

**MINUTES OF THE PLANNING BOARD MEETING OF MARCH 5, 2012
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, Leo Felice, Marc Tremblay, Rick Lemek, Bruce Ferreira, Michael Lupis, Dov Pick, and Christopher Desjardins.

Members Absent: Jeffrey Presbrey.

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

II. ATTENDANCE REVIEW:

Mr. Partington acknowledged that Mr. Presbrey was excused due to work obligations.

III. ACCEPTANCE OF MINUTES:

The **minutes of the Planning Board meeting of January 9, 2012** 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 Schedule for 2012
- Several Notices of Insignificant Wetlands Alterations from RIDEM
- Correspondence to Bruce Rylah, of the Burrillville Industrial Foundation
- Correspondence to Navigant Credit Union regarding property on East Wallum Lake Road

V. NEW BUSINESS:

Community Development Block Grant PY'11 Application – First Public Hearing; *Certification of Consistency with the Comprehensive Plan;* Mr. Kravitz informed the Board of the process for the annual Community Development Block Grant application. He noted that several of the applicants were in attendance, including Kathryn Franklin, of WellOne Primary Medical Care, and Chris Hannifan, of The Housing Network/Community Housing Land Trust. He outlined and gave a brief summary on the following requests received by the Planning Department for consideration this year:

- Funding for the continuation of the Town's Housing Rehabilitation Loan Program;
- Funding of the partial remediation of the former Mobil station located within the Pascoag Redevelopment District;
- Funding for repairs to the Glendale Water Association's Community Well House;
- Request from WellOne for funds to purchase handicapped-accessibility medical examination tables to outfit the recently complete building addition;

- Funding for the continuation of the Community Housing Land Trust on-going housing education programs.

He informed the members that they are required to establish findings that the submitted requests are in accordance with the Town's Comprehensive Plan.

Mr. Partington then asked if there were any questions from the Board members. Having none, he opened the Public Hearing at 7:11 p.m.

Having no comments or questions from the audience, the Public Hearing was closed at 7:12 p.m.

A motion was then made by Mr. Ferreira that the proposed requests are all in conformance with the Town of Burrillville's Comprehensive Plan as cited in the Staff Report provided by the Town Planner, and that the proposed order for priority is acceptable and will be forwarded to the Town Council for their consideration and approval. The motion received a second from Mr. Desjardins and carried unanimously by the Board.

Oakland Village, Oakland School Street & Victory Highway, Oakland; Map 162, Lot 91: *Discussion on Correspondence Received from the Realtor for Oakland Village regarding Oakland Village:* Noting that Scott Adler, owner/developer of Oakland Village, was in attendance, Mr. Kravitz told the Board that the Planning Department had received a copy of correspondence that had been sent to Mr. Adler, from his listing agent, regarding Oakland Village, and the problems with marketing an existing spec house on site. The agent claims that many of the potential buyers have been dissuaded against the purchase because of the proposed neighborhood general store. He pointed out that the property is currently zoned VC (Village Commercial) which allows for mixed uses and multi-family homes, as long as there is a commercial component. He also pointed out that the property had originally been zoned GC (General Commercial) and that the Route 102 Study (from 2003) had suggested a zone change to VC to keep retail business within the village to rebuild the village concept. When the Oakland Village development was approved, the developer agreed to the construction of a convenience store on one of the lots, with living area above, in accordance with the zoning district as well as the Route 102 Overlay Study. He noted that if the developer is allowed to remove the retail component, they would have to approach the Town Council for a zone change to some residential aspect which reflects the lots as they currently have been created. Otherwise, the development would have to seek variances. If, and when, the Route 102 Overlay District plan is revisited, the Council may wonder why the plan suggests such a change from the original intent of recreating the village centers. He then asked for the Board's comments or questions.

Mr. Partington first asked Mr. Adler if he would like to add anything to the discussion. Mr. Adler stated that he simply wanted to just obtain the Board's opinion on this request.

Mr. Felice stated that he believes the Board was aware of the intent of the Route 102 Overlay report and that the developer was aware of it when first submitting the Oakland Village concept. He said he has reviewed the letter from their realtor and was surprised at the comments. He expected the opposite, offering potential buyers the convenience of having a small retail store close-by.

Mr. Tremblay stated that he mirrored Mr. Felice's comments. He said that he was surprised by the letter but noted that there is obviously an unknown as the store does not yet exist. The store needs to be established before the fear can be removed. He added that this is not a typical subdivision – it is in the center of a village. He pointed out that some of the more undesirable situations that currently exist in the neighborhood should be more of a concern vs. the prospect of a convenience store. He asked for the specific concerns from the potential buyers.

Mr. Lemek stated that he is in real estate himself and that he can understand some of the concerns with a potential store; however, he stated that he felt the current market has a lot to do with the situation. He also noted that he felt the asking price was a bit high for this market. He asked if some of the lots have been sold. Mr. Adler said that four of the lots in the subdivision have been sold. Mr. Lemek said that he agreed with Mr. Tremblay's comments on some of the blighted areas close to this development. He added that if the a nice colonial style building is constructed with a little shop on the first floor, similar to the ones in the Chepachet center, it would be more appealing to a lot of people.

Mr. Ferreira noted that perhaps the timeline has somewhat of an affect as the development was approved several years back when the economy was more stable. He stated that he liked the layout of the development, and especially the store concept; however the concept does not necessarily have to be a store – it could be a small coffee shop that carries simple staples, such as bread, milk, batteries, etc. He pointed out that discussion of removing the blighted areas is important, but the redevelopment should start somewhere – maybe with this small commercial endeavor. He added that it would give residents in the area the ability to walk somewhere for small purchases, as there is nothing in the area at present.

Mr. Lupis asked Mr. Kravitz to expand on his earlier statement that the Council would be revisiting the Route 102 Overlay District. Mr. Kravitz explained that if the store concept was eliminated, Mr. Adler would have to request a zone change which would require Town Council approval. The Council would review the request and send it back to the Planning Board to certify consistency with the Comprehensive Plan and other salient documents that the Town references, which includes the Route 102 Study. Mr. Lupis noted that although the economy is making it tougher to sell homes, the hardship hasn't been proven yet without additional studies to allow him to consider such a change.

Mr. Pick noted that he, too, is in real estate and shares the concerns of the other members in regards to the economy. He noted that he grew up in Providence and that in several areas there are small, close-knit neighborhoods that maintain these little stores.

Individuals moving into these neighborhoods are encouraged by the fact that there is a local store nearby. He asked Mr. Adler if he had any data as to the opposition of a local store in the Oakland Village development. Mr. Adler stated that other than the letter from his listing agent, he believes the potential buyers are afraid that the store may not be able to make it and would end up being another vacant building that gets run-down. Mr. Pick agreed that it could be a deterrent if the store has not operated historically for a period and been successful.

Mr. Desjardins stated that he liked the plan as is and would not agree to any change. He questioned whether the type of store could be changed. Mr. Kravitz said that it could be something other than a store – an office – anything that would be allowed in the VC district. Mr. Desjardins said that when he first read the letter, he also thought along the lines of a Cumberland Farms-type store, but if it is a small general store, he didn't see there being huge amounts of vehicular traffic. He reiterated that he could not vote for a complete change based on what evidence has been provided.

Mr. Kravitz noted that if the mixed-use building is constructed near the end of the development build-out, and then the store concept does not work, the developers have the basis for requesting the removal of the store concept. Mr. Ferreira interjected that by building out the development, the need for the store is created. Mr. Kravitz also told the Board that the blighted area that was previously referred to is an area being considered by the Burrillville Redevelopment Agency for designation as a redevelopment district and may be addressed in a few years.

Mr. Partington voiced concern that the intent of the original zone change was to recreate the "village feel" back into the Oakland area. He noted that Harrisville has the "village feel" because of a critical mass; in this case, there is no critical mass – one commercial endeavor in the midst of residential. He said that the developer has complied with the Board's request but the realities of today may dictate a change of view. Any type of business that would be commercially viable, in that spot, would be fine with him. He suggested a professional office or something that would make sense, and build it last.

Mr. Tremblay then asked if Mr. Adler intended to construct the mixed-use building and sell it; or did he intend to build it and attract tenants. Mr. Adler stated that if someone approached him to buy a lot and construct the mixed-use building, he would do it. Based upon the current economy, he said that it probably wouldn't happen. If he were to construct the building as designed, he said he didn't believe the store would survive, based on what it would have to be rented for. Mr. Tremblay said that he believes it depends on the type of business, adding that if the product is good, people will come from far away. He suggested some type of nice bakery with good products. Mr. Felice said that potential buyers should be informed of the possible commercial venture, not necessarily a convenience store.

Discussion on Proposed Amendments to the Town Zoning Ordinance: The Board reviewed a proposed amendment to the Town's Zoning Ordinance in regards to Historic

Stone Wall Protection and Preservation. Mr. Kravitz explained that this type of change is considered consistent with the Comprehensive Plan; however because the Town Solicitor has expressed that he would like to provide additional input, he suggested they forward a recommendation to the Town Council that this change be put up for further study with a focus on education, stewardship and volunteerism. He added that the Rural Residential Compound Ordinance allows for the protection of stone walls and also does F-5 District subdivision.

Mr. Tremblay asked if the ordinance change was in response to individuals selling their stone walls. Mr. Kravitz said it was not. Mr. Tremblay then asked Mr. Raymond, the Building/Zoning Official, his thoughts on the proposed amendment.

Mr. Raymond said that he felt stone wall protection, like historic zoning, is a minor component of a larger historic piece, which isn't happening right now. Although stone wall protection is identified in the Comprehensive Plan, he doesn't believe it was to be addressed in this manner. Mr. Kravitz added that stone wall protection should be addressed after first establishing a Historic District Commission.

Having nothing further for discussion, *Mr. Tremblay made a motion to recommend to the Town Council that in its present form what we have been presented is overreaching and not in the spirit of good town government; that the matter is an important one, and that the issue should be revisited and reviewed in a more reasonable approach at protecting our stone walls and historic resources. The motion received a second from Mr. Partington and carried unanimously.*

VI. OTHER BUSINESS:

Report from Administrative Officer: Mr. Kravitz noted that during the months of January and February, Certificates of Completeness were issued for: **John & Avis Child, Point Lane, Pascoag** (Administrative – lot merger) and **Jennie & Elza Saletnik, Jackson Schoolhouse Road, Pascoag** (Administration – Plan of Land). The following plans were rejected as incomplete: **Evergreen Estates, Log & Colwell Roads, Nasonville** (Administrative – two lots) and **Evergreen Estates, Log & Colwell Roads, Nasonville** (Preliminary-Final Phase II – Major Subdivision/Land Development). The following plans were endorsed: **John & Avis Child, Point Lane, Pascoag** (Administrative – lot merger) and **Jennie & Elza Saletnik, Jackson Schoolhouse Road, Pascoag** (Administrative – Plan of Land).

Planning Board Discussions: Mr. Ferreira stated that he has received several complaints in regards to the brightness of the new CVS lighting, and the traffic flow in the vicinity of the entrance/exit area near the intersection of High and Church Streets. Mr. Kravitz pointed out that the redevelopment is still in the construction stage and that there have been several discussions with the Town Manager and DPW Director regarding the temporary traffic configuration due to the construction. In regards to the lighting issue, he told the Board that he had noticed that the side lighting, which was suppose to shine in a downward direction, was pointing upward. He contacted the property owners

and had the lights turned downward in the correction direction. He noted that the halo lighting (around the lettering) was installed with the gooseneck lamps for aesthetics; however, the gooseneck lamps were also lighted, which defeats the purpose of the halo lighting. He said that he will contact the owner and have the gooseneck lamps shut off.

As there was nothing further for discussion, *a motion to adjourn was then made by Mr. Ferreira at 8:12 p.m. The motion received a second from Mr. Pick and carried unanimously*

Recorded by: _____
M. Christine Langlois, Deputy Planner