

PLANNING BOARD MEETING OF APRIL 24, 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 Present – All

Members Not Present – None

Planning Director William Roth was also in attendance.

B. Acceptance of Minutes –

Marinus Vander Pol motioned to accept the minutes to the April 10, 2007 meeting. Wayne Hayward seconded. The vote was unanimous. The motion passed.

C. Planning Board Bills –

1. Refund – Bekemeier - \$16.64

Marinus Vander Pol motioned to pay this bill. Timothy Cox seconded. The vote was unanimous in favor. The motion passed.

2. Refund – Mill Holdings - \$12.00

Marinus Vander Pol motioned to pay this bill. Timothy Cox seconded. The vote was unanimous in favor. The motion passed.

3. Refund – Rochester's Restaurant - \$21.28

Marinus Vander Pol motioned to pay this bill. Timothy Cox seconded. The vote was unanimous in favor. The motion passed.

D. Receipt of Plans – None

E. Approval of Plans -

1. Form A – Patrice Johnson – 229 Sconticut Neck Road

William Roth – This is just fulfilling the prior conditions on the street discontinuance.

Gary Staffon motioned to endorse the plan. James Holmes seconded. The vote was unanimous in favor. The motion passed.

F. Release of Security

1. Fox Run Lane

William Roth- They've asked for the security to be released from the tri-party agreement. I am recommending that you do so.

Chairman Fleurent – I believe it's \$42,000.00.

James Holmes– What happens if the street is not accepted?

William Roth – This is specific as to construction of the way. It's between the developer and the two homeowners.

James Holmes motioned to release the security. Marinus Vander Pol seconded. The vote was unanimous in favor. The motion passed.

G. Other - None

James Holmes motioned for a 5 minute recess. Albert Borges seconded. The vote was unanimous in favor. The motion passed.

II. PUBLIC HEARINGS

1.) Definitive Subdivision – Barbara McCoy – 307 Wigwam Beach Road (continued from 3/27/07)

William Roth – I received revised plans on April 18 and they were routed today. They have requested a continuance to 6/12/07.

Gary Staffon motioned to continue the Public Hearing at the applicant's request to June 12, 2007. Timothy Cox seconded. The vote was 7-0 in favor (Marinus Vander Pol abstained). The motion passed.

2.) Definitive Subdivision – Mariner Estates (2) – Welcome Street (continued from 2/27/07)

William Roth – They are still working out some issues with the Conservation Commission. They are looking to continue to 5/22/07.

Timothy Cox motioned to continue the Public Hearing at the applicant's request to May 22, 2007. Gary Staffon seconded. The vote was unanimous in favor. The motion passed.

3.) Special Permit – Lighthouse Bed and Biscuit – Terminus of Narragansett Boulevard

William Roth – The site plan is difficult to read because there's too much information on it. I am requesting a separate one. I see the landscaping strip between the sidewalk and the parking area as a long-term problem and I think they should revise that. I don't see the purpose of the Fire Emergency Access Easement. They only submitted one landscape plan, which was a colored rendering. They should have included ten non-colored copies and they need to be cleaned up. The plans accommodate a dumpster, but no detail of a dumpster enclosure was on the plans. I have a concern with the 2 to 1 slope as to grading. These are difficult to maintain. Raising the grade will rise the property almost 6 feet from what it currently exists. I also have a concern with parking as well as drainage issues that I have identified. The variance for frontage granted by the Board of Appeals is under appeal. I agree with the Police Chief with regards to his issues with traffic. The Fire Chief has disapproved the plans as well. The BPW has submitted comments that need to be addressed.

David Davignon (Schneider and Associates) – We will provide a cleaner plan for viewing. There will be parking for 18 customers and 8 employees. We don't agree that there is a required 20-foot setback. The building inspector has not reviewed the plans. There is an issue with the variance. So, in his eyes, the property right now is not buildable. As far as the landscape strip, the petitioner doesn't see a problem maintaining it and doesn't want to change it. As to the Fire Emergency Access, we are extending the road and are allowing an area for a turnaround. Narragansett Boulevard currently is a dead end. So, we are providing a service to the town. We

will submit 10 copies of the landscape plan pursuant to the request and we will add the planting schedule as well. We will address the dumpster issue. As to using Bridge Street to alleviate the traffic issue, we don't have access to it. We would love to use it if we could. I have a meeting scheduled with BPW to hash out their problems.

Attorney Michael Kehoe (for the petitioner) – This is a little different than a kennel. It's a hotel of sorts. There will be a maximum of six employees at any one time. We're looking at a 58% occupancy rate with a 6-day stay for a dog and a 7 or 8-day stay for a cat. There will be a minimal amount of cars coming and going. We are limited as far as traffic goes. We'll be under 25 trips a day when it's all said and done. I think that this is one of the best uses for this property. There is nothing comparable locally to get any statistics from.

Richard Reilly (owner) – This is a high quality facility. Pets are becoming family members. I did a three-year study and nobody is using kennels. These types of facilities are coming here. These are extremely high end. This is an ideal property for this kind of place. Security was an issue. Not so with this property. The noise issue is a non-issue. The cars from Route 240 create enough noise. It's by appointment only. Our hours of operation correspond with the school hours.

Keri Williams (Engineer) – I'm working with Schneider on the stormwater. There will be 2 dry detention ponds and 2 underground facilities that will become one draining off into Route 6.

Steven Syliva (adjacent property owner) – This land is developable. So, Mr. Davignon is wrong. We're afraid that the height of the land will make the water run off into our property.

David Davignon- We will level off the property.

Keri Williams – The discharge rate can't be increased.

Steven Syliva – As to the easement, we already have one. Can he legally get one?

Attorney Michael Kehoe – It would be a public access easement.

Carl Wager, 80 Narragansett Boulevard – There are other trucks and cars that come down that street.

Chairman Fleurent – Why didn't you go with a cul de sac?

David Davignon – The minimum requirements for a cul de sac is quite large for our radius point. It creates a whole other problem.

Donald Joseph – If this plan goes through, the access is now gained through Narragansett Boulevard. Wouldn't that mean that any future business would access through Narragansett?

Chairman Fleurent – Yes.

Attorney Chris Saunders – My clients are opposed to this for many reasons including traffic and noise. There's been no evidence that indicates that the animals will not pose any noise problems to any of the neighbors. It would be impossible. The dogs will be outside some of the time and they will bark. The surveys that were cited were probably slanted. The present owner bought the property with full knowledge that he couldn't access Bridge Street. Every resident will feel the impact detrimentally from this due to the increase in traffic and the greater demand on safety concerns. This facility will be in demand on the weekends. It doesn't belong on this roadway. Parking criteria for this type of establishment has to be determined by this board. There's no precedent. I believe the parking scheme is potentially dangerous.

William Roth – The Planning Board needs to look at the potential conversion when we look at parking.

Richard Reilly – We are using industry standards. We have sufficient parking to deal with any standard. Also, there is no noise issue.

John Rezendes – All of the neighbors are adamantly opposed to it. I'm here for reality. I'm concerned about the children. They are at risk. Stop and Shop has increased the traffic on the weekend especially. I have picked up dead animals many times from speeding cars. This is a narrow street. Can we afford to have our dogs stay at a motel? My issue is safety, gentlemen.

Donald Joseph – The Planning Board knows the potential for growth on that road. You can leave it as it is or make the road wider. If not, you can deny this proposal.

Drew Nayighan (Mattapoisett) – I can personally vouch for the Reilly's. If there is a safety concern with children, the Reilly's will be on top of that.

Carol Saraivalino – We have a right to speak on this so it doesn't get out of hand.

John Rezendes – I bought the house when it was a dead end street. Then they put up the Day Care and things declined rapidly.

Attorney Michael Kehoe – This is one of the least intense things you could put in this area as far as traffic goes. The town will be proud of this facility. This will be an enhancement to the neighborhood.

Chairman Fleurent – How big is the lot?

David Davignon - Better than an acre and a half.

Attorney Chris Saunders – Was there a study provided to the Planning Board by the proponent?

William Roth – No.

Attorney Chris Saunders – How can you rely on a study that hasn't even been submitted to the Board? There also has not been a traffic study as well.

Timothy Cox – You will control the opening and closing of doors?

Richard Reilly – Yes.

Timothy Cox – How wide is the bridge?

David Davignon – 21 feet.

Gary Staffon – I think a 2-1 slope from Route 240 to the bridge along the Stone property might work in reducing noise.

Wayne Hayward- This whole operation would be better if they could use Bridge Street. We have this business zoning at the end of this road and we are trying to force this in and it is not working. Where do we go from here? We haven't heard from the Building Commissioner. The appeal is still pending. Attorney Saunders brings up issues that need to be addressed. We have no experience with these things. He could be very successful.

William Roth – They need to make a detailed narrative about their operation.

James Holmes – I want to make sure that they can't use Bridge Street as an access road, and I would like to see that in writing.

William Roth – They should get a letter from Mass Highway.

Timothy Cox motioned to continue the public hearing at the applicant's request to June 12, 2007. Gary Staffon second. The vote was unanimous. The motion passed.

James Holmes motioned to adjourn. Dennis Vello seconded. The vote was unanimous. The meeting was adjourned at 9:38 p.m.

Respectfully submitted,

James Pelland, Secretary to the
Planning Board