



# **Burrillville Planning Board**

## **Meeting Minutes**

### **May 1, 2023**

**CALL TO ORDER:** Chairman Stephen Foy called the meeting to order at 7:00 p.m.

**MEMBERS PRESENT:** Stephen Foy (Chairman), Leo Felice (Vice Chairman), John Bonin, Bruce Ferreira, Krista Iacobucci, Michael Lupis, Dov Pick, Ken Raspallo and Joshua Razee were present.

**MEMBERS ABSENT/EXCUSED:** None

**ACCEPTANCE OF MINUTES:** April 3, 2023

**Voted to accept the April 3, 2023 minutes.** Motion by Secretary Foy. Seconded by Dov Pick. Motion carried unanimously.

**CORRESPONDENCE:** None

**OLD BUSINESS:** None

#### **NEW BUSINESS**

**Benoit, Lucien: 0 Victory Highway Map 114 Lot 012:** Preliminary Plan, Minor Subdivision, 2 lots.

Surveyor Terry Greelief described the Preliminary Plan. The applicant is seeking a two-lot subdivision of an 11.481-acre parcel, which has access to Bronco Highway, Victory Highway and Douglas Pike in Nasonville village. The parcel has 485.25 feet frontage along Victory Highway, 628.77 feet frontage along Douglas Pike and 293.78 feet and 364.1 feet along Bronco Highway. There are no wetlands on the parcel. The applicant is seeking to create one new 1.836-acre lot with 364.1 feet of frontage on Bronco Highway. The proposed lot contains an existing cemetery with a 10-foot easement to Bronco Highway. The parent parcel will contain 9.5192 acres and 293.78 feet frontage along Bronco Highway, 628.77 along Douglas Pike and 485.25 feet frontage along Victory Highway. The proposed subdivision meets zoning and dimensional requirements.

During question and comment from the Board, access to the new parcel A was discussed. It was agreed to condition a condition for approval for the applicant to secure permanent means of access for Parcel A in form of a RIDEM Physical Alteration Permit for access via Bronco Highway or by access via an abutting property prior to Final Plan review

Having no further discussion or questions from the Board or Public, Chairman Foy entertained a motion.

**Motion to approve the Preliminary Plan for Benoit, Lucien: 0 Victory Highway Map 114 Lot 012 subject to two conditions with Finding of Fact read by Secretary John Bonin:**

Pursuant to such a meeting 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:

1. The subdivision is consistent with the Comprehensive Plan VII.1 "To broaden the sources of Town revenue through development in the industrial and commercial sectors in order to ensure a sound financial future and assist in funding the achievement of Town goals." and XI.1.a "Develop residential, commercial, industrial and mixed-use areas which are compactly grouped, attractive, and compatible with the ability of land and water resources to support the development."
2. The development is in conformance with the Town's Subdivision Regulations as the proposed lots meet applicable Subdivision Requirements;

3. The application is in conformance with the Town's Zoning Ordinance as the proposed two (2) lots meet minimum zoning regulations;
4. There will be no negative environmental impacts to wetlands or environmental sensitive areas as no wetlands are present on the parcel and if any future development complies with the Aquifer Overlay and Route 102 Overlay Ordinances;
5. The subdivision will not result in the creation of unbuildable lots as both (2) lots will support commercial development;

The subdivision will result in two (2) lots that will have adequate and permanent physical access to Bronco Highway. The remaining lot will also have access to Victory Highway and Douglas Pike.

**Motion to approve the Preliminary Plan with two conditions:**

- 1.) **Secure permanent means of access for Parcel A in form of a RIDEM Physical Alteration Permit for access via Bronco Highway or secure other means of access via an abutting property prior to Final Plan review.**
- 2.) **Final Plan review to be conducted by the Administrative Officer.**

**Voted to approve Benoit, Lucien: 0 Victory Highway Map 114 Lot 012: Preliminary Plan, Minor Subdivision, 2 lots with 2 conditions as set above. Motion by Secretary John Bonin. Seconded by Dov Pick. Motion carried unanimously.**

**Lapham Farm Village-KLMB Properties, 202 Lapham Farm Rd, AP 211 Lot 2: Public Hearing Preliminary Plan Review, Major Subdivision, 22 units (11 duplexes)**

Engineers David Russo and Audie Osgood and of DiPrete Engineering presented the preliminary detailing modifications made to plan as per Board suggestion at pre application and master plan review.

**Plan Review History:** Pre-Application Plan 1/4/21. Master Plan 6/7/21.

**Developer:** Mark Bard and Kevin Lavoie of KLMB Properties

**Engineer:** David Russo of DiPrete Engineering with Audie Osgood, DiPrete Engineering supporting.

**Existing lot acreage:** 28.50 acre

**Zone(s):** R40, not in an aquifer zone

**Frontage:** 153 feet on Lapham Farm

**Proposed subdivision:** Cluster subdivision-11 lots averaging approximately 20,000 square feet per lot.

**Units:** 22 units with 1,400sf 2-bed dwellings (requires 5 affordable)

**Open Space:** 19.1 acres with walking trail

**Utilities:** 11 Private well and 11 OWTS, one for each lot. Utilities may need to run above ground at the entrance due to the wetlands and then run underground thereafter. Pascoag Utility to review and determine.

**Access:** Access is on a 43-foot wide strip of land that is shared with an abutting property. A proposed 1,385-foot long 22- foot wide non-village road (Pinewood Drive) with a cul-de-sac at the end.

**Topography:** Topography is gently sloping with an elevation change of only 20 feet from the cul-de sac to the northern wetlands.

**Drainage:** critter crossings at the entrance, 2 detention ponds. Water diverted to the northern wetland. Open drainage with swales not appropriate for this type of development.

**Wetlands:** Natural Resource Services and Diprete located and flagged all wetlands, which are located at the entrance and at the northern edge of the property.

**DEM Permitting:** 5/23/23 RIDEM approval of application #21-0328

**Minimum Zoning Requirements:** No Variances and or Special Use Permits are required for this development.

**Affordable:** 20% or 5 units: 5, 10, 14, 18, 22. Need to be depicted on plan.

**Home Owner Association Documents:** Pending. Must show HOA responsible for road, culvert and cistern maintenance.

### **Existing waivers from Pre Application & Master Plan Review**

- The Board waived the maximum roadway length of 900 feet and allows up to a maximum of 1,385 feet. This waiver allows for a northeasterly shift of the plan to avoid wetlands, create a larger buffer to the properties along Lapham Farm Road and to allow the open space to surround the development.
- The Board provided a waiver to allow open drainage where possible to a waiver to allow open drainage where possible.
- The Board has determined that sidewalks are not needed in this development and therefore waived the requirement of installation.
- The Board waived of granite/concrete curbs. (Sidewalks are required on one side of the road only, per 15-9.2) and allows Cape Cod berms with a mountable shoulder. The board further suggests that any savings be towards landscaping, fencing and other amenities for the proposed homes.

During question and comment from the Board, pending suggested revision items were reviewed and discussed. Additionally, some new suggestions were identified as listed below.

During Public Hearing, abutters Daniel Marcott & John Charette of 222 Lapham Farm Road, Elizabeth Robinson of 205 Lapham Farm Road, Clifford Kendzierski of 225 Lapham Farm Road, Bill Robinson of 185 Lapham Farm Road and Derek Cote 200 Lapham Farm Rd, Paul Deguire of 242 Lapham Farm Rd, Derek Evans 300 Lapham Farm Rd and Sue Conway all expressed concerns for development negatively impacting the wetlands causing drainage issues, increasing traffic, increasing litter, increased light and sound disturbance and increasing demand on aquifer impacting well output. Immediate abutters Derek Cote of 200 Lapham Farm Rd, Daniel & John Charette of 222 Lapham Farm Road and Elizabeth Robinson of 205 Lapham Farm Road requested buffering along their property lines. Abutter Derek Cote of 200 Lapham farm Road, who shares the existing driveway from Lapham Farm, also requested assurances for access to ROW entrance to his property, as his second means of access off Mowry Street is often impassable due to flooding. He also expressed concern for continued access to his mailbox at Lapham Farm Road.

During discussion, the Board reviewed pending items to include:

#### **Pending items to review and consider**

- 1.) Buffering to abutters to decrease visibility of development and traffic at entrance road.
- 2.) Pascoag Fire Dept. review-PFD to review EMS accessibility and turn around radius at cul-de-sac.
- 3.) Pascoag Utility District Review-PUD to review feasibility of full underground utilities given wetland at entrance.
- 4.) Material of guardrail-Consider using stone at if able in place of wood.
- 5.) Traffic Flow Analysis-produce report showing potential impact of up to 44 cars.
- 6.) Abutter access during construction-consider solution to access issue for abutter Derek Cote at 200 Lapham Farm who shares the ROW as an entrance and site for his mailbox.
- 7.) HOA documents- To include maintenance plan for road, drainage and cistern. (Due at Final Plan)

#### **Pending items to note on plan**

- 1.) Affordable Units: Note 20% or 5 affordable units. Unit #: 5, 10, 14, 18, 22.
- 2.) Parking: Visitor parking area and depict cars in driveway. Stagger unit siting much as possible to allow 4 cars in driveway while maintaining parcel access to open space.
- 3.) Utilities: identify above ground vs underground as per Pascoag Utility review.
- 4.) Landscaping: Consider and show roadside tree plantings on both sides of street if possible with the underground utilities per PUD review. Consider and show landscaping of the center of the cul-de-sac if permitted by Pascoag Fire Department review.
- 5.) Open Space: depict total area (acreage) and walking trail.
- 6.) Show limited clearing along entrance and buffer trees abutting AP 211/4 and 211/5 to the new road ROW (southwest side of property).

- 7.) Guardrail detail: If possible, consider using stone along raised section of road crossing wetland.
- 10.) Lighting Plan at entrance: Provide a detailed lighting plan with down facing lights.
- 11.) Signage: Lapham Farm Village and Pinewood Drive signage plan.

Chairman Steve Foy entertained a motion to continue to the Public Hearing and Preliminary Plan review to allow the applicant to address the pending items. The Engineer and Developer agreed to a second Public Hearing and Preliminary Plan review at the July 10, 2023 meeting.

**Motion by Dov Pick to continue the Preliminary Plan Review and Public Hearing to July 10, 2023.**

**Voted to continue Lapham Farm Village-KLMB Properties, 202 Lapham Farm Rd, AP 211 Lot 2: Public Hearing and Preliminary Plan Review to the July 10, 2023 meeting.** Motion to by Dov Pick. Seconded by Vice Chairman Leo Felice. Motion carried unanimously.

**ADMINISTRATIVE REPORTS: None**

**OTHER BUSINESS:**

**Board Member Appointments & Reappointments**

Chairman Steve Foy recognized newly appointed Board member, Joshua Razee and reappointed members Vice Chairman Leo Felice, Secretary John Bonin and Dov Pick.

**ADJOURNMENT**

**Voted to adjourn at 9:30 pm.** Motion by Joshua Razee. Seconded by Bruce Ferreira. Motion carried unanimously.

Stephen Foy, Planning Board Chairman  
Nicole Stockwell, Administrative Aide