Mr. Presbrey asked to be recused from discussions on the next item.

Elk Crossing, Richard & Joyce Ducharme, Mount Pleasant Road, Burrillville; Map 62, Lots 26 & 28: *Preliminary/Final Rural Residential Compound Plan/Public Hearing:* Mr. Marc Nyberg, of Marc Nyberg Associates, and Mr. Richard Ducharme, applicant, were in attendance to represent the request. Mr. Nyberg began the discussion by stating that the plan represents a three-lot Rural Residential Compound proposal for a 30.16 acre parcel owned by Mr. & Mrs. Ducharme. The proposal would create three house lots, proposed for family members, on a 30-foot wide gravel roadway. The Ducharmes reside in the existing home on Mount Pleasant Road, and they are looking to create two more lots for their children through the RRC process. The two new parcels would contain 6.27 and 6.29 acres respectively, with adequate frontage on the private roadway. Each lot would be serviced by an OSWT system and private wells. An additional 15 acre parcel would be created as an open space lot for the development. The septic systems have each been designed for four-bedroom houses and approved by RIDEM. There are currently three wetland systems on the property: one which is less than 3 acres and does not require any buffer; two other wetland areas that carry a 50-foot buffer each. The proposed roadway would have a 20-foot gravel travel lane, and drainage would be handled through grass swales leading into two grass basins, with an outlet structure that discharges into the wetland, in the vicinity of the cul-de-sac. This system would result in zero increase in runoff on the property. He then asked if there were any questions from the Board.

Mr. Tremblay questioned whether the abutting property's dwelling meets the zoning requirement for setbacks. Mr. Nyberg stated that the setback was met and pointed out the new property line that was achieved by the applicant's purchasing additional land from the abutting property owner. Mr. Tremblay then questioned whether the detention basins would require regular maintenance. Mr. Nyberg said yes it would. The reason for the type of drainage system proposed is due to a high water table and the amount of ledge found on this property. He explained that various test holes were conducted on the site and showed that the amount of ledge varied from surface to approximately four feet. And the water sat on top of the ledge. So the detention basins were built on top of the ledge.

Mr. Felice noted that in a correspondence received from the Conservation Commission, during their review, they had suggested simplifying the detention basins. Mr. Nyberg said that was not possible due to the extreme amount of ledge, the high water table and the soil conditions. If the detention basins are built at ground level, they will not store the water.

As there were no further questions from the Board members, the Public Hearing was opened at 8:10 p.m.

George Braun, of 369 Mount Pleasant Road, asked what the height of the berms on the detention basin would be and the distance of the basins to his property line. Mr. Nyberg stated that the bottom elevation of the large basin would 91 feet and the top elevation would be 95 feet, and dropping off to meet the grade. The distance from the edge of the basin to his property line is about 40 feet. Mr. Braun then asked if the house locations on

the plan were accurate. Mr. Nyberg stated they were but that he wouldn't be able to see them from his property.

Richard Goodier, of 387 Mount Pleasant Road, questioned whether any blasting would occur due to the amount of ledge on the property and whether there was any other method for putting in the foundations. Mr. Nyberg told him that when the septic designs were done, they were able to drill down approximately 6-8 feet. He noted that the proposed house locations are the best place on the lot for any foundations. Mr. Goodier voiced concerns with problems due to any blasting taking place. Mr. Felice assured him that if any blasting was necessary, every notification is performed and every precaution is taken as is mandated by law.

Having no further questions from the audience, the Public Hearing was closed at 8:15 p.m.

Mr. Ferreira stated that he would like to see some type of low-level lighting at several turns and bends of the proposed roadway, as it is a private gravel roadway, for safety reason. Mr. Ducharme said that he was not aware of the fact that the Board would require some type of lighting; however he felt that any type of lighting would have an effect on the abutters. He noted that the proposed roadway is pretty straight – right up to the bend at the cul-de-sac. As an alternative to the lighting, Mr. Kravitz suggested some type of reflectors. Mr. Ferreira said that would be even better.

As there were no further questions or comments from the Board, a motion was made by Mr. Tremblay to approve the Preliminary-Final Minor Rural Residential Compound Subdivision prepared for Richard & Joyce Ducharme in accordance with RIGL Section 45-23-60, the subdivision is consistent with the Comprehensive Plan, Chapter V – Housing, Implementation Action V.1.a.1; the application is consistent with the Burrillville Zoning Ordinance – specifically Section 30-208 Rural Residential Compounds; there will be no negative environmental impacts in accordance with DEM insignificant Alteration Permit No. 09-0261 and Onsite Wastewater Treatment System Construction Application 0803-0257; the subdivision will not result in the creation of unbuildable lots; the subdivision has adequate and permanent physical access to Mount Pleasant Road; subject to reflectors being placed in the curve of the roadway in lieu of street lighting for safety. The motion received a second from Mr. Ferreira and carried unanimously by the Board.

Mr. Presbrey returned to the meeting.

Minor Land Development:

Burrillville's Farmer Market Pavilion, Tinkham Lane, Harrisville; Map 160, Lot 69: *Preliminary Plan Review:* Several members of the Burrillville Farmer's Market Association were in attendance in support of the request. Mr. Kravitz informed the Board that this plan actually represents a Town project. He displayed on the screen a preliminary conceptual plan for the placement of a farmer's market pavilion structure

within the Stillwater Mill Redevelopment district as well as several photos of different styles of pavilions. He noted the proposal has been reviewed by the Town Manager's office as well as the Burrillville Redevelopment Agency, Sandra Mundy, the Jesse Smith Library Director, Mrs. Roderick, an abutter to the Stillwater Mill site who operates a small ceramic shop, and the Farmer's Market Association. The proposal calls for the installation of a 30' x 100' pavilion, with a small 10' x 30' area of the pavilion being enclosed to allow for storage for the Farmer's Market Association. He noted that the Town has been researching the use of prefabricated structures that is delivered in pieces and put together. During the review process, however, it was requested, by the Town Manager's office, that the pavilion be reduced to 30' x 80' to allow enough space for future uses. He added that he is still investigating difference structures.

The advantages for citing the pavilion in the proposed location are the adjacent, existing curb cut and the elevation being relatively flat, which will assist the DPW personnel when conducting the site work and grading. He informed the Board that the Redevelopment Agency has recently purchased land from Mrs. Roderick, in the vicinity of her parking lot area. This would allow for shared parking for the farmer's market and the ceramics shop.

The Board questioned whether the reduced pavilion, with an allowance for storage that would result in a size of 30' x 70', is adequate enough to meet the Farmer's Market needs. They questioned the current size of each vendor's space. Mrs. Laurie Low, of the Farmer's Market Association, said that the vendor's space is approximately 10' x 10' and they currently have about 8 or 9 vendors on an average day; on a busy day, 10-12 vendors. Mr. Kravitz added that any overflow could utilize the grassed area nearby. He also noted that it is the Redevelopment Agency's intent to utilize the space for activities other than the Farmer's Market. He pointed out the advantage to moving the Farmer's Market to this location: more space, more exposure, and more parking between the two parking areas. Mr. Pick suggested that the pavilion structure remain open and construct the storage shed on the outside of the pavilion for ease of movement. Mr. Presbrey questioned the use of the existing storage shed on the property. Mr. Kravitz said that it was used to store the lawn maintenance equipment for the library and that it would have to eventually be moved.

The Board questioned why the pavilion wasn't placed more to the right to be centrally located to the grassy area. Mr. Kravitz explained that balance of the Stillwater Mill Master Plan calls for setting aside more real estate for new uses; to allow for a new building or two that are non-residential. By placing the pavilion in the proposed location, it would leave some area available for another potential use.

Mr. Kravitz then asked the Farmer's Market Association members if they had any thoughts or comments. Mrs. Low said that the Association had discussed the location of the storage area and noted that vendors in the back area would not have adequate access to unload their wares, so the storage area should be located in an area that convenient for all the vendors. She said that their current location, at the Town Common, is perfect;

however with an increase in the number of vendors and traffic, it makes it very tight. She noted that when they have “entertainment” acoustically the pavilion would work, but it would hinder the vendors’ transactions with customers. The Association was discussing another “structure” in order to house the entertainment, preferably a gazebo within the grass area. Mr. Kravitz said he would discuss this with the Town Manager. Mrs. Low also mentioned the fact that the Stillwater site lacks trees for shade for visitors.

Mr. Presbrey questioned the existing manhole, not located on town property, and asked how it would be affected by this proposal. Mr. Kravitz said he did not know who utilizes the manhole and would check with Jeff McCormack, the DPW Director. Mr. Presbrey also questioned the 8’x10’ grate and asked if there were any safety concerns. Mr. Kravitz replied that the grate was recently replaced and there should not concerns with safety. Mr. Presbrey then questioned what type of signage is being considered. Mr. Kravitz stated that because these entities are located with the Stillwater Mill Complex, it could be identified as such (Stillwater Mill Center) and possibly another sign that lists the various businesses located within the complex.

As there were no further questions, a motion to approve the Concept of the Farmer’s Market Pavilion Preliminary Plan SK-1 was made by Mr. Ferreira with the full knowledge that the building design may be changed along with other modifications by the Town Administration; said motion being amended by Mr. Felice to state in accordance with RIGL 45-23-60 Required findings are rendered as follows: the proposed development is consistent with the Comprehensive Community plan sections: Chapter II – Natural & Cultural Resources, Policy II.6.e; Chapter VII – Economic Development Goal VII.2 and Policy VII.2.a. & d; Chapter IX – Land Use, Goal IX.2; Policy IX.2.d. & e; the proposed development is in compliance with the general purpose and intent of the Burrillville Zoning Ordinance; based on the site plan design, existing improvements and proximity of proposed improvements being outside of the 200’ river setback to the Clear River, there will be no significant negative environmental impacts from the proposed development as shown on the Minor Preliminary Plan; the land development, as proposed, will not result in the creation of individual lots with any physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable; the proposed land development will have adequate and permanent physical access to Tinkham Lane, which is a public street; and in accordance with Section 45-23-30 - General Purposes of Land Development & Subdivision Review Ordinances, Regulations and Rules – the land development addresses General Purposes 1 thru 6 of Burrillville’s local Subdivision & Land Development Regulations. The amended motion was seconded by Mr. Presbrey and carried unanimously by the Board.

VII. OTHER BUSINESS:

Report from Administrative Officer:

Mr. Kravitz noted that during the month of June, the following Certificates of Completeness were issued: **The Estate of Pauline S. Rabideau, Steere Farm Road, Harrisville** (preliminary Minor subdivision – two lots); **Elk Crossing, Richard & Joyce**

Ducharme, Mount Pleasant Road, Burrillville (preliminary/final minor rural residential compound – three lots); **Adler Properties, Clear River Industrial Park, Lot 123 Industrial Building** (master/preliminary major land development – one lot); and **Richard H. & Jeanne L. Wagner and Thomas & Gladys Desmond, Lapham Farm Road, Burrillville** (Administrative – land swap – two lots). There were no plans rejected as incomplete, and the following plan was endorsed: **Richard H. & Jeanne L. Wagner and Thomas & Gladys Desmond, Lapham Farm Road, Burrillville** (Administrative – land swap – two lots).

Planning Board Discussions: There was nothing further for the Board to discuss.

A motion to adjourn was made by Mr. Ferreira at 9:00 p.m. The motion received a second from Mr. Pick and carried unanimously.

Recorded by: _____
M. Christine Langlois, Deputy Planner