

**MINUTES OF THE PLANNING BOARD MEETING OF FEBRUARY 5, 2018
AT THE JESSE SMITH LIBRARY
SUBJECT TO APPROVAL AT THE NEXT REGULAR MEETING**

I. CALL TO ORDER:

Meeting was called to order at 7:01 p.m., Jeffrey Partington, Chairman, presiding.

Members Present: Jeffrey Partington, Jeffrey Presbrey, Christopher Desjardins, Robert Woods, Marc Tremblay, Dov Pick, Leo Felice, Michael Lupis, and Bruce Ferreira

Other Present: Joseph Raymond, Building Official, Ray Goff, Planning Director and Christine Langlois, Deputy Planner.

II. ATTENDANCE REVIEW:

Mr. Partington acknowledged that all members were present this evening.

III. ACCEPTANCE OF MINUTES:

The minutes of the Planning Board meetings January 8, 2018 and January 29, 2018 and the Comprehensive Plan workshop of January 22, 2018 were read. *A motion to accept the minutes, as presented, was made by Mr. Ferreira, seconded by Mr. Pick and carried unanimously.*

IV. CORRESPONDENCE: There was no correspondence received for discussion.

V. OLD BUSINESS:

Harrisville Village, LLC, The Commons at Harrisville Village, Harrisville: Request for Bond Reduction; Discussion Resident's Concerns: This request had previously been entertained by the Board at their meeting of November 6, 2017 when the Board had received a list of complaints for unfinished items from the Residents' Association. Unfortunately the developer of the project was unable to attend the meeting this evening. However, there were several members of the Harrisville Village Homeowner's Association present (Association President Victor Bevilacqua, Jr., of 204 Jefferson Road and Richard Dralean, of 173 Jefferson Road) to discuss some of the issues.

Referring to the revised bond reduction report received from Mr. McCormack, the DPW Director, the question was asked as to how many of the items listed had been addressed, had not been addressed, were of a direct concern for the Board and which were not the responsibility of the Planning Board. The Board then asked Mr. Bevilacqua if any of the issues raised had been addressed by the developer. Mr. Bevilacqua responded that they had not to date, adding that the winter season may be the reason that the issues are still outstanding. He noted that he had not spoken to the developer recently but had provided the list of concerns to him when they were submitted to the Board. He said that he believes the developer feels he has met all of the obligations for the development. He pointed out some of the outstanding items: striping of the parking lot area; no sprinklers in the front of the parking lot (in the grass area), yet there are sprinklers everywhere else in the development; trees missing throughout; water issues; grading issues; a serious water issue in the vicinity where Liberty Lane and Jefferson Road meet due to the slopes in that area. Initially the last problem had been repaired but still needs to be addressed. In addition, one of the common driveways is not sloped properly. If the ground is frozen, two of the back units have water that builds up in front of their steps creating a large puddle which gets stepped in when they walked out of the unit. He pointed out an additional problem that has occurred in the vicinity of the common area with a large hole in the vicinity of the sewer manhole cover.

Mr. Woods stated that he felt some of these issues were just miscommunication between the residents and the developer. Mr. Goff told the Board that, coincidentally, when the developer had submitted his bond reduction request last year, Mr. Bevilacqua had been to the Planning Department to submit the list of issues with the developers. He asked how long the residents had been living in the development. Mr. Bevilacqua said approximately 10 to 12 years. Noting that timeframe, Mr. Goff said the developer is aware of the issues and has not addressed them. He then asked when the last time an issue had been corrected by the developer. Mr. Bevilacqua said about a year ago. At this point Mr. Goff suggested the Board continue the discussion until the developer could be here to respond to the Board.

Mr. Ferreira made a motion to continue the bond reduction request to the September 2018 meeting in order to give the developer the time to repair the problems. The motion did not receive a second from the Board, so the motion did not pass.

Mr. Presbrey suggested the Board could request a current as-built plan from the developer for the present condition of the development.

A motion was then made by Mr. Woods to continue the review of the bond reduction request to the next Planning Board meeting and inform the developer that his presence is required at the meeting. The motion received a second from Mr. Pick and carried with eight members in favor (Presbrey, Desjardins, Woods, Tremblay, Felice, Lupis, Partington) and one opposed (Ferreira).

VI. NEW BUSINESS:

ISM Solar Development Bronco Highway Project, 600 Bronco Highway, Burrillville; Map 231, Lot 21: Final Major Land Development Plan Review; Financial Security Bond Amount for Decommissioning Established: Engineer Kevin DeMers, of DiPrete Engineering, was in attendance to present the final plan submission. He provided a brief outline of the project, noting that the Master-Preliminary plan had received approval from the Planning Board on November 6, 2017 and the Zoning Board had granted the project a Special Use Permit, along with a variance from the lot coverage requirement, on November 14, 2017. He noted that the Zoning Board had requested an adequate vegetative buffer to shield the view from Bronco Highway and Lapham Farm Road as a condition in granting the Special Use Permit. He noted that a Decommissioning plan had also been provided.

A motion was made by Mr. Tremblay to approve the Final Major Land Development Plan for the ISM Solar Development Bronco Highway Project, 600 Bronco Highway, Burrillville in accordance with R.I.G.L. 45-23-60 the plan is consistent with the Town's Comprehensive Plan, Chapter VII Economic Development, Policy VII.1.b. "Support the use of renewal energy for both commercial and residential interests"; the plan will comply with the Town's Zoning Ordinance, specifically Section 30-211. Roof and Ground-mounted Solar Photovoltaic Installations, (e) Standards: 1. Planning Board approval; 2. Access – Lapham Farm Road and Bronco Highway; 3. Lot Coverage – based on the dimensional variance that was granted to exceed the 20% maximum requirement as evidenced by the Zoning Board resolution dated December 12, 2017; 4. Setbacks; 5. Maximum height; 6. Screening; 7. Security and 8. Land Clearing; and the Special Use Permit granted by the Zoning Board as evidence by the resolution dated December 12, 2017; the plan will have no significant environmental impacts as the property does not contain any wetlands; the plan will not result in the creation of an unbuildable lot as the solar installation is considered the primary use of the property; the

from the Harrisville Water District for the construction of a 10 x 10 wooden shed, on Lot 13, to house all of the meters and the backflow preventers for the services.) a new sewer service for the new building from Route 102 and a new sewer service to the building on Lot 13 from Daniele Drive.

The proposed building is designed to match the existing building on the property. Some landscaping is proposed for the front of the new building and the new bio-retention basin. All permits and approvals have been received from the various agencies (RIDOT, RIDEM, Harrisville Water, and Burrillville Sewer).

The Board questioned what types of plantings would comprise the proposed landscaping in an effort to aesthetically break up the industrial look. Mr. Hagerman said there would be a mix of evergreens (Colorado Spruce, Cyprus, Mountain Laurel, Holly, and Pieres) with a height that will vary over time.

Having no further questions from the Board, the public hearing was open at 7:48 p.m.

Ben Ryan, of 540 Victory Highway, Mapleville, and part-owner of Mapleville Farms, who owns the property across from M. K. Leasing on Bronco Highway, voiced concerns with the smelling and sometimes tasting of fumes from the pre-stain business on Lot 3. He said they operate a farm across the street, and are concerned with the problem getting worst and possibly contaminate the food that they are growing there.

Mike Ryan, of 540 Victory Highway, Mapleville, of 540 Victory Highway, Mapleville, and part-owner of Mapleville Farms, asked whether there were measures in place to mitigate the fumes. What types are materials will be stored in the new proposed building? Mr. Hagerman stated that the pre-stained and pre-primed wooden shingles, cedar shingles, shiplap boards and cement boards would be stored in the new building. Mr. Ryan asked if the business would be expanding. Mr. Hagerman said they would not.

Chairman Partington questioned whether there were negative pressure doors or air cleaning system in the building to clean the air. Mr. Hagerman said he was not sure. Mr. Krawiec told the Board that, to his knowledge, Blackstone Valley Pre-Stain has a permit with RIDEM to conduct their business. He said that he shares concerns with the Ryans' issues. It is his understanding that most of the paints used are water-based. He has been in the building several times and has not noticed an odor.

Mary Ryan, of 540 Victory Highway, Mapleville, stated that she has smelled it at her home on Victory Highway. She voiced concerns with the private wells in the area being affected. She asked if there were any known violations. Mr. Krawiec said he did not know if there were any violations.

The Board questioned whether the materials to be stored in the new building would be untreated or treated. Mr. Krawiec said the materials would be stored untreated until a customer placed an order for treated materials. The Board noted, however, that within the application, it states that the stored materials would already be treated. They suggested an air quality test be conducted to see if the treated product gives off these fumes, which would be

plan will have adequate and permanent physical access to a town road (Lapham Farm Road) and a state road (Bronco Highway). The motion received a second from Mr. Ferreira and carried unanimously by the Board.

In regards to establishing the surety bond amount, based on a recommendation from the Planning Director, *Mr. Tremblay made a motion to set the surety bond amount for the decommissioning of the ISM Solar Development Bronco Highway project at \$75,000. The motion received a second from Mr. Ferreira. Under discussions, a request was made to require the developer to provide additional sheets for the recording plan sets which will include the Operations & Maintenance Plan and the Decommissioning Plan for the benefit of public review. Mr. Tremblay amended his motion to include that request. The amended motion was seconded by Mr. Ferreira and the amended motion, and original motion, both carried unanimously by the Board.*

M. K. Leasing LLC, 730 Bronco Highway, Burrillville; Map 213, Lots 3 & 13: Major Combined Master-Preliminary Land Development Review; Public Hearing: Engineer Bruce Hagerman, of Crossman Engineering, and Mr. Mark Krawiec, property owner/applicant, were in attendance to represent the request. Mr. Hagerman explained that the property lies at the intersection of Daniele Drive and Bronco Highway and consists of Map 213, Lots 3 & 13. Each lot comprises 2.45 acres and both have access from Bronco Highway. There is also a gated entrance from Daniele Drive which is used for occasional truck access. Lot 3 contains a 10,850 square foot building, which is rented by Blackstone Valley Pre-Stain. The building is serviced by public sewer from Bronco Highway as well as electrical service and communications. Water is provided from a private well. An existing detention basin is located in the front yard, which is parallel to Bronco Highway, which discharges into an existing swale on Bronco Highway. Lot 13 currently contains a 4,300 square foot building that is occupied by Krawiec Tree Service and obtains electrical and communications services from Bronco Highway. The building is serviced by a private well but does not contain any sanitation services.

The project consists of the construction of a 10,000 square foot building on Lot 3 for use by M.K. Leasing and Blackstone Valley Pre-Stain for storage of materials and equipment. The building will have a concrete apron on the north side where the loading doors are located. Access to the building will be from Bronco Highway over a paved driveway. The existing driveway will be removed and relocated to the new access in accordance with current RIDOT standards. To mitigate the stormwater runoff, a new bio-retention basin will be installed in front of the proposed building, with a sediment forebay on each side. An existing detention basin will be cleaned, expanded to the north and the outlet structure reconstructed.

During the RIDEM review, several changes were requested that differed from the original presentation to the Board. One request was to eliminate the increase in asphalt surface on the property for Lot 3. To accomplish their request, the parking space numbers have been reduced from 17 to 15 spaces. Other changes included moving the proposed building an additional 10 feet further back from Route 102. The project also includes new utility services for all three buildings, which include: a new water service for the existing building and the new building on Lot 3 originating from Daniele Drive on Lot 13; a new water service from the same location to the building on Lot 13; (The water service connections contain a request

anything of concern. Mr. Krawiec added that for the present time, he was building this new building for the storage of his lumber trucks. If the owner of the pre-stain business wants to store materials in the new building, he would have to rent space from him but, to date, has not made any commitments with him.

The Board ordered the Planning Director to contact RIDEM to check out the following concerns:

- if any permit would be required to store the materials, either untreated or treated, within the new storage building;
- whether an environmental review is required for this new building, as well as the existing business;
- whether this use is conducive to the area

prior to the Board rendering a decision on the application.

Mr. Goff questioned the frequency of the odors. Mike Ryan said that the odors were more frequent in the summer, but that they spend more time on the farm time in the summer. There is really no pattern to the odors.

Having no further questions from the public, the public hearing was closed at 8:05 p.m.

A motion was made by Mr. Presbrey to continue the Major Combined Master-Preliminary Plan review for M.K. Leasing LLC to the next Planning Board meeting (March 5, 2018). The motion received a second from Mr. Pick and carried unanimously by the Board.

VII. OTHER BUSINESS:

Report from Administrative Officer:

The Board reviewed the report from the Administrative Officer for the month of January regarding Certificates of Completeness, incomplete submissions and endorsed plans.

Having nothing further, a motion to adjourn was made by Mr. Ferreira at 8:35 p.m. The motion received a second from Mr. Pick and carried unanimously by the Board.

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

