

**MINUTES OF THE PLANNING BOARD MEETING OF SEPTEMBER 8, 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 7:03 p.m., Jeffrey Partington, Chairman, presiding.**

**Members Present:** Jeffrey Partington, 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 Mr. Lemek was excused due to a prior commitment.

**III. ACCEPTANCE OF MINUTES:**

The **minutes of the Planning Board meeting of July 7, 2014** were read. *A motion to accept the minutes, as presented, was made by Mr. Ferreira, seconded by Mr. Pick and carried unanimously by the Board.*

**IV. CORRESPONDENCE:**

- *Zoning Board August 12, 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 & July 7, 2014 meetings):* Mr. Partington noted that a correspondence requesting a continuance to the October 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 October 5, 2014 Planning Board agenda was made by Mr. Ferreira and seconded by Mr. Desjardins. Under discussions it was noted that a fair amount of time had transpired since the public hearing and there was concern as to the Board's meeting the timeframe for rendering a decision. Mr. Kravitz stated that the extensions granted were mutually agreed upon and therefore would not pose a problem regarding state mandates on making a decision. Mr. Partington then amended the original motion to require that a public hearing be scheduled for the October review and that it be re-advertised and abutters re-notified, at the expense of the developer. The amended motion received a second from Mr. Presbrey and carried unanimously. The original motion then carried unanimously by the Board.*

In regards to the next item, Mr. Kravitz noted that state law allows either the administrative officer, or the Planning Board, the authority to offer an advisory to the Zoning Board when a variance is being requested. He added that he had chosen to let the Planning Board render an opinion in this case as the property lies within the F-5 zoning district, and due to the unique nature with this request as there is an existing agriculture use involved.

**VII. NEW BUSINESS:**

**Candace Letendre, Jackson Schoolhouse Road, Burrillville; Map 154, Lots 2 & 3:** *Administrative Subdivision Plan Requiring a Zoning Variance:* Mr. Norbert Therien, of

National Surveyors-Developers, Inc., was in attendance to represent the request. He explained that the purpose of the plan was to separate the existing farm structures, on Lot 2, from the residential use and incorporate them into Lot 3, which is the current farm use. The owners, Mr. & Mrs. Perry, reside across the street from the farm (in the original farmhouse) and currently operate the farm. Mrs. Perry's sister has stated that she would like to purchase the original family residence and garage, on Lot 2, and Mr. & Mrs. Perry wish to preserve the farm buildings with their existing farm. He noted that with the proposed lot line movement, Lot 2 would end up with 5 acres, but only be able to have 367 feet of frontage due to the location of the farm structures. The zoning of the area requires 450 feet of frontage; this proposal would require a variance from zoning of 83 feet. As an enticement to maintain the agriculture use, he stated that it was suggested by the planner that he moved the existing property lines for Lot 3 and incorporate all of the remaining land from Lot 2 into Lot 3, thus starting with two lots and ending with two lots. Mr. Kravitz suggested adding a notation on the plan which states "*subdivision authorized to assist agricultural activity*" due to the uniqueness of the request. Mr. Therien agreed to provide the statement on the plan should the Planning Board offer a favorable advisory and the Zoning Board grant the variance request.

Mr. Partington questioned whether the farm structures setbacks would meet zoning should the plan be approved, or would the applicants need to seek relief from setback requirements also. Mr. Therien stated that the buildings would meet the setback requirements, as noted on the plan.

Mr. Tremblay, noting the proposed reduction of lot frontage on the house lot (Lot 2), questioned whether the relief reduction would allow for a future developer to obtain an additional lot should the remaining area on Lot 3 be subdivided. Mr. Kravitz pointed out that the current applicant could have done it with this application if they had wanted to. Mr. Presbrey pointed out that it could not happen. Mr. Partington noted that the plan is governed by an existing situation – not by a dimension.

Mr. Partington then asked for further comments from the Board members.

Mr. Presbrey stated that he did not have any problem with separating the farm structures from the residential use as the barns belong with the agricultural use; and that he supports a favorable opinion for the Zoning Board. Mr. Partington questioned whether he felt the applicants were creating their own hardship. Mr. Presbrey said that he did not feel they were. The other Board members felt that it was the best situation for the property.

Mr. Felice said that he normally would not support any precedence-setting situation; however, the F-5 zoning district is the Town's most rural areas and the plan does not present a negative impact to the land – everything remains as it currently exists. The proposal will enhance what the Town is trying to achieve with the F-5 zoning district.

*A motion was then made by Mr. Tremblay that the Planning Board forwards to the Zoning Board through the Town Planner a positive opinion on the Candace Letendre Minor Subdivision plan as designed, based upon the Board's comments of this evening and in accordance with R.I.G.L. 45-24-41 subsection B. The motion received a second from the*

*Chair. Under discussions, Mr. Pick requested adding to the motion the condition of approval that Mr. Kravitz had mention earlier in the discussions, in terms of preserving the agricultural continuity of the current land. Mr. Tremblay amended his motion to include the condition, which was seconded by the Chair and carried unanimously. The original motion 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 July and August, Certificates of Completeness were issued for: **Candace Letendre, Jackson Schoolhouse Road, Burrillville** (Administrative – 2 lots) and **Jeremy P. & Jennifer M. Bailey and Karen M. & David L. Marcotte, Wallum Lake Road, Pascoag** (Administrative – 2 lots). There were no plans rejected as incomplete. The following plans were endorsed: **Jeremy P. & Jennifer M. Bailey and Karen M. & David L. Marcotte, Wallum Lake Road, Pascoag** (Administrative – 2 lots).

**Planning Board Discussions:** The Board had no further business for discussion.

*A motion to adjourn was then made by Mr. Tremblay at 7:30 p.m. The motion received a second from Mr. Ferreira and carried unanimously by the Board.*

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