

PLANNING BOARD MEETING OF JULY 17, 2007

PLACE: TOWN HALL BANQUET ROOM

Meeting called to order at 6:30 P.M. by Chairman Fleurent

**I. ADMINISTRATIVE BUSINESS**

A. Quorum/Attendance

Members Not Present – James Holmes

Planning Director William Roth was also in attendance.

B. Acceptance of Minutes –

Timothy Cox motioned to accept the minutes to the June 12, 2007 meeting. Gary Staffon seconded. The vote was unanimous. The motion passed.

C. Planning Board Bills: –

- 1) Southcoast Media Group – Ads – Marion Pediatrics - \$184.00  
Pinto-Washburn Avenue - \$78.00

Timothy Cox motioned to pay this bill. Gary Staffon seconded. The vote was unanimous. The motion passed.

D. Receipt of Plans – None

E. Release of Plans -

- 1.) Covenant Release – Elmwood Subdivision

Chairman Fleurent – Are all the proper materials with this?

William Roth – Yes, Mr. Chairman.

Timothy Cox motioned to release the covenant. Gary Staffon seconded. The vote was unanimous. The motion passed.

F. Approval of Plans - None

G. Other -

- 1.) Suvenchy Drive - Almeida/Sarmento Letter

Chairman Fleurent – There was a lot in the rear on one of these homes where there was a maintenance issue awhile back.

Marinus Vander Pol - Properly constructed detention ponds are constructed above ground water. They should be dry within a few days of a twenty-five year event.

Chairman Fleurent – If water stays there for more than two days, then we've got a problem.

Wayne Hayward - The homeowner says that it was improperly constructed. If there was a construction problem, they haven't provided any evidence.

William Roth- I believe they just don't like the design of having a retention area behind their house.

Timothy Cox – Who is responsible for maintenance?

Marinus Vander Pol – I think this was installed before the Planning Board had this in our purview. BPW could help them out with the construction of a forebay. This might be a useful argument for in the ground infiltration.

William Roth – It probably has not been maintained correctly.

Gary Staffon – Will BPW inform us of their decision?

William Roth – I will discuss this with the BPW.

2.) Shannon Meadows – Benoit e-mail

William Roth - This e-mail is in regard to the chicane.

Wayne Hayward - Is this something new?

Marinus Vander Pol – I would suggest recommending this to the police safety officer and the selectmen for proper signage. This is to slow traffic, not encourage excess speed.

Wayne Hayward – There's so much history here. Are these new property owners? Are we going to deal with this every six months? It sounds like speeding is a problem, not the chicane.

William Roth - I have advised them to speak to the Police Chief.

Chairman Fleurent – I think we should forward this to the safety officer.

Gary Staffon motioned to forward the e-mail to the safety officer. Timothy Cox seconded. The vote was unanimous. The motion passed.

William Roth – This is not on the agenda, but I wanted to let you know that the MacKenzie Lane covenant expires on August 7, 2007.

Gary Staffon motioned to send a certified status letter to the applicant. Marinus Vander Pol seconded. The vote was unanimous. The motion passed.

William Roth – Mr. Huffam on Sylvia Street has been sent a certified letter to submit the necessary plans for street acceptance and I have not yet heard back from him or the bank. Their letter of credit expires on August 10, 2007.

Wayne Hayward motioned to call in the letter of credit. Timothy Cox seconded. The vote was unanimous. The motion passed.

William Roth – The town was awarded a \$942,000.00 block grant to rebuild Middle Street from Pease Street to Huttleston Avenue as well as some housing rehabilitation. We had applied for \$1 million.

## II. PUBLIC HEARINGS

(Marinus Vander Pol is abstaining)

### 1.) Special Permit – Lighthouse Bed & Biscuit – Narragansett Boulevard (cont'd from 6/12/07)

Timothy Cox motioned to table the public hearing. Gary Staffon seconded. The vote was unanimous. The motion passed.

### 2.) Definitive Subdivision – Gus Pinto, Jr., - Washburn Avenue (2)

William Roth - In my memo, I have included the items from the previous application from last year as well as the review comments that are applicable. The lot number listed for the property to the south is still incorrectly listed. With regards to wetlands and an engineering report, they have proposed a bio-retention area. However, no drainage review has been done. They should deposit the funds with the Board to hire a peer review, or the Conservation Commission could hire one since it is so close to wetlands. This needs to be done before the Planning Board can make a decision. The original narrative did not address the waivers and the new application did not as well. The Fire Department stamped approval only because it is an existing gravel road with no new lots created. The Police Department has not commented. There have been no comments or concerns from the other departments. This is no longer in tax title. I am recommending the Board proceed with the hearing and then the applicant can continue the public hearing.

John Keegan (SITEC Engineering) – This is a re-application of a definitive subdivision on an existing roadway. We need a building permit for the single family home proposed on the existing lot. We have filed with the Conservation Commission with regards to wetlands. As far as the waivers go, we are asking for some standard waivers. It's a small home with a bio-retention area, which would mitigate for a fifty year storm. We will be asking for a continuance after your comments.

Chairman Fleurent – How many square feet on the size of that lot?

John Keegan – Probably larger than one acre.

Wayne Hayward – I'm a little confused. It's that a right of way?

John Keegan – Yes.

Wayne Hayward – How many lots are we dealing with?

John Keegan – One.

William Roth – It's a split lot.

Chairman Fleurent – How can it be the same lot if it's divided by a street? To me it's two lots.

Marinus Vander Pol – I would appreciate it if Mr. Keegan would describe the perimeter of this lot.

Chairman Fleurent – Is that road an easement or a way?

William Roth- There was a subdivision done many years ago that the board did not approve that somehow got on the tax maps and when it was taken off the tax maps it appears that the roadway was replaced with a dash line. However, there may be another plan that created the road, but the applicant will need to provide a detailed title search to determine the status of Washburn.

Wayne Hayward – I have a hard time moving on from that issue.

Chairman Fleurent – Do other people use that way?

John Keegan – Yes.

Marinus Vander Pol – Let's find out how long it's been that way.

Robert Barlow (abutter) – I'm speaking for the neighborhood. I have concerns as to whether or not it's a public or private road. This will have an effect on many different issues. We need to know that answer before we can go forward.

William Roth – I know it's not an accepted way.

Kathy Lopes (abutter) – I will take the impact of the project. I feel that a drainage study is key. Are the letters that we submitted in the prior application still valid?

William Roth - You should resubmit them.

Kathy Lopes – Then I would like to resubmit them accordingly right now.

Eugene Stuart (Abutter) – I could potentially get flooded out in the right conditions. I would like to know how they are going to address that.

Wesley Wood (Abutter) – Another house in this area will only exacerbate the drainage problem.

Wayne Hayward – Flood control is going to be the first concern.

Wayne Hayward motioned to continue the public hearing at the applicant's request to August 14, 2007. Gary Staffon seconded. The vote was unanimous. The motion passed.

1.) Special Permit – Lighthouse Bed & Biscuit – Narragansett Boulevard (cont'd from 6/12/07)

Wayne Hayward motioned to continue the public hearing at the applicant's request to August 14, 2007. Timothy Cox seconded. The vote was unanimous. The motion passed.

### **III. PUBLIC MEETING**

1.) Open Space & Recreation Plan

William Roth – I have received comments from the Conservation agent. There were a few errors listing the lot size and the zone. He also commented on vernal pool certification, listing the four vernal pools. I will check with him to see if that is still his recommendation.

Marinus Vander Pol – If they're not certified, they're not there. They need certification for protection.

William Roth – He wants me to list the specific ones that need to be certified. Jeff Osuch noted things that were missing that needed to be added. Very few minor changes. Mr. Hayward commented on a number of items.

Wayne Hayward – I don't think that shellfishing was brought up and it should have been. It's certainly a recreational activity.

William Roth – Maybe I can make it more explicit. Should there be additional goals?

Wayne Hayward – I would like to see scenic roads given more attention. I gave my other comments to the planner for his consideration, including the bike path, the camp at Little Bay, etc.

Chairman Fleurent – There's a lot of work involved in that plan.

William Roth – The vast majority of maps are all set. This will go up on the Planning Board's web page once it's all done. I'm trying to get on the Conservation Commission agenda to see if they have any additions or questions. Also in your packet is a copy of the Community Preservation Act plan. There have been very few changes. There will be a public hearing.

Timothy Cox motioned to adjourn. Gary Staffon seconded. The vote was unanimous in favor. The meeting was adjourned at 8:12 p.m.

Respectfully submitted,

James Pelland, Secretary  
To the Planning Board