

**MINUTES OF THE PLANNING BOARD MEETING OF AUGUST 3, 2015
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, Marc Tremblay, Rick Lemek, Leo Felice, Bruce Ferreira, Michael Lupis, Dov Pick, Christopher Desjardins and Jeffrey Presbrey.

Others Present: 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 June 1, 2015** 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: No correspondence was received.

V. NEW BUSINESS:

Mount Pleasant Estates, Mount Pleasant Road, Burrillville; Map 45, Lot 1 & Map 62, Lot 35: *Master Major Rural Residential Compound Plan revision:* Marc Nyberg, of Marc N. Nyberg Associates, and Paul Vanasse, owner and applicant, were in attendance to represent the request. Mr. Nyberg stated that the project is located on the northerly side of Mount Pleasant Road, in close proximity to Iron Mine Road, and directly across from an approved two-lot private subdivision known as Elk Lane. He noted that the parcel contains 116 acres, and the plan is being resubmitted (again) as a rural residential compound with ten lots. Each of the lots has a minimum of 2 acres, with approximately 80 acres remaining as open space. An existing cart path on the property will be used as the proposed roadway for access, ending in a cul-de-sac. The plan has been revised from the original one, reviewed and conditionally approved by the Board in 2006, to accommodate changes in the wetlands that were identified previously on the property. This revision entails modifying a couple lot lines to conform to the zoning requirements for lots containing wetlands and a shifting of the proposed cul-de-sac. He noted that soil evaluations have been approved for the water tables on all of the proposed lots; however, they have not submitted to RIDEM Wetlands as of yet. He pointed out that there is a small area where the wetlands cross over and puddle in line with the proposed roadway area, which would need to be reviewed by RIDEM; however, he said he believed there would not be a problem as there is already an existing cart path. He noted the location of a proposed dry hydrant cistern [for fire protection] to the right of the roadway near Mount Pleasant Road and that the development would be serviced by overhead electrical. Each of the lots will have trail easements to the open space lot for access.

Chairman Partington questioned the length of the proposed roadway. Mr. Nyberg stated that it was approximately 1,265 feet. He also asked if test pits have been done. Mr. Nyberg said yes, they have, and some were also conducted in the areas of drainage, adding that an engineer is currently working on drainage calculations.

Mr. Pick questioned whether the wetlands area that had expanded would continue to increase in size. Mr. Nyberg said that due to the steep slope nearby and the adjacent level area, it is a possibility. He noted that he had spoken with Scott Rabideau, the wetlands biologist who had reflagged the development, and was told that this spring was the wettest spring in years, but he believed that the wetlands have maxed out.

Mr. Ferreira questioned whether underground utilities are proposed for this development. Mr. Nyberg stated that the electrical service would be overhead – as was the case with Elk Lane. Mr. Ferreira suggested that they considered underground as required by the regulations.

Mr. Tremblay asked if an easement would be provided for the continued use of the “cornfield” by the abutter, Mr. Wright, or whoever uses the field. Several members of the Board recalled some type of agreement for use of the cornfield when the first plan was submitted in 2006. Mr. Nyberg said that the agreement may have been with the previous owner of the proposed development. Mr. Vanasse stated that because the property was foreclosed on, any lease agreement would have been negated. If the abutter was looking for some type of lease, it would have to be negotiated with the development association, and any revenues resulting from this lease would go to the association.

There were several questions from the audience which included the type of infrastructure for the development, ownership of open space and easements, timeline for construction, costs of proposed homes and impact on services.

Having no further questions, *in accordance with RIGL 45-23-40 General Provisions for Major Subdivision for Master Plan Review, subsection E – Decision, a motion to approve the Master Major Rural Residential Compound plan revision for Mount Pleasant Estates was made by Mr. Ferreira as per RIGL Section 45-23-60:*

- 1. The subdivision is consistent with the Comprehensive Plan Chapter V Housing, Implementation Action V.1.a.1;*
- 2. The application is in conformance with, and does not conflict with, the intent and purpose of the Town’s Zoning Ordinance;*
- 3. There will be no negative environmental impacts as evidenced by the fact that the wetlands have been flagged and no development is proposed with the wetlands, at this stage of review. Additionally, the applicant must obtain permits from the Division of RI DEM Wetlands and Onsite Waste Water Treatment System approval prior to the next level of review.*
- 4. The subdivision will not result in the creation of unbuildable lots;*
- 5. The subdivision has adequate and permanent physical access to Mount Pleasant Road.*

The motion received a second from Mr. Lemek and carried unanimously by the Board.

A motion was then made by Mr. Ferreira, and seconded by Mr. Presbrey, to take a short recess, at 7:35 p.m. to allow for the audience to clear out from the previous agenda item.

The meeting resumed at 7:37 p.m.

Discussion/Recommendation on Requested Amendments to the Town's General Ordinances, Section 4-42. Kennel License and Zoning Ordinance, Section 30-71 Zoning District Uses, Table 1: Referring to the memo from the Town Clerk, Chairman Partington told the Board that they have been asked to render an opinion on a request to consider allowing for a special use permit in the General Commercial District to operate a kennel. Under discussions, the Board noted an advantage with requiring a special use permit - the Planning Board, along with the Zoning Board, are allowed to review each request and require conditions on a case-by-case basis. *A motion was then made by Mr. Ferreira, in accordance with RIGL 45-24-52, to forward a positive recommendation to the Town Council on the notion of allowing dog kennels in the General Commercial District, by way of a "use" amendment, which would require a special use permit. Also, in accordance with RIGL 45-24-30, General Purposes of the Zoning Ordinance, the notion of allowing dog kennels by special use permit in GC districts is essentially consistent with subsection 2, providing for a range of uses and intensities for use appropriate to the character of the Town, and reflecting current and expected future needs. While expanding for kennels in a specific zoning district, "provides for a range of uses," the remaining sections in RIGL 45-24-30 are not applicable to this amendment. The motion received a second from Mr. Tremblay and carried unanimously by the Board.*

VI. OTHER BUSINESS:

Report from Administrative Officer: The Board reviewed the report from the Administrative Officer for the months of June and July. They noted that during the month of June, a Certificate of Completeness was issued for **David R. Kennelly, Susan Mulvey & Courthouse Lane, Inc., 12 & 23 Point Lane, Pascoag** (Administrative – 3 lots). There were no plans rejected as incomplete and no plans were endorsed. During the month of July, Certificates of Completeness were issued for **Ledoux Drive Realty, LLC (d.b.a. Victory Block) & Church of Saint Theresa of the Child Jesus, 63-69 Ledoux Drive & 882 Victory Highway, Nasonville** (Administrative – Boundary Line Adjustment); and **Mount Pleasant Estates, Mount Pleasant Road, Nasonville** (Master Major RRC revision – 10 lots). A plan for **Gerald Dornhecker, 295 Buck Hill Road, Pascoag** (Minor Subdivision – two lots) was rejected as incomplete. The following plans were endorsed: **Candace Letendre, Jackson Schoolhouse Road, Pascoag** (Minor Subdivision – two lots) and **Ledoux Drive Realty, LLC (d.b.a. Victory Block) & Church of Saint Theresa of the Child Jesus, 63-69 Ledoux Drive & 882 Victory Highway, Nasonville** (Administrative – Boundary Line Adjustment).

Planning Board Discussions: Mr. Presbrey inquired as to what development was taking place along Route 102 on the Glocester-Burrillville line. Mr. Kravitz stated that it was a condo development in Glocester, not Burrillville, and that he could obtain a copy of the plan for the Board, if they wished.

A motion to adjourn was then made by Mr. Ferreira at 7:50 p.m. The motion received a second from Mr. Tremblay and carried unanimously by the Board.

Recorded by: _____
M. Christine Langlois, Deputy Planner