

**MINUTES OF THE PLANNING BOARD MEETING OF OCTOBER 3, 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 7:03 p.m., Jeffrey Partington, Chairman, presiding.

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

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

II. ATTENDANCE REVIEW:

Mr. Partington acknowledged that all members were present.

III. ACCEPTANCE OF MINUTES:

The **minutes of the Planning Board meeting of September 12, 2011** were read. *A motion to approve the minutes, as presented, was made by Mr. Ferreira, seconded by Mr. Desjardins and carried unanimously by the Board.*

IV. CORRESPONDENCE:

- Zoning Board Agenda for October 11, 2011

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 6/6; 7/11; 8/01; 9/12/2011 meetings):* Mr. Kravitz told the Board that although the Conservation Easement they were waiting for to complete their review was received, the Planning Board members did not get a copy of it in their packets. The Board members felt it necessary to review the easement before they made a final decision on the plan. *A motion to continue the Pascoag Village Preliminary Plan review to the November 7, 2011 meeting was made by Mr. Ferreira, seconded by Mr. Lemek and carried unanimously by the Board.*

At this point, Mr. Kravitz requested a change in the agenda in order to move the review of the Pre-application submission for Daniele Food's Facility Expansion to the next item under consideration. *A motion was made by Mr. Felice to move the Daniele Foods Facility Expansion Pre-application review to next on the agenda. The motion received a second from Mr. Ferreira and carried unanimously by the Board.*

VI. NEW BUSINESS:

Daniele Foods' Facility Expansion, Route 102 Commerce Park, Daniele Drive, Burrillville; Map 195, Lot 15; Map 213, Lot 8: *Pre-application Submission:* Mr. Scott Gibbs, of the Economic Development Foundation of RI, Mr. Scott Rabideau, of Natural

Resources Services, Inc., Mr. Steven Cabral, of Crossman Engineering, Mr. Mark Carnicelli, of CMC Associates, Mr. Marcel Valois, of EDF-RI, Mr. Bruce Rylah and Ms. Renay McLeish, of the Burrillville Industrial Foundation, were in attendance to represent the submission. Mr. Kravitz told the Board that Mr. Gibbs works directly with the Burrillville Redevelopment Agency and the Industrial Foundation in handling larger real estate transactions for industrial development in Town. He told the Board that Daniele Proscuito approached the Town expressing a desire for an expansion of the existing facility off Daniele Drive and several administrative meetings were held to determine the proper location of the building expansion. He then turned the meeting over to Mr. Gibbs for his presentation.

Mr. Gibbs told the Board that the plan before them tonight represents the maximum build-out of the site in Daniele Foods effort to consolidate and upgrade the existing facility. The building plans are still in the development process – with more details available at the Master and Preliminary plan stages. The expansion is expected to appear similar to the existing facility, although he has been told by CMC that there will be upgrades in some areas in an effort to create a brand for the firm. He noted that the Town and the State have been working closely with Daniele Proscuito to help manage the entitlement process for the company. Presently the expansion is in the feasibility process, where the Town is managing all of the permitting issues for them, in order to secure commitment from them. Because of the timing issues, Mr. Gibbs asked the Board to consider granting a combined Master-Preliminary review at the next level of submission. He then turned the presentation over to Scott Rabideau to explain the wetlands permitting process.

Mr. Rabideau told the Board that the proposed building expansion would require a wetlands alteration to an isolated 13,000 sq/ft wetland on the property in the area of the proposed expansion. He noted that in 2008 with the economy dropping, federal monies had become available through the stimulus program (American Recovery and Reinvestment Act). This Act required shovel-ready projects in order to utilize these funds. The RIDEM Director, Michael Sullivan, at the time, established an internal DEM program (Permit Streamlining) with dedicated engineers and biologists who worked through the DEM office of Customer and Technical Assistance in order to streamline any and all permits for any project that qualified for stimulus funds. He stated that the program worked very well. Although the stimulus monies have dried up, the current Director recognizes the benefits of that program and has kept it in place with very specific guidelines (projects that have an economic development to RI; projects with time-constraints that are pertinent to RI). This project qualifies for the program – an expedited process for all DEM permits. He noted that all the wetland edges have been verified by his office and an RIDEM representative. The wetlands alteration permit approval should be received by the submission of the Master-Preliminary plan. He told the Board that the alteration will be mitigated by replicating 2-to-1 by joining two existing wetland systems (an isolated wetland and a swamp to the west) into one, thereby mitigating approximately 27,000 sq/ft of new wetland. He noted that the project would still require a Federal Corps of Engineers permit, but because the project is under the one-

acre criteria for alteration, it qualifies for a Programmatic General Permit, where the Corps can defer review to the State if both parties are in agreement. He then turned the presentation over to Steve Cabral.

Mr. Cabral told the Board that the first part of the subdivision process involved the reshaping of the existing three lots: Lot 15 (owned by the Town) with 98.3 acres; Lot 8 (owned by Daniele Food) with 34.7 acres; and Lot 1 (owned by the Town) with 38 acres. The proposal calls for removing 40.1 acres from Lot 15 and joining it to Lot 8. Lot 8 will further be modified by removing 12.3 acres and joining it to Lot 1, resulting in Lot 15 having 58.2 acres in area, Lot 8 having 62.5 acres in area and Lot 1 having 50.3 acres in area. This would allow for the expansion project to conform to all (GI,R-20, R-40, A-80 and Route 102 Overlay) zoning district requirements.

Continuing Mr. Cabral explained that once the subdivision lines had been established and requirements met, they then looked at the physical conditions of the land (soils, water tables, wetlands). The site is basically fine sandy loam – suitable for development. The water tables vary from five to ten feet deep. In regards to the topography, the existing facility is located on the top of a ridge that slopes for approximately 50 feet to the west, varying from 10 to 30 to 40% in some spots. Based upon this information, he stated they are positive that the site can be developed with stable slopes throughout the entire project.

In regards to storm water management, with a parking facility located within the northeast corner, a storm water detention facility will be located on the northerly side and will take care of peak flow issues and water quality issues and discharge within a small infiltration area located on the northwest corner of the building. There will be no new discharge of water into any of the existing wetlands, and there will definitely not be any discharge of water towards the residential development to the north. This is due to a significant valley that separates the Daniele facility (at elevation 610, dropping down to 448 and rising to an elevation of 448) from the residential structures. He pointed out that the new addition is well over 1,000 feet from the closest home. He then asked if there were any questions from the Board members.

Mr. Presbrey questioned whether any consideration had been given to some type of geothermal climate control. Mr. Gibbs explained that this point, CMC and Daniele are trying to work out a variety of these issues.

Mr. Lemek questioned the number of proposed bays within the loading area. Mr. Carnicelli explained that there are five proposed in-bound, raw material, bays on the northern portion of the addition, and with the center area there will be 8 out-bound bays, with 4 other bays to be eliminated. Mr. Lemek asked if the facility currently located on Route 100 would still be maintained or would both facilities be consolidated. Mr. Carnicelli said that they are looking at different options but that they are being consolidated. Mr. Lemek then asked if the Bronco Highway facility would be a combined warehouse, aging facility and office. Mr. Carnicelli said it would, but most of the facility would be for the aging process. Mr. Lemek further questioned the number of

jobs that would be retained or added. Mr. Carnicelli said that he could not speak for the owners at this time.

Mr. Partington then asked if the plan before them this evening represents the absolute maximum size, is there a possibility that the footprint could be smaller. Mr. Gibbs said yes – both CMC and Daniele are currently working on the phasing process. By obtaining a maximum permit at this time, the process of expansion should be much easier in the future.

The general consensus of the Board was for the applicant to proceed with a combined Master-Preliminary plan at the next level of submission.

At this point, a motion was made by Mr. Felice to address the Public Hearing on the Comprehensive Plan Updates next on the agenda. The motion received a second from Mr. Ferreira and carried unanimously by the Board.

Public Hearing on Comprehensive Plan Updates: Mr. Kravitz told the Board that he had prepared an outline, as they had requested at the last meeting, of the changes/updates to the Comprehensive Plan and briefly reviewed the outline:

- Incorporate water supply system management plan into the Comprehensive Plan; (Harrisville & Pascoag Water Depts.)
- Incorporate State Guide Plan Element 171, which is the Rhode Island Solid Waste Management and the Rhode Island Resource Recovery Corp. – including current recycling goals;
- Consider adding goals and policies within the Natural & Cultural Resources Chapter that relate to preserving and enhancing Burrillville's farmlands;
- Within the Community Services & Facilities Chapter, consider limiting the expansion of sewer and water lines to only those areas within the Urban Services Boundary; (Burrillville Sewer Dept.)
- Update current usage associated with the Jesse M. Smith Library;
- Circulation Element, update the Road Service Management System (RSMS);
- Accommodate several recommended goals & policies from the Department of Health as they relate to Walkability and providing access to health foods;
- Included a goal & policy relating to the furtherance of renewable energy opportunities within Town.

The chairman then opened the Public Hearing at 7:40 p.m. and asked for comments from the public. Hearing no comments or questions, the chairman then closed the Public Hearing at 7:41 p.m.

A motion was then made by Mr. Ferreira to forward the Comprehensive Plan updates, as presented, to the Town Council for a second Public Hearing and approval. The motion received a second from Mr. Pick and carried unanimously by the Board.

VII. OLD BUSINESS (cont'd):

Hill Top Acres, Round Top Road, Harrisville; Map 21, Lot 5: Preliminary Minor Rural Residential Compound Review: *(cont'd from the 2/7; 8/01 meetings):* Mr. Stewart Alles, developer, and Mr. Steven O'Connell, of Andrews Survey & Engineering, were in attendance to represent the request. Mr. Kravitz told the Board that the discussion tonight would involve the questions and comments between the applicant's engineer and the Town's consulting engineer, Joe Casali.

Mr. O'Connell began the discussion by outlining the issues brought out at the February 7th meeting before the Board such as the roadway slope, the retaining walls and the drainage plan. He stated that the plans and calculations had been sent to Mr. Casali as was requested by the Board and that some dialogue had been exchanged between the two engineers. Additional information, comments and plan revisions were provided as requested and written responses were prepared. He noted that no additional comments had been provided regarding the revisions. He then asked Mr. Casali to address the Board with his comments.

Mr. Casali stated that his last correspondence to the Town was dated July 21, 2011 and asked if it had been forwarded to the applicant as he is awaiting their responses. Mr. O'Connell said that he had not received a copy of the July correspondence. Mr. Kravitz stated that he was under the impression that Mr. O'Connell had received a copy of this letter. Due to the fact he received the first comment letter, Mr. Kravitz apologized to Mr. Alles for not having received the second comment letter. In any case, Mr. Casali began to address his comments in the letter, stating that he would only be addressing five of the issues:

- The abutting residence's septic tank is located within 25 feet of the proposed roadway swale. RIDEM regulations require that the septic tank must be at least 25 feet away from a swale.
- Concerns with the geometric configuration regarding the discharge of the drainage design running in the opposite direction of the natural flow, creating serious icing conditions in winter.
- Additional test pit data must be provided along the entire length of the roadway to confirm water tables and ledge. If ledge is encountered, clarify the means for removal.
- Although the Town allows for a maximum grade of 8%, the slope is at 8% with a swale that would need to be modified. Calculations are requested for velocity and scour within the swale and the double catch basin.
- Calculations are requested for the individual UIC's proposed for each home as they currently appear to be undersized.

Mr. Casali then asked if there were any questions from the Board members.

Mr. Presbrey noted that Mr. Casali had suggested in this correspondence that both Lots 2 & 3 of the development could be decreased in size "to create more open space area abutting the utility easement." Mr. Casali stated that it was his belief that the Rural

Residential Compound ordinance allows for flexibility in lot size in order to maximum the amount of open space. It appears to him that the developer is maximizing the size of the lots and the open space is the minimal allowed. Mr. Presbrey added that in this case a portion of the open space is encompassed by an electrical easement and whether that area is usable as open space. It is up to the Board to decide if they choose to allow the lot sizes proposed. Mr. Alles argued that the plan follows in accordance with the Town's ordinance on RRC's.

Mr. Presbrey questioned whether the maintenance of the roadway and swale would be deeded to every property owner. Mr. Alles said it would. Mr. Presbrey stated that he wanted language added to the plan that maintenance of the retaining walls be included in the roadway maintenance. Mr. Alles said that any type of maintenance dealing with the subdivision would be handled by the association.

Mr. Casali questioned what considerations were given regarding the type of retaining walls, especially with the location not allowing for any type of anchoring unless easements are obtained on the abutting properties. Mr. O'Connell told the Board that they were considering a poured concrete wall, typically known as a gravity wall. The thickness at the base of this type of wall is typically $\frac{2}{3}$'s the height of the wall, so with an 8-foot wall, the base would be 3 feet. There are no forms involved and in a finished setting, it looks like a beautiful stone wall.

Referring to the Plan & Profile sheet, Mr. Presbrey stated that the sheet contains misinformation. He pointed out that in the lower left hand corner of the page, two test holes contain the same information (451.8) and needs to be corrected. He agreed with Mr. Casali's request for additional test hole information because he considers it important to know the groundwater elevations because of the cuts and fills. And if there is ledge, it needs to be plotted on the cross-sections as he had requested this information with the second set of revised plans. Mr. Casali informed Mr. O'Connell that when there is a cut of more than two feet, cross-sections are required every 50 feet. Mr. Presbrey stated that he had requested cross-sections in areas where the retaining wall exceeded six feet.

Mr. Presbrey also requested a correction to Mr. Casali's statement #7 on his report of July 21st. He asked that the retaining wall be approved by a structural engineer, not the building official. Mr. Presbrey also pointed out that all the plans must be stamped by a civil engineer.

Mr. Presbrey then asked if school buses would be entering the development as this is a rural residential compound. Mr. Alles said they would not; that an 8"x12" bus shelter would be provided on one side³ of the roadway near Round Top Road. Mr. Presbrey requested a design concept on the proposed shelter. He then questioned if mailboxes would be placed near Round Top Road. Mr. Alles stated that he did not know what the postal regulations required but he would check into it.

Mr. Ferreira still voiced concerns with the gravel roadway concept and said he felt the roadway should be paved.

Mr. Lemek questioned whether the stone wall on proposed Lot 1 would still need to be moved as it was mentioned on the initial site walk. Mr. Alles explained that after the site walk, an isolated wetland was located on that lot which resulted in a reconfiguration of the house, further requiring approximately 20 feet of the stone wall being moved. He added that the entire property contains miles and miles of stone walls that will be preserved. Mr. Lemek added that his concern was maintaining the integrity of the walls.

Mr. Presbrey made note that Mr. Casali's letter pointed out that two waivers were necessary from the Board: the dept to width ratio of the proposed lots; and the maximum grade of leveling area for the cul-de-sac. Mr. Casali advised the applicant that he should seek these waivers or modify the plans.

Mr. Alan McNally, of 1716 Round Top Road, an abutter, reiterated his concerns regarding flooding that already exists in the area of where the proposed roadway and Round Top Road intersect. He noted the high water table in the area, especially in his backyard. He voiced concerns with children having to walk down the steep roadway to catch the school bus in the winter. He also mentioned the existence of stone walls along the area of the proposed roadway.

A motion to continue the review to the next available Planning Board meeting once all of Mr. Casali's questions have been satisfied and any additional materials are submitted to the Planning Department was made by Mr. Tremblay, seconded by Mr. Ferreira and carried unanimously by the Board.

VIII. OTHER BUSINESS:

Report from Administrative Officer:

Mr. Kravitz noted that during the month of September, Certificates of Completeness were issued for Virgil Gauthier, Mowry Street, Harrisville (Administrative – two lots) and Stillwater Mill #4, Phase III As-Built, Harrisville Main & Central Streets, Harrisville (Final Minor Land Development). There were no plans certified as incomplete. The following plans were endorsed: Virgil Gauthier, Mowry Street, Harrisville (Administrative – two lots) and Stillwater Mill #4, Phase III As-Built, Harrisville Main & Central Streets, Harrisville (Final Minor Land Development).

Planning Board Discussions:

Election of Officers: Mr. Partington offered his thanks to both Mr. Felice and Mr. Ferreira for filling in as chair when he was away the past several months.

Having nothing further for discussion, a motion to adjourn was made by Mr. Ferreira at 8:40 p.m. The motion received a second from Mr. Desjardins and carried unanimously.

Recorded by: _____
M. Christine Langlois, Deputy Planner