

**MINUTES OF THE PLANNING BOARD MEETING OF MAY 4, 2015  
AT THE JESSE SMITH LIBRARY COMMUNITY ROOM  
SUBJECT TO APPROVAL AT THE NEXT REGULAR MEETING**

**I. CALL TO ORDER:**

Meeting was called to order at 7:00 p.m., Jeffrey Partington, Chairman, presiding.

**Members Present:** Jeffrey Partington, Marc Tremblay, Rick Lemek, Bruce Ferreira, Leo Felice, Michael Lupis, Dov Pick, Christopher Desjardins and Jeffrey Presbrey.

**Others Present:** Oleg Nikolyszyn, Town Solicitor, James Langlois, Redevelopment Agency Chairman, Ray Cloutier, Zoning Board Chairman, Joseph Raymond, Building Official, Thomas Kravitz, Planning Director, and Christine Langlois, Deputy Planner.

**II. ATTENDANCE REVIEW:**

Mr. Partington acknowledged that all members were present.

**III. ACCEPTANCE OF MINUTES:**

The minutes of the Planning Board meeting of April 6, 2015 were read. *A motion to accept the minutes, as presented, was made by Mr. Ferreira, seconded by Mr. Desjardins and carried unanimously by the Board.*

**IV. CORRESPONDENCE:**

- Correspondence to developer Jackie DiCenzo regarding the Board's review of the conceptual subdivision plan;

**V. OLD BUSINESS:**

**John Connors, Jay McIlmail & Nicole Gomas, Cherry Farm Road, Burrillville; Map 143, Lot 47; Map 126, Lot 20:** *Preliminary Minor Subdivision Plan Review (cont'd from July 7, 2014, December 1, 2014, March 2, 2015 and April 6, 2015 meetings:* The Board noted that the applicant was not yet in attendance. Mr. Kravitz informed them that he had a conversation with Mr. Connors last week and was told that he (Mr. Connors) had reopened negotiations with the Harrisville Water Department regarding use of the right-of-way for access. Noting that no further information had been received on this application, *a motion to continue the preliminary plan review to the June 1, 2015 was made by Mr. Ferreira, seconded by Mr. Felice and carried unanimously by the Board.*

**VI. NEW BUSINESS:**

**Branch River View, Douglas Pike, Burrillville; Map 131, Lot 36:** *Conceptual Minor Subdivision Plan Review:* Matthew Moyon, of Tetra Tech, was in attendance to represent the request of the owner, Joseph Shay, of Southborough, Mass., for a minor subdivision of property located on Douglas Pike in Burrillville. He explained that the plan shows the development of five residential house lots along a cul-de-sac roadway of approximately 1,000 feet with access from Douglas Pike. The proposed lot sizes would be large, open space lots, in accordance with the Town's Zoning Ordinance F-2 zoning requirements, as well as the Aquifer Overlay zoning. The layout design allows for four of the lots to have views of the Branch River, with proposed Lot 5 having a choice view of the Slatersville Reservoir. Proposed housing for this development would be 4-bedroom units. He noted that the development would have no impact to any wetlands on the property. Perimeter wetlands with intermittent streams are located along the western portion of the property, having perimeter

offsets as well as a river 200-foot offset from the Branch River. The eastern portion contains several small wetland areas with associated offsets. The site has significant slopes throughout with a particularly large knob through its center. This was the key component with working out the site layout. Because of the significant grade issues when entering the site from Douglas Pike, the applicant is proposing the use of 15-20 foot high rock retaining walls when constructing the roadway, with a proposed grade of approximately 3% from Douglas Pike to proposed Lot 5 driveway.

At this point, Mr. Kravitz requested that Mr. Moyer outline the existing and proposed spot grades at several points on the plan as the public was unable to view the topography. Referring to Sheets 108 & 109 of the plan, Mr. Moyer pointed out the following: access from Douglas Pike – existing 300 feet; proposed Lot 5 access – proposed 262 feet; Lot 1 – existing 300 feet; proposed 292 feet; Lot 2 – existing 330 feet; proposed 288 feet; Lot 3 – existing 290 feet; proposed 282 feet; Lot 4 – existing 320 feet; proposed 284 feet; Lot 3 – existing 280 feet; proposed 276 feet. In regards to stormwater, Mr. Moyer stated that it be would with swales on either side of the cul-de-sac ending in a rain garden inside the landscaped area of the cul-de-sac center, with recharge basins as needed according to stormwater standards.

Mr. Moyer also said that proposed Lot 1 would contain an historical cemetery, which will be provided with a permanent access easement, allowing for a 40-foot offset during construction activities. He noted the RI Historical Society guidelines require only a 25-foot offset.

Having concluded his presentation, Mr. Moyer asked for any feedback from the Board on the proposal.

Mr. Presbrey stated that he felt the plan really needed more work. He suggested they consider contacting Grow Smart RI for a copy of their conservation development booklet in regards to subdivision design of a property such as this one. He also referenced one section of the Town's Comprehensive Plan that advises preserving the natural resources of the Town with responsible development. He stated that too much land is being removed and replaced with retaining walls, adding that they should consider creating a leveling area on Douglas Pike, with an 8% grade [allowed under the Planning Board regulations] in order to meet the existing grades. He suggested creating a five-lot development utilizing the open space lot concept – saving the land, water and trees – and still maintain the beautiful views of the reservoir.

Mr. Kravitz then displayed the current aerial photo of this property and offered the suggestion of arching the roadway from the entrance at Douglas Pike, noting there is sufficient frontage to do this. Mr. Moyer said he could bring the suggestion to the applicant; however he noted hesitancy, on the part of the applicant, with going with an 8% slope. Mr. Kravitz noted that 8% is the maximum you can consider a transition to it.

Mr. Partington emphasized Mr. Presbrey's point for this property; that cluster development is a better approach to providing the yield (5 house lots) while still providing the water views and retaining the natural characteristics of the property.

Mr. Pick noted that it seems the developer is focusing the entire plan layout on proposed Lot 5. He said that he echoed Mr. Presbrey's comments of too much impact on the land, and Mr. Raymond's memo that describes it as "an earth removal exercise".

Mr. Partington added that the Board, in the past, had reviewed designs with all of the houses situated on the same side of the street. He noted that the Board is more interested in what is best for the land, tending to be conservation-orientated - concerned more with the natural features of the land than the placement of houses.

Mr. Lupis said that he was in agreement with both Mr. Presbrey's and Mr. Partington's comments.

Mr. Felice voiced concerns with the amount of extraction required for development according to the developer's vision. He suggested they investigate other possibilities for development in regards to the sensitivity of the property.

Mr. Ferreira stated that he like the development as far as the lot sizes and big homes; however he did not like the proposed roadway and suggested the roadway be redesigned to follow the contours of the property allowing for privacy and better use of the land. In regards to the slopes, he suggested checking with the local fire department for their comments. He also voiced concerns with the driveway to Lot 5 and suggested it be widened enough to allow for emergency vehicles and designed to accommodate stormwater. He noted that this property is in a "greenbelt area" and the clear-cutting of trees should be eliminated. Based upon the proposed cuts, he questioned whether this was a gravel operation.

Mr. Lemek echoed the sentiment of the other Board members, having lived next to a property that was supposed to be development and turned into a gravel operation. He said that the plan needed a lot of work and that he would not support retaining walls that are 20 or 30 feet in height.

Mr. Tremblay said that he would not consider this plan until other alternatives were submitted for the Board's review. The plan before the Board this evening will permanently alter the hydrology of the surrounding properties by removing the main terrain.

As there were no further comments from the Board, Mr. Moyen said that he would offer the Board's suggestions to his client.

The Board then that Mr. Connors was now in attendance and informed him of their action to continue the review of his preliminary minor subdivision plan until the June 1, 2015. Mr. Connors said that he planned on having something for the Board before that meeting.

**Public Hearing on the Comprehensive Plan Amendments to Chapter IX – Land Use, Redevelopment Districts:** Mr. Kravitz told the Board that the Burrillville Redevelopment Agency had submitted a request to the Council to consider additional areas for designation as substandard areas, which could be considered as redevelopment districts. The process to modify the Comprehensive Plan to incorporate these suggested areas includes a public

hearing held by the Planning Board, followed by a public hearing held by the Town Council and a review & approval from the State. Upon approval from the State, the B.R.A. may decide to designate the areas as redevelopment areas and incorporate them into the redevelopment plan in order to assist local business owners. He outlined the following areas being considered: the former mill sites off of Mapleville Main Street in Mapleville; the former mill site on the corner of Douglas Pike & Route 102 in Nasonville; an extension of the Chapel Street redevelopment district from Foster Street to Union Avenue.

Mr. James Langlois, Chairman of the Burrillville Redevelopment Agency, said that at the request of the Town Council, the B.R.A. began surveying the town to locate substandard or blighted areas that met the definition by state law. The results of the survey are the three proposals for consideration. He noted that the Chapel Street area is not what would be considered blighted but is considered substandard because there is no public sewer or water within certain portions of this area. He pointed out that it is not the intent of the Redevelopment Agency to affect any of the residential properties but to foster a better economic picture for the area.

Mr. Partington questioned the benefit to the businesses in the area as a designated redevelopment district. Mr. Langlois said the benefit could be from roadway improvements to utility improvements, to monetary assistance with rehabbing the structure of the business's building.

Mr. Pick questioned where the funding would come from for some of these redevelopment projects. Mr. Kravitz said that the funding comes from several different sources; for example, the Clocktower project was funded from Bank of America; HOME funds; tax credits; low-income housing tax credits; EPA contamination funds; a canoe launch funded by an RIDEM grant. He noted that if sewer work is conducted on Chapel Street, there is available funding from RIDEM.

As there were no further questions from the Board, the public hearing was opened at 7:53 p.m.

*Dennis Keable, of 300 Chapel Street*, stated that he was upset about not being notified much earlier of this process. He said that he was against the proposal to include his property into a redevelopment area, that this portion of Chapel Street is not a blighted area, and requested the Board remove his property from the proposal.

*Dennis Darveau, of 270 Old Oxford Road, North Smithfield*, and developer of the former Turex property in Nasonville, welcomed any assistance the Town, through the B.R.A., could give them in developing the mill property into the vision that had originally been approved by the Planning Board back in 2008. He updated the Board on the project progress since the market crises and how it halted any funding proposed to come their way in redeveloping the mill into the revised use.

*Mr. Jeff Lambert, of 20 Old Mill Street, co-owner/co-developer of the former Turex property, also stated his desire to be able to work with the Town in accomplishing their goal of redevelopment and reuse of the blighted property.*

Having no further comments from the public, the Public Hearing was closed at 8:07 p.m.

*Based upon the objections from Mr. Keable to include his property in a redevelopment district, a motion was made by Mr. Tremblay to amend the Chapel Street Redevelopment extension request to eliminate the area from Foster Street to River Street, which is strictly residential, and revise the redevelopment line to extend from River Street to Union Avenue. The motion received a second from Mr. Presbrey. Under discussions, it was suggested that the line at Union Avenue be extended to include the current highway department as there are plans in the works to relocate the department. Mr. Tremblay amended his original motion to include moving the line at Union Avenue to include the DPW property. The amended motion was seconded by Mr. Presbrey. Upon further discussion, Mr. Tremblay withdrew his amended motion and requested that the original motion stand as the Board's motion on the request. Mr. Presbrey again seconded Mr. Tremblay's motion and it carried unanimously.*

*Mr. Tremblay then made a motion to approve the proposed redevelopment areas outlined by the Burrillville Redevelopment Agency for consider, with the requested amendment to eliminate the area from Foster Street to River Street from the Chapel Street Redevelopment extension and to offer a favorable recommendation to the Town Council on their adoption. The motion received a second from Mr. Desjardins and carried unanimously by the Board.*

#### **VII. OTHER BUSINESS:**

**Report from Administrative Officer:** The Board reviewed the report from the Administrative Officer for April. They noted that during the month, a Certificate of Completeness was issued for **Branch River View, Douglas Pike, Nasonville** (Conceptual Minor - five lots). There were no plans were rejected as incomplete and no plans were endorsed.

**Planning Board Discussions:** The Board had nothing further for discussion.

*A motion to adjourn was then made by Mr. Ferreira at 7:30 p.m. The motion received a second from Mr. Felice and carried unanimously by the Board.*

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