

**MINUTES OF THE PLANNING BOARD MEETING OF JULY 7, 2014  
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:** Jeffrey Partington, Rick Lemek, Mark Tremblay, Leo Felice, Bruce Ferreira, Michael Lupis, Dov Pick, Christopher Desjardins, and Jeffrey Presbrey.

**Others Present:** Ray Cloutier, Zoning Board Chairman, Thomas Kravitz, Planning 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 May 5, 2014** were read. *A motion to accept the minutes, as presented, was made by Mr. Ferreira, seconded by Mr. Lupis and carried unanimously by the Board.*

**IV. CORRESPONDENCE:**

- *Zoning Board July 8, 2014 Agenda;*

**V. OLD BUSINESS:**

**VI. Pine Harbor Estates, 2748 Wallum Lake Road, Burrillville; Map 17, Lot 43: Preliminary Minor Rural Residential Compound Plan Review (cont'd from November 4, 2013 meeting):**

Mr. Partington noted that a correspondence requesting a continuance to the August Planning Board agenda had been received from the attorney representing Pine Harbor Estates. *A motion to table the Pine Harbor Estates Preliminary Minor Rural Residential Compound Plan review to the August 5, 2014 Planning Board agenda was made by Mr. Ferreira, seconded by Mr. Desjardins and carried unanimously by the Board.*

**VII. NEW BUSINESS:**

**Steere Farm Village, Steere Farm Road, Burrillville; Map 247, Lot 11 & Map 230, Lot 2: Major Master Plan Review/Public Informational Meeting:** In attendance representing Steere Farm Village were Kevin Morin, a registered civil engineer with DiPrete Engineering, members of Steere Farm Associates, the owners, developers Mark Bard & Kevin Lavoie, of KLMB Properties, and Scott Rabideau, wetlands biologist of Natural Resource Services, Inc. Mr. Kravitz began the discussion by explaining that the master plan submission represented one of the stages in a major subdivision review for a development known as Steere Farm Village. He noted two items of importance that the applicants would have to acquire to make the development work: Town Council approval to purchase the town-owned property on Steere Farm Road for access to the development, and capacity approval for town water from the Harrisville Water Department. These two important items should be received before the Board offers Master Plan approval. He noted that the project has a long history – going back to the 1980's when a previous developer had proposed 34 homes; then a period when another developer had proposed 174 units in accordance with a comprehensive permit process. A new developer is now proposing 22 house lots, which is a more reasonable proposal.

Mr. Morin then began the presentation by saying that the property is presently undeveloped, with a combination of woods, brush and fields. It is approximately 99.72 acres in size with 2,400 feet of frontage on Steere Farm Road, 530 feet on Lapham Farm Road and 550 feet on South Main Street. The property is zoned R-40 and lies within an A-80 Aquifer Overlay District, which effectively requires any proposed lot sizes to contain 80,000 square feet of area, with 300 feet of frontage instead of the underlying zone requirements of 40,000 square feet and 150 feet of frontage. He noted that there is an existing sewer line that runs through the property that services the elementary school.

Wetlands were located and flagged on the property years ago, but have been updated, with additional flagging having been conducted by Scott Rabideau, of Natural Resources Services. He noted a letter in the submittal prepared by Mr. Rabideau verifying the work performed. He also noted that the septic system setback questions, in the vicinity of cluster area, previously brought up by Board members at the pre-application stage were reviewed and addressed by Mr. Rabideau.

He stated that the original yield plan submitted provided for 24 lots based upon the topography, wetlands, lot area and zoning. Based upon a cluster plan, the number of units has been decreased to 22 lots, with access proposed from Steere Farm Road, adjacent to the Steere Farm Elementary School. The cluster plan allows for minimizing development behind the school and provides for a 20-foot open space strip around the project adjacent to the property owners along Steere Farm Road as well as the school. The development will be serviced with septic systems and public water. Preliminary discussions have taken place with the Harrisville Water Department regarding availability, but a formal filing process will have to take place prior to receiving approval from the district. Based upon the previous discussions, he believes that public water will be available for the project. He referenced correspondence received from the Harrisville Water Department that was provided in the master plan submittal.

There will be approximately 2,100 feet of roadway, the lot areas comprising 11.25 acres, and 86 acres designated as open space. He noted that the proposed amount of open space is significant as the cluster regulations require at least 50% of open space be provided, which would be approximately 49 acres in a proposal; this plan actually proposes 86 acres. The regulations require suitable open space areas for active recreation, etc. – which would be about 12.5 acres; this proposal allows for 35 acres – almost three times the amount required for suitable open space area. He pointed out several conceptual drainage areas that would deal with runoff from the road before entering the wetlands, and outlined the approvals that would be required (water quality, stormwater management). The roadways are proposed to have 22-foot travel lanes per subdivision regulations.

Mr. Morin pointed out that a traffic study had been completed last week and handed out copies to the Board members. He noted the traffic study was conducted recently during the time when school was still in session, and reviewed traffic generated from the school site as well as existing traffic and future conditions. Safety and performance were the two main objectives for the study as it relates to the intersection with Steere Farm Road. He noted the peak traffic took place in the morning and afternoon – basically because of the school when

parents were picking up and dropping off. The peak total was about 200 vehicles per hour, plus-or-minus, during the morning and afternoon. Based upon the posted speed limit of 35 mph, the project would require a sight distance at its intersection with Steere Farm Road of 250 feet of sight distance. The current proposed access site has approximately 600 feet of sight distance. He noted that the report was based on 24 units whereas the number has been decreased to 22. The level of service was listed as “best”. He added that the project would require RIDOT approval for a physical alteration permit.

For the benefit of the audience, Mr. Partington then asked if Mr. Kravitz could briefly explain the State Enabling Act regarding subdivision, asking if the Board could outright deny this request. Mr. Kravitz briefly outlined the State Enabling Act and replied that while they could deny the plan based on the number of units, the Town would likely lose if there was an appeal in court, because the developer has followed the regulations in regards to creating a yield plan to determine the amount of units that would reasonably be allowed on the property before preparing a cluster plan development (Land Development Title 45, Chapter 23). He noted the importance of knowing there is sufficient water capacity to service this development before the master plan approval is granted.

Mr. Partington then asked if there were any questions or comments from the Board members.

Mr. Presbrey stated that he felt a 22-unit development is nice, and that is was a good plan. He suggested that the developers consider setting aside a parcel of the open space land to be considered for future school expansion. He also inquired as to whether any affordable units would be required of this development. Mr. Kravitz said that the Zoning Ordinance requires each development to provide 20% of the units as affordable – in this case four units.

Mr. Ferreira questioned the walking path from Lapham Farm Road as well as from South Main Street along the existing sewer easement. He requested that the path from Lapham Farm Road continue through the open space surrounding the lots to the Steere Farm Elementary School. Mr. Morin said that a small gap has been left between the two lots to allow for access to the school. He suggested that an emergency gate be provided between proposed Lots 20 & 21 to provide for emergency access. Mr. Kravitz said this request should first be discussed with the fire department.

Mr. Partington stressed the importance of providing water capacity information and accessibility to the development by acquisition of the town-owned property.

At this point, the Public Informational Hearing was open at 7:36 p.m.

*Peter St. Jean, of 865 Steere Farm Road*, questioned whether the yield plan was the one that the Town could lose in court on if the Board denied the plan. Mr. Partington explained the purpose of the yield plan exercise. Mr. St. Jean voiced that his main concern was with the roadway proposed so close to the elementary school. He requested a copy of the traffic report that was mentioned earlier in the discussion. He then questioned if there were regulations dealing with the size of the proposed homes. Mr. Partington replied there are not, adding that the financial market dictates the size and need. Mr. Bard responded that the homes proposed

for construction would be very similar to the houses currently along Steere Farm Road (between 1,500 and 1,700 square feet). Mr. St. Jean then asked what the next submission would be. Mr. Partington explained that normally the next stage was the preliminary plan; however the applicants have to two key issues to address: approval from the water department in regards to capacity; approval from the Town Council to purchase the town-owned lot adjacent to the elementary school for access to the development. Mr. Kravitz noted that he would like to have input from the fire chief as well regarding the road length and width and correspondence from the school superintendent regarding school building capacity.

*Al Hayden, of 1046 South Main Street*, voiced concerns with the volume of traffic adding to the existing roadway. He added that the sewer line easement also contains a recently added gas line. The Board acknowledged that fact.

*Michael Boyd, 759 Steere Farm Road*, questioned whether the private septic systems would have any effect on the aquifer overlay area. Mr. Morin explained that in terms of density, there is no difference with 40,000 square foot lots and 80,000 square foot lots, when it comes to effects on the aquifer. This development would not any adverse impacts on the aquifer overlay zone.

*Andrew Dickey, of 767 Steere Farm Road*, asked what the timeframe was on the entire project (planning and construction) as the developers currently have a townhouse project at the end of Steere Farm Road that has not yet been completed. Mr. Bard stated that the project would probably take approximately 2-3 years for completion, noting that the planning process sometimes takes almost a year.

As there were no further questions from the audience, the public hearing was closed at 7:52 p.m.

*Noting that several key elements were missing, a motion was made by Mr. Tremblay to continue the Master Plan review of the Major Subdivision Steere Farm Village until the application is able to secure the necessary approval for the purchase of the town-owned lot adjacent to the elementary school for access to the development from Steere Farm Road, approval from the Harrisville Water Department regarding sufficient water capacity, approval from the school superintendent regarding school capacity, and approval from the Harrisville Fire Chief regarding the roadway width and length. The motion received a second from Mr. Ferreira and carried unanimously.*

**John Connors, Cherry Farm Road, Burrillville; Map 143, Lot 47: Preliminary Minor Subdivision Plan Review:** Mr. John Connors was in attendance to represent the request. He noted that his surveyor, Norbert Therien, was supposed to be in attendance; however he has been unable to make contact with him. He requested that the Board consider tabling the review to the August meeting. Mr. Presbrey suggested the Board discuss the project and offer suggestive comments. Mr. Connors agreed with the suggestion.

Mr. Partington asked him if discussions had been conducted with the Harrisville Water Department in regards to access over their existing easement. Mr. Connors stated that he had

meet with the water board years ago based on a request from the water department for access to their newly constructed water tower. At that time, he had requested a reciprocal easement for future access as the frontage on Cherry Farm Road is extremely sloped, which almost prohibits access to Cherry Farm due to safety. The future easement was granted to him. Noting the presence of an existing gate to the property, Mr. Partington questioned whether the gate would be moved. Mr. Connors said that he would be willing to have the gate moved to split the roadway access with the water department. Mr. Partington also suggested that the steep slope at the bottom of the hill be investigated.

Mr. Kravitz then referenced a memo from the zoning official where he states that this property had been merged in accordance with the non-conformance section of zoning because of a common ownership issue. In later years, it was separated by deed transfers, creating a zoning issue. To correct the title issue, Mr. Connors has agreed to transfer a sufficient amount of land to create a legal conforming lot for the neighboring property (Map 143, Lot 47 Gomes). Mr. Kravitz noted that because of the land transfer, the remaining area must be subdivided as a cluster plan and in accordance with the cluster ordinance. He suggested that if the Board was in agreement of the common access use, he could draft a letter in support of the applicant's access request to Harrisville Water Department.

Mr. Tremblay asked if he had received something in writing back when this agreement was made. Mr. Connors said he did not.

Mr. Lemek asked if he was successful in obtain the access from water department, how could he prevent future property owners from making any alterations on their lot to access Cherry Farm Road. Mr. Kravitz said a restriction could be placed on the subdivision plan. He suggested a conservation restriction on the slope side, outlining the limit of disturbance on the plan.

Mr. Presbrey said the placement of septic systems should be looked at because of the restrictions due to the presence of a public water supply, which contains a 400-foot buffer zone. Mr. Partington noted that the easement accesses just the tower, not an actual wellhead. Mr. Presbrey then asked for the actual frontage on both Mr. Connors' property and Mrs. Gomes'. Mr. Connors said he believed his frontage is around 530 – 560 feet. Mr. Presbrey questioned whether there was sufficient frontage in order for him to utilize the cluster ordinance of zoning as a yield plan must be submitted first. He suggested that both lots (Connors and Gomes) be subdivided as three cluster lots.

*A motion was made by Mr. Presbrey to continue review of the Preliminary Minor Subdivision plan for John Connors until the plan returns with a satisfactory response and approval from the Harrisville Water Department for use of the easement for access. The motion received a second from Mr. Partington and carried unanimously by the Board.*

#### **VIII. OTHER BUSINESS:**

**Report from Administrative Officer:** The Board reviewed the report from the Administrative Officer. They noted that in the months of May and June, Certificates of Completeness were issued for: **Steere Farm Village, Steere Farm Road, Burrillville** (Major

Master Subdivision – 22 lots) and **John Connors, Cherry Farm Road, Burrillville** (Preliminary Minor Subdivision – 2 lots). There were no plans rejected as incomplete and no plans were endorsed.

**Planning Board Discussions:** Mr. Presbrey asked the Board members if they agreed with his request for a separate lot for school access from the developers from Steere Farm Village. Mr. Pick questioned the land on the south side of the school. Mr. Kravitz noted that the request should be made of the superintendent of schools with a response back to the Town Hall.

*A motion to adjourn was then made by Mr. Ferreira at 8:15 p.m. The motion received a second from Mr. Desjardins and carried unanimously by the Board.*

Recorded by: \_\_\_\_\_  
M. Christine Langlois, Deputy Planner