

Minutes of the Burrillville Planning Board meeting of November 4, 2019, at the Jesse Smith Library, 100 Tinkham Lane, Harrisville subject to approval at the next regular meeting.

I. CALL TO ORDER:

The meeting was called to order at 7:00 pm, Jeffrey Partington, Chairperson, presiding.

Members Present: Jeff Partington(Chair), Leo Felice (Vice Chair), Steve Foy, Michael Lupis, Bruce Ferreira, Dov Pick, Ken Raspallo

Others Present: Ray Goff, Planning Director

II. ATTENDANCE REVIEW:

Mr. Partington acknowledged Robert Woods and Christopher Desjardins are absent/excused.

III. ACCEPTANCE OF MINUTES:

A motion to accept the minutes of the October 7, 2019 meeting was made by Mr. Foy, seconded by Mr. Foy and carried unanimously by the board.

IV. CORRESPONDENCE: None

V. OLD BUSINESS: None

VI. NEW BUSINESS: None

Richard Emery, 450 Central Street, Harrisville; Map 178, Lot 9: Final Review Minor

Subdivision Plan Review for a two lot subdivision.

This application is for the creation of a single building lot in the R-20 zoning district. Because part of the existing lot is located in an aquifer zone, we must consider aquifer zoning for that part. The A-80 zone which requires additional area and frontage than the underlying R-20 zone. The existing lot will be reduced to 80,000 sq. ft. and 196 ft. frontage, conforming to 30-73(b) 2. of the Zoning Ordinance. The new lot will be 22,844 sq. ft. and 125.27 ft. frontage, conforming to the area and frontage requirements for the R-20 zone. The property will be serviced by town water and sewer, so no septic approval is necessary. No questions from the board.

A motion to approve the Minor Subdivision Final Plan for Richard Emery was made by Mr. Partington pursuant to such a hearing and testimony by appropriate representatives of the land owner and/or developer, the Burrillville Planning Board, upon careful deliberation and in accordance with the provisions of RIGL Section 45-23-60 Required Findings, has arrived at and agreed upon the following findings of fact: the subdivision is consistent with the Comprehensive Plan, Chapter V – Housing, Implementation Action V.1.a.1 the subdivision is consistent with the Comprehensive Plan, Chapter V–Housing, Implementation Action V.1.a.1; Parcel A meets minimum area and frontage requirements for the R-20 zone, while the existing parcel meets the area and frontage requirements of the A-80 zone due to compliance with Article 30-73 (b)2 of the zoning ordinance; the subdivision will not result in the creation of unbuildable lots; the subdivision will create two (2) lots that will have adequate and permanent physical access to Central Street. The motion received a second from Mr. Foy and carried unanimously by the Board.

Mark Brizard-Sherman Farm Rd, Map 125 Lots 27 & 38: Preliminary review, Minor

Subdivision Plan, two lot subdivision, no road. Recommendation to the Zoning Board for review.

Applicant is present. Speaking on behalf of the applicant was attorney William Bernstein who explained the proposed plan is to subdivide a 49.11 acre parcel off of Sherman Farm Road into to two lots, (21.91 acre and 27.20 acre). Both lots will need a Frontage Variance approval from the Zoning Board of Review

in order to be subdivided (minimum requirement is 300 feet frontage). Sublot 1 provides 171.02 feet of frontage while sublot 2 provides 225.3 feet of frontage. Applicant is on the 11/12/19 Zoning Board agenda for consideration of the variance request. There is a cemetery easement on the southern boundary of sublot 2 that does not impact buildability. An encroaching 15x20 shed from neighbor plat 125 lot 37 on sublot 1 will be addressed by the applicant. Mr. Bernstein requested if preliminary plans are approved, that final approval be granted administratively. Mr. Partington asked if the applicant has plans in the future to further subdivide the property? Mr. Brizard responded that he does not plan to further subdivide. Mr. Goff explained that this is the most practical use of this property due to the amount of wetlands it contains. Mr. Ferreira stated that he would like a stipulation that the applicant will not further subdivide the property.

A motion to approve the Minor Subdivision Preliminary Plan for Mark Brizard was made by Mr. Ferreira pursuant to such a hearing and testimony by appropriate representatives of the land owner and/or developer, the Burrillville Planning Board, upon careful deliberation and in accordance with the provisions of RIGL Section 45-23-60 Required Findings, has arrived at and agreed upon the following findings of fact by majority vote: the subdivision is consistent with the Comprehensive Plan, Chapter V – Housing, Implementation Action V.1.a.1; sublots 1&2 will meet minimum area and frontage requirements for the F-2 and A-80 zones pending approval of frontage variances by the Zoning Board of Review. In accordance with RIGL 45-24-41(b) the Board finds approval of the variances are generally consistent with the Comprehensive Plan and recommends approval; the subdivision will not result in the creation of unbuildable lots; the subdivision will create two (2) lots that will have adequate and permanent physical access to Sherman Farm Rd; approval conditioned upon the property not being further subdivided and applicant will build only one house per lot. The motion received a second from Mr. Foy and carried unanimously by the Board.

Yorkshire Properties/Richard O’Keefe-Reservoir Rd, Map 192 Lot 69: Preliminary review, Minor Subdivision Plan, two lot subdivision, no road.

Mr. O’Keefe, speaking on his own behalf, requested a continuance to the 12/2/19 Planning Board Meeting to allow time for his engineers to respond to Mr. Goff’s staff report and address sewer and engineering for the plan. Due to the complexity of the property/plan, a site walk is to be scheduled with the Planning Board. Mr. Partington stated that Mr. Goff will coordinate that. Mr. Ferreira stated that he has been on the board for many years and recalls reviewing plans for this property on several occasions and feels that this property is not suitable for building due to the slope, ledge, drainage issues and site line issues. Mr. O’Keefe stated that his plans are different. Mr. Goff stated that the applicant has the right to request that his plan be reviewed by the Board.

A motion to continue the Minor Subdivision Preliminary Plan for Yorkshire Properties/Richard O’Keefe to the 12/2/19 Planning board Meeting was made by Mr. Partington. The motion received a second from Mr. Pick and carried by Mr. Raspallo, Mr. Foy, Mr. Lupis and Mr. Felice. Mr. Ferreira opposed. Final vote to continue passed with a vote of: 6 approved 1 opposed.

Barnes Family Acres, Jackson Schoolhouse Rd, Map 262, Lots 4&5: Pre-Application review, Minor Subdivision Plan Review, four lot Rural Residential Compound with a road.

Applicants, David and Wendy Barnes, are present along with their daughter, Melissa DuPont. Engineer David D’Amico spoke on behalf of the applicant. Mr. D’Amico stated that the applicant is seeking to combine two lots to develop a RRC consisting of four lots with access via a private 453-foot gravel road off Jackson Schoolhouse Road. The family plans for one home to be built closest to Jackson Schoolhouse Rd. and leave the remaining lots empty for future children to build upon. Lots meet or exceed the minimum dimensional requirements for a RRC, Lot 1 has 2.05 acres, Lot 2 has 2.05 acres, Lot 3 has 2.03 acres and Lot 4 has 2.04 acres. Each lot will have onsite wastewater treatment system and a well. The applicant is

seeking Planning Board feedback prior to site suitability study, soil evaluations and hard engineering. Mr. D'Amico stated that wetlands account for 58% or approximately 31 acres of the property. Wetlands have been delineated by wetlands biologist Scott Rabideau but not verified by RIDEM. Mr. D'Amico stated that the nearest onsite wastewater treatment system is on subplot 3 which is approximately 200 feet away from the wetlands. Mr. Goff requested the wetlands be verified and documented on the preliminary plans. Mr. Goff then inquired about drainage plans. Mr. D'Amico replied that the topography is rolling with some grade changes. The road dips down about 200 feet from the entrance at Jackson Schoolhouse Rd. then come back up to high point at the cull-de- sac. To address drainage, Mr. D'Amico said he is considering using an 8" geo grid under the crushed stone driveway that maintains the integrity of the road while allowing for drainage. Mr. D'Amico also added that there will be dry wells and rain gardens planned for each lot. Mr. Goff asked if a swale will be used on the south side of the road to accommodate for run off. Mr. D'Amico replied that that will be considered. Mr. Partington asked if the town of Gloucester has been notified as the town line borders the property. Mr. D'Amico replied no. Mr. Goff recommended that Mr. D'Amico notify the town of Gloucester Planning Department of this plan as the town line abuts the property. Mr. Partington asked about utilities and was informed by Mr. D'Amico that all utilities will be underground and will be coordinated with Pascoag Utility. Mr. Partington asked for the underground utilities to be delineated on the preliminary plan. Mr. Ferreira requested an easement to allow for access to open space. Mr. Ferreira also requested lighting at the entrance and along road and, finally recommended a retention area at subplot 2 for water run-off and drainage. Mr. Felice suggested that the applicant draft and record covenants early in the event that lots be sold off in the future to non-family members. Mr. Goff confirmed that covenants have to be recorded at time of the subdivision and cannot be added at a later date. Having nothing further, Mr. Partington moved on to the next item on the agenda.

Mount Pleasant Estates, Mount Pleasant Rd, Pole 87 Map 45, Lot 1 and Map 65: *Final review, Major Subdivision Plan for a 10 lot Rural Residential Compound with a road.*

Applicants Seminole Development, Paul Vanasse and John Somynek are present. Speaking on behalf of the applicant was Attorney Scott Partington. Mr. Partington acknowledged that he was not present for the previous stages of this plan. Mr. Partington has responded to Mr. Goff's requests to prepare homeowners documents, declarations of the bylaws, conservation easement for the open space and a cistern easement for Nasonville Fire Department. Mr. Partington explained that Mr. Goff's requested markups of the final plans are delayed due to illness at surveyor Mark Nyberg's office. Regarding the easement to the open space, Mr. Partington states that there is currently a verbal lease and easement for Wrights Farm to use the 6-acre corn field to the east. Mr. Partington suggested it be assigned to the Homeowner's Association. Mr. Partington and Mr. Ferreira requested a recorded easement. Mr. Partington stated that the road, drainage, bridge and cistern have been completed. Mr. Vanasse stated that poles are being installed now for above ground utilities. Mr. Goff explained that Jeff McCormick, Town Engineer requested the addition of a top coat of processed gravel to what has already been completed. Mr. Somynek requested posting a bond for this to be done in the future after the last foundation goes in due to heavy equipment traffic. Mr. Ferreira asked about lighting. Mr. Somynek responded that they would like to put solar lighting at the end of each driveway. Mr. Vanasse asked about mailboxes. Mr. Goff explained, per the post office, a gang mailbox is required for a RRC. Mr. Goff added that approval is conditioned upon:

1. A recorded easement to access the corn field from the property.
2. Add a street sign for name of road and stating "privately maintained road".
3. Adding "Rural Residential Compound" to the plan title block.
4. Awaiting the deeds for the lots being created as well as a set of homeowner association documents that should go on record prior to the lots being created.
5. Recording of the legal documents, after the planning/solicitor office reviews them.
6. Installation of low level bollard lighting at the entrance to the development along with similar lighting onto address bollards at each driveway entrance within the development.

7. Installation of a Gang mailbox located at the entrance to the development at the intersection with Mount Pleasant Road.
8. Town Engineer letter on inspection of improvements has been submitted and some required improvements are identified.
9. A bond for the cost of construction not completed at the time of recording.

A motion to approve the Major Subdivision Final Plan for Mount Pleasant Estates was made by Mr. Partington pursuant to such a hearing and testimony by appropriate representatives of the land owner and/or developer, the Burrillville Planning Board, upon careful deliberation and in accordance with the provisions of RIGL Section 45-23-60 Required Findings, has arrived at and agreed upon the following findings of fact by majority vote; the subdivision is consistent with the Comprehensive Plan, Chapter V – Housing, Implementation Action V.1.a.1; the application is in conformance with, and does not conflict with, the intent and purpose of the Town's Zoning Ordinance; there will be no negative environmental impacts as evidenced by the fact that the wetlands have been flagged and no development is proposed within the wetlands, at this stage of review. Additionally, the applicant must obtain permits from the Division of RI DEM Wetlands and Onsite Waste Water System approval prior to the next level of review; the subdivision will not result in the creation of unbuildable lots; the subdivision has adequate and permanent physical access to Mount Pleasant Road; approval conditioned upon the completion of the aforementioned items. The motion received a second from Mr. Ferreira and carried unanimously by the Board.

VII. OTHER BUSINESS:

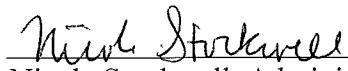
Steere Farm Estates-Mr. Goff stated that the developer has cleared a walking path to Lapham Farm Road and the bridge has been installed. Mr. Goff stated that he was not employed with the town during the final plan review and asked the board to clarify what was required of the developer. Mr. Goff expected a surfaced path but does not see this requirement documented. Mr. Ferreira stated that surfacing was not required and a cleared path is sufficient for what they asked of the developer. Mr. Ferreira states that he will complete a site visit.

Solar Ordinance Revisions-Mr. Goff stated the Ordinance Subcommittee is meeting on 11/5/19 at 2pm to review proposed solar ordinance and invited the Board to attend. Mr. Goff stated that the solar ordinance is on the next Town Council meeting agenda.

Report from Administrative Officer:

Certificates of Completions; Incomplete Submissions; Endorsements

Having nothing further, a motion to adjourn was made by Mr. Ferreira at 8:30 p.m. The motion received a second from Mr. Pick. and carried unanimously by the Board.



Nicole Stockwell, Administrative Aide