

**MINUTES OF THE PLANNING BOARD MEETING OF OCTOBER 1, 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 7:00 p.m., Jeffrey Partington, Chairman, presiding.

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

Others Present: 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 August 6, 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 October 9, 2012 Agenda

V. NEW BUSINESS:

Pascoag Village, South Main Street, Reservoir Road & George Eddy Drive, Pascoag; Map 210, Lot 23: Final Minor Subdivision Plan Review: Attorney William Landry and Terri Barbosa, of NeighborWorks, were in attendance to represent the request. Mr. Kravitz told the Board that they had already approved the plan but had requested further clarification on the proposed Conservation Easement for the open space lot in regards to the management plan. Attorney Landry told the Board that the open space lot has been increased from the original proposal of 48 acres to 78 acres total. He noted that Rhode Island Housing still maintains ownership of the property and that they would be the entity to impose the conservation restriction on that parcel. He stated that back in September or October of 2011 the first draft of the conservation easement was prepared and submitted for the Board's review in November, at which time several suggestions were made pertaining to language being added in regards to developing a forest management plan for the open space, and allowing public access to Burrillville residents. Attorney Landry then referenced several areas within the conservation easement that addressed the public access factor and the forest management issue.

Mr. Tremblay noted that the proposed conservation easement does cover the aspects that are typically included in a modern-day conservation easement language that covers management of the property as a permitted use. He stated the forest management, or land management plan can include timber harvesting but also offers the opportunity to use the property for educational purposes for the Town; i.e. identify areas appropriate for

carrying out timber harvesting, which is an excellent way to establish good trails, and create wildlife management areas.

Mr. Kravitz then asked when the conservation easement should be recorded – with the minor subdivision plan or with the major land development plan. Mr. Tremblay said that he has seen it happened in both situations. He questioned whether the homeowners would have an interest in the management plan, noting that it could take up to six months to put a plan together. Attorney Landry said that he would prefer to record the land management plan when the final major land development plan is recorded. The conservation easement will be recorded with the minor subdivision plan.

Mr. Ferreira requested that the future property owners be made aware of the open space, conservation easement and management plan when purchasing the properties by placing a notation in every deed. Attorney Landry noted that the final development documents will require disclosure of the conservation easement as part of the purchase and sales agreement. The homeowners' documents will contain language providing a liaison for the owners between the Town and the homeowners' association, for purposes of the open space administration.

Mr. Presbrey asked if the Town Solicitor had reviewed the conservation easement. Mr. Kravitz said that he had provided him with the easement and not heard anything from him so it is assumed that the language is fine. Mr. Presbrey then questioned if the conservation easement was relevant to the homeowners as they would not own the land, just their dwellings. Attorney Landry said that it was basically just a disclosure.

Mr. Kravitz told the Board that a vote was not necessary as they had previously approved the plan in November 2011.

The Monteiro Plat, Barnes Road, Burrillville; Map 199, Lot 4: Preliminary Minor Subdivision Plan Review: Attorney John T. Walsh and Katherine Monteiro, applicant, were in attendance to represent the request. The plan before the Board called for the creation of a 12.33 acre parcel from the existing 89.5 acre property owner by the Monteiros. The new lot would meet the frontage requirements of the zoning district (F-5) and contain an existing house. Mr. Kravitz noted that test pits were conducted on the remaining 77.1 acres to assure the property would be buildable.

As there were no questions from any of the Board members, *a motion was made by Mr. Ferreira to approve the Preliminary Minor Subdivision for the Monteiro plat per RIGL 45-23-60 as the subdivision is consistent with the Comprehensive Plan Chapter V – Housing, Implementation Action V.I.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 test pit results of the application; the subdivision will not result in the creation of unbuildable lots; and the subdivision will create two lots that will have adequate and permanent physical access to Barnes Road. The motion received a second from Mr. Felice and carried unanimously by the Board.*

VI. OTHER BUSINESS:

Report from Administrative Officer: Mr. Kravitz noted that during the months of August and September, Certificates of Completeness were issued for: **Christakis Altinian, Raymond & Cheryl Roberts and Brian Leroux & Michelle Lapierre-Leroux, Beach Road & Birch Court, Pascoag** (Administrative – Road Abandonment); **Pascoag Village, South Main Street, Reservoir Road & George Eddy Drive, Pascoag** (Final Minor – three lots); and **The Monteiro Plat, Barnes Road, Burrillville** (Preliminary Minor – two lots). There were no plans rejected as incomplete. The following plan was endorsed: **Christakis Altinian, Raymond & Cheryl Roberts and Brian Leroux & Michelle Lapierre-Leroux, Beach Road & Birch Court, Pascoag** (Administrative – Road Abandonment).

Planning Board Discussions: Election of Officers: *A motion to renew the current slate of officers (Jeffrey Partington as Chairman, Leo Felice as Vice-Chairman, Bruce Ferreira as Secretary) was made by Mr. Tremblay, seconded by Mr. Lemek and carried unanimously by the Board.*

Mr. Kravitz asked the Board to consider scheduling a site walk of a property located between South Shore Road and Route 100 in Pascoag that will be submitting a rural residential compound plan. The tentative date for the site walk was set for Thursday, October 11th.

As there was nothing further for discussion, *a motion to adjourn was then made by Mr. Ferreira at 7:30 p.m. The motion received a second from Mr. Desjardins and carried unanimously.*

Recorded by: _____
M. Christine Langlois, Deputy Planner