

**MINUTES OF THE PLANNING BOARD MEETING OF DECEMBER 7, 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, Dov Pick, Leo Felice, Bruce Ferreira, Michael Lupis, Christopher Desjardins and Jeffrey Presbrey.

Others Present: 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 November 2, 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:

- *Notice of a Workshop for Rhode Island Planning Board Chairs on Achieving Mutual Goals;*

V. OLD BUSINESS:

The Dornhecker Plat, 295 Buck Hill Road & Wallum Lake Road, Burrillville; Map 85, Lot 10: *Preliminary Minor Subdivision Review (cont'd from November 2, 2015 meeting):* Mr. Kravitz told the Board that he had received the Physical Alteration Permit for this project, which was the only item the Board had requested from last month's meeting. As the Board had no additional questions on this application, *a motion was made by Mr. Tremblay to approve the Preliminary Minor Subdivision application for The Dornhecker Plat, 295 Buck Hill Road & Wallum Lake Road, Burrillville in accordance with R.I.G.L. Sections 45-23-60, that the subdivision is consistent with the Comprehensive Plan Chapter V Housing, Implementation Action V.1.a.1; the application is in conformance with the Town's Zoning Ordinance regarding lot dimension and use; there will be no negative environmental impacts- the application contains an approved OWTS from RIDEM; the subdivision will not result in the creation of unbuildable lots; the subdivision will create two lots that each will have adequate and permanent physical access to Buck Hill Road and Wallum Lake Road. The motion received a second from Mr. Lemek and carried unanimously by the Board.*

Phyllis Ann Santry, 424 Lapham Farm Road, Burrillville; Map 212, Lot 25: *Preliminary Minor Subdivision Review (cont'd from the November 2, 2015 meeting):* Mr. Norbert Therien, of National Surveyors-Developers, Inc., was in attendance to outline the changes he did to the plan at the request of the Board. He stated that he had contacted his client who agreed to having the lot line moved which provides 165.59 ft. of frontage for the proposed lot and meets the Subdivision regulations requirement of a lot not exceeding 2½-1 width to depth. By moving the lot line, he was also able to shift the proposed septic system and house locations, which enabled the repositioning of the proposed well – providing less of an impact on the abutters development the adjacent property.

As there were no further questions from the Board, *a motion was made by Mr. Presbrey to approve the Preliminary Minor Subdivision plan for Phyllis Ann Santry, 424 Lapham Farm*

Road, Burrillville, in accordance with R.I.G.L. Sections 45-23-60 as the subdivision is consistent with the Comprehensive Plan Chapter V Housing, Implementation Action V.I.a.1; the application is in conformance with the Town's Zoning Ordinance regarding lot dimension and use; there will be no negative environmental impacts as evidenced by the soils map contained within the application; the subdivision will not result in the creation of unbuildable lots; the subdivision will create two lots that will have adequate and permanent physical access to Lapham Farm Road. The motion received a second from Mr. Tremblay. Under discussions, Mr. Therien requested authorization from the Board to allow the handling of the final plan submission administratively through the Planning Department once all of the necessary permits have been received. Mr. Presbrey amended his motion to include the authorization. The amended motion received a second from Mr. Tremblay and the motion carried unanimously.

NEW BUSINESS:

Ronald E. Matthews & Judith D. Matthews, Camp Dixie Road, Burrillville; Map 227, Lot 6: *Pre-Application Minor Subdivision Plan Review:* Nathan Lauder, PLS, of Cherenzia & Associates, LTD, Attorney Nicole Carroll-Barnes and Ron Matthews, owner, were in attendance to represent the request. Mr. Lauder told the Board that the property is located on Camp Dixie Road and contains approximately 23 acres with a single-family residence currently under construction. He said that the applicant would like to subdivide the 23-acre lot to create an additional 7-acre lot with 121.8 feet of frontage on Camp Dixie Road, but have shared access thru Mr. Matthews' current driveway. (He noted that the current zoning of the property is R-20.) He pointed out several challenges to the current lot – limited physical access with the current frontage, with existing wetlands located along the frontage area. He stated that there is an existing cart path that is used for access to the new house, which required a wetlands crossing, and has received RIDEM approval. Mr. Matthews is proposing to utilize the same approved access and would provide an access & utility easement (that would run in perpetuity) over his property to the proposed new 7-acre lot. He added that a soil evaluation was conducted on the property, which was submitted to DEM, and is currently awaiting approval. He then asked if there were any questions, or comments, from the Board.

Mr. Tremblay asked where the test pits were conducted for the new lot's house site location. Mr. Lauder pointed out within the rear eastern portion of the lot – which runs on par with the current house construction. Mr. Matthews added that the whole area is rich in gravel and that that during the testing, there was actually no water table to speak of. He told the Board that the buyer of the property is a close friend who is looking to eventually build a cottage there for the privacy and quiet that Mr. Matthews and his wife chose this property for.

Mr. Lemek questioned the reasoning for the “bend” in the proposed easement. Mr. Lauder said that there is an existing path in the area and that he had added a “bend” to represent that it would be an easement, but it can be moved around or changed, which will probably occur at the preliminary plan stage; perhaps further refine it to another location.

Mr. Pick asked about the widening of the access. Mr. Lauder said that the width of the access was due to comments from the fire chief. Mr. Matthews said that the width is actually 15 feet wide, adding that there is an existing fire hydrant in the front of the property.

Mr. Ferreira suggested that some type of low level lighting should be considered in the area where the access easement breaks off towards the proposed lot. Mr. Matthews said that there is an existing telephone pole approximately 30 feet in from Camp Dixie Road and they have submitted a request to the utility company for a street light. Mr. Ferreira also suggested providing language within each of the deeds identifying the need to maintain the shared access.

Mr. Presbrey questioned whether the full driveway would be crushed stone. Mr. Matthews said that it would be crushed stone for the driveway but around the house concrete may be used. Mr. Presbrey, noting that he liked the idea of the shared access, suggested that they be cautious to prevent creating a steep driveway access to the proposed lot due to the elevations in the area.

Mr. Lauder, citing *Section 10-8 Land for Recreational Purposes/Open Space*, questioned whether Mr. Matthews would be required to provide open space with this subdivision in light of the fact that both lots greatly exceed the zoning requirements for the area. Mr. Kravitz stated that the land for recreational purposes or open space requirement generally applies to cluster or larger developments.

As no vote is required for this level of submission, Mr. Lauder and Mr. Matthews thanked the Board for their direction and comments.

OTHER BUSINESS:

Report from Administrative Officer: The Board reviewed the report from the Administrative Officer for the month of November. They noted that during the month, a Certificate of Completeness was issued for **Ronald E. Matthews & Judith D. Matthews, Camp Dixie Road, Burrillville** (Pre-Application Minor Subdivision – 2 lots). There were no plans rejected as incomplete, and no plans were endorsed.

Planning Board Discussions:

Planning Board Endorsement of the Subdivision & Land Development Regulations Renumbering: Mrs. Langlois proceeded to tell the Board that in 2004 the Town Council endorsed the reorganization and renumbering of the Town's General Ordinances. During this procedure, the Chapter on Subdivision & Land Development Regulations was renumbered from Chapter 10 to Chapter 15. In order to conform to the General Ordinances of the Town, the Board should formally endorse the revision of the numbering of the regulations. *A motion to endorse the renumbering of the Subdivision & Land Development Regulations, from Chapter 10 to Chapter 15, in conformance with the Town of Burrillville's General Ordinances was then made by Mr. Ferreira, seconded by Mr. Presbrey and carried unanimously by the Board.*

Mr. Pick mentioned that he had attended a workshop on December 1, 2015 at the Middle School regarding the proposed power plant. Mr. Kravitz told the Board that once the Energy Siting Commission held their meeting in January, they will be soliciting local advisory opinions. He suggested that they check out the plan which has been put up on the Town's website for public viewing and get an earlier understanding of it.

A motion to adjourn was then made by Mr. Tremblay at 7:52 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

Mr. Pick questioned whether the full driveway would be crushed stone. Mr. Matthews said that it would be crushed stone for the driveway but around the house concrete may be used. Mr. Pick noted that he liked the idea of the shared access, suggested that they be cautious to prevent creating a steep driveway access to the proposed lot due to the elevation in the area.

Mr. Pick asked, during Section 10-B Land for Recreational Purposes, open space, questioned whether Mr. Matthews would be required to provide open space with this subdivision in light of the fact that both lots greatly exceed the zoning requirements for the area. Mr. Kravitz stated that the land for recreational purposes or open space requirement generally applies to other larger developments.

A motion is required for this lot of submission. Mr. Pick and Mr. Matthews thanked the Board for their discussion and comments.

OTHER BUSINESS:

Report from Administrative Officer: The Board reviewed the report from the Administrative Officer for the month of November. They noted that during the month of November, a Certificate of Compliance was issued for Ronald L. Matthews & Judith D. Matthews, 1000 Dixie Road, Burlington (Pre-Application New Subdivision - 2 lots). There were no other requests for incomplete and no plans were endorsed.

Planning Board Discussions:

Planning Board Endorsement of the Subdivision & Land Development Regulations: Mr. Matthews, Mrs. Langlois proceeded to tell the Board that in 2004 the Town Council endorsed the reorganization and renumbering of the Town's General Ordinance. During this process, the Council on Subdivision & Land Development Regulations was renumbered from Chapter 16 to Chapter 15. In order to conform to the General Ordinance of the Town, the Board should formally endorse the revision of the numbering of the regulations. At present, the renumbering of the Subdivision & Land Development Regulations from Chapter 16 to Chapter 15, in conformance with the Town of Burlington's General Ordinance was then made by Mr. Pick, seconded by Mr. Tremblay and carried unanimously by the Board.

Mr. Pick mentioned that he had attended a workshop on December 1, 2015 at the Middle School regarding the proposed power plant. Mr. Kravitz told the Board that once the Energy Steering Committee held their meeting in January, they will be soliciting local advisory opinions. He suggested that they check out the plan which has been put up on the Town's website for public viewing and get an earlier understanding of it.