



# **Burrillville Planning Board**

## **Meeting Minutes**

### **January 9, 2023**

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

**ATTENDANCE REVIEW:** Bruce Ferreira (Chairman), Leo Felice (Vice Chairman), Stephen Foy (Secretary), Christopher Desjardins, Michael Lupis, Dov Pick, Ken Raspallo and Krista Iacobucci were present. Excused members: John Bonin.

**ACCEPTANCE OF MINUTES:** December 5, 2022

**Voted to accept the December 5, 2022 minutes.** Motion by Secretary Foy. Seconded by Dov Pick. Motion carried unanimously.

#### **CORRESPONDENCE:**

##### **December 2, 2022 Letter of withdrawal from Hexagon Energy Re: Victory Highway Solar.**

Secretary Foy read the letter into the record.

**Voted to receive and file.** Motion by Dov Pick. Seconded by Secretary Foy. Motion carried unanimously.

##### **December 12, 2022 Memo from DPW Director Jeff McCormick re: Crystal View Drive/Steere Farm Estates.**

Secretary Foy read the memo into the record.

**Voted to receive and file.** Motion by Dov Pick. Seconded by Secretary Foy. Motion carried unanimously.

**OLD BUSINESS: None**

#### **NEW BUSINESS**

##### **Steere Farm Estates, Crystal View Drive, AP 247 Lot 011:**

##### **Major Land Development: 22 lot subdivision with road. Request for bond reduction and recommendation to Town Council for acceptance of Crystal View Drive as a town road.**

Developer Kevin Lavoie was present to request a bond reduction and letter of recommendation to the Town Council to accept Crystal View Drive as a town road. Mr. Lavoie noted, as supported by the letter just read into the record, that he met with Town Engineer Jeff McCormick who approved final inspection of the road, curbing, lots, driveways and drainage with the provision that a 20 x15 pad of pavement grindings be installed on the center island with two curb cut openings for snow vehicle access.

Having no questions,

**Voted to accept the bond reduction and forward a letter of support to the Town Council to accept Crystal View Drive as a Town Road.**

Crystal View Estates resident Paul Pappalardo of 45 Crystal View Drive requested to speak. He requested the Board rescind their decision to consider three pending items before releasing the bond. Mr. Pappalardo offered details of his concerns and requested Mr. Lavoie respond to 1.) Formation of a Homeowners Association. 2.) Poor condition of the walking path between Lapham Farm Rd and Crystal View Dr. 3.) Shallow planted/dead trees.

Mr. Lavoie responded that Attorney Tim Kane is in the process of finalizing the Homeowners Association documents and they will be registered with the state soon. He then noted that the landscaper has guaranteed the trees for one year and reassessment and replanting will be addressed in the spring. Mr. Lavoie agreed that the walking path is in poor condition and explained that the crushed stone washes away with the weather

exposing roots and ruts. He is willing to comply with Mr. Pappalardo's request to grade, sod and seed the path if the Planning Board approves.

During discussion, the Board agreed that Mr. Pappalardo's concerns are valid and should be rectified. The Board discussed withholding a larger amount of the maintenance and voted to rescind the original motion. Motion by Secretary Foy. Seconded by Dov Pick. An amended motion was then given:

**Voted to approve the release of \$100,000 of the Steere Farm Village maintenance bond and hold the remaining \$15,000 for one year to be released at expiration provided three conditions are met: 1.) Create and legitimize a Homeowners Association 2.) Replace 6 dead trees 3.) Grade, sod and seed the walking path.** Motion by Secretary Foy. Seconded by Leo Felice.

**East Ave Solar and Bronco Terrace, Pole 5½ East Ave, AP 162 Lot 32:**

**Phase I Final Plan Review, Major Land Development: 1.5-acre 250kW ground mounted solar energy system with two commercial buildings.**

Developer Paul Vanasse was present to discuss the change to the Final development plan. Planner Goff explained that Final plan review was conditioned in the Preliminary Plan Findings of Fact to be conducted by the Administrative Officer. However, a change in development plan now requires a return to Planning Board for Final review and approval. Planner Goff explained in further detail that since the East Ave Solar Special Use Permit lapsed, this plan now must comply with the revised solar ordinance, which states a large-scale array in a Village Commercial zone must be an accessory use to an active permitted principle commercial use with certificate of occupancy. To comply, Mr. Vanasse must build and occupy Bronco Terrace first and requested approval for a phased development plan: Phase I Bronco Terrace. Once the two commercial buildings are complete and occupied, he will apply to the Zoning Board for a Special Use permit for East Ave Solar. If approved, he will then complete Phase II- East Ave Solar.

After brief discussion and questions,

**Voted to approve Phase I of the Final Plan for Bronco Terrace with waiver and conditions originally set forth in the Preliminary plan review:**

Waiver from a landscape plan and conditioned upon

1. RIDEM Pollutant Discharge Elimination Permit (RIPDES)
2. RIDEM Stormwater Discharge approval.
3. Oakland Mapleville Fire Department approval of site plan.
4. Building use is limited to general office uses; otherwise, any heavy traffic generating uses or restaurant uses shall require a traffic study due to the proximity to Bronco Highway.
5. Remove dead trees at entrance and replace with new trees.
6. Relocate proposed buffer trees from along the fence to the most Southern buffer tree line to increase buffering to neighbors to the South.
7. The Administrative Officer may conduct an administrative Phase II Final Review.

Motion by Secretary Foy. Seconded by Dov Pick. Motion carried unanimously.

**Discussion and action relative to proposed Zoning Ordinance amendments prepared by Horsley Witten Group.**

Jeff Davis of Horsley Witten was unable to attend the meeting. The Board was tasked with reviewing the final revision drafts to ordinances relative to recently adopted State Legislation to DEM wetland regulations, LMI Housing Act, Recreational Cannabis and changes relative to meetings/hearing to include, approval and appeal deadlines and definitions of a quorum. The Board reviewed final drafts as discussed at the December meeting to Chapter 30-153 Lots Containing Wetlands, Article II Affordable Housing, Sec 10.5-32 Filing Procedures, Sec10.5-35 Zoning Board Decisions, Section 10.5-37 Zoning Board Appeals, Section 12.01 Planning Board Organization, Section 15-5.8 Meetings, Votes, Decisions and Records, Section 30-34 Zoning Board of Review and new section Sec 30-165 Cannabis Establishments. Prior to discussion and review, James Langlois, Chairman

of the Burrillville Redevelopment Agency expressed BRA opposition to allowing recreational cannabis retail facilities in the GC zones on Pascoag Main St., Chapel St and Hill Road due to their proximity to parks and/or residential neighborhoods.

During discussion, the Board was of the opinion that since recreational cannabis is a legal and approved use per recent State Legislative Act and approved by recent local referendum, recreational cannabis retail facilities should be an allowed use without restriction in all GC zones. The Board discussed the availability of more favorable locations along Route 102 and were of the opinion that siting would self-regulate in the event an application for a facility is submitted. The Board agreed to keep the revisions as discussed and drafted per the December meeting: 1.) Recreational cannabis facilities allowed in all GC zones. 2.) Recreational cannabis cultivation, manufacturing, testing and retail facilities allowed in all General Industrial zones.

The Board reviewed the remainder of the revisions and had no further recommendations with the exception of ADUs, which the Board requested be continued to the February meeting to allow further discussion and review with consultant Jeff Davis.

**Voted to forward to the Town council with positive recommendation for acceptance: Final draft revisions to Chapter 30-153 Lots Containing Wetlands, Article II Affordable Housing, Sec 10.5-32 Filing Procedures, Sec10.5-35 Zoning Board Decisions, Section 10.5-37 Zoning Board Appeals, Section 12.01 Planning Board Organization, Section 15-5.8 Meetings, Votes, decisions and Records, Section 30-34 Zoning Board of Review and new section Sec 30-165 Recreational Cannabis Establishments.** Motion by Secretary Foy. Seconded by Dov Pick. Motion carried unanimously.

**Voted to continue discussion and revision recommendations to Accessory Dwelling Units:** 30-3 Definitions, 30-71 Zoning District Uses, 30-158 Purpose and Standards, and related to the February meeting to allow consultation with Jeff Davis. Motion by Secretary Foy. Seconded by Krista Iacobucci. Motion carried unanimously.

**ADMINISTRATIVE REPORTS: None**

**OTHER BUSINESS: None**

## **ADJOURNMENT**

**Voted to adjourn at 9:30pm.** Motion by Secretary Foy. Seconded by John Bonin. Motion carried unanimously.

Bruce Ferreira, Planning Board Chairman  
Nicole Stockwell, Administrative Aide