

CITY OF EAST PROVIDENCE

PLANNING BOARD

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**Minutes of August 14, 2012**

Present: Chairman Michael Robinson, Anthony Almeida, Burton Batty, Krista Moravec, Christopher Grant. Robert Cole present at 7:10 pm. Staff: Planning Director Jeanne Boyle, Planner I Wayne Barnes, City Engineer Erik Skadberg

The meeting opened with the reciting of the Pledge of Allegiance.

**1. SEATING OF ALTERNATE MEMBER**

Mr. Grant was seated as a voting member in place of Mr. Cole, who was not present at the start of the meeting. Mr. Cole was present starting at 7:10 pm and participated in all proceeding discussions and votes.

**2. APPROVAL OF PLANNING BOARD MINUTES**

A. The minutes of the meeting of July 23, 2012 are "to be submitted".

**3. APPROVAL OF PLANNING BOARD CORRESPONDENCE**

A. Copy of Public Informational Meeting Notice – Continuance of the Land Development Project / Master Plan, from the July 23, 2012 meeting regarding "Wampanoag Meadows" (enclosed);

On a motion from Mr. Batty, seconded by Ms. Moravec, the Board unanimously approved this item of correspondence.

B. Copy of memo to the City Council from the Planning Board re: FY 2013 Capital Budget and 2013-2017 Capital Improvement Program (copy enclosed)

On a motion from Mr. Batty, seconded by Ms. Moravec, the Board unanimously approved this item of correspondence.

**4. NEW BUSINESS**

**A. Public Informational Meeting – Appl. No. 2012-04, Master Plan for Wampanoag Meadows, 1279 Wampanoag Trail, Owner: AMJAM LLC, Applicant: Driscoll Development (continued from July 23, 2012 meeting)**

John Bolton of Hinckley, Allen and Snyder, representing the applicant, was sworn in. He stated that as counsel to the applicant, he is in discussions with Kelly Morris, counsel to immediate abutter, US Development 2 LLC, regarding access to their property. Ms. Morris, on behalf of her client, wants an easement in order to increase the size of the corridor of access to her client's property due to current inadequate access. Ms. Morris has agreed not to oppose the Wampanoag Meadows project pending continued discussions on an access easement. Both

parties would like to keep this Public Informational Meeting open until the September Planning Board meeting.

Chairman Robinson asked if such an easement would change the material that is before the Board at the current meeting, and inquired as to why the applicant wouldn't wait and take care of everything at once in September. Mr. Bolton stated that there would be no difference in the submitted application materials and that the location of the property access would not change; and noted that everyone associated with the project is here tonight. Ms. Morris expected that the issue will be resolved to everyone's satisfaction.

Chairman Robinson asked Planning Director Boyle if the potential easement would result in additional planning Department review; she stated that likely would not. Ms. Boyle also noted that this Public Informational Meeting has already been continued once and been re-noticed.

Chairman Robinson asked for the Board's opinion to hear the proposal then continue the meeting to September.

#### Motion

Mr. Batty moved to allow the proceedings of the Public Informational Meeting to continue on this evening, listen to the developer's proposal without voting on it, and then keeping the Public Informational Meeting open to the public until the Planning Board meeting of September 10, 2012.

Mr. Almeida seconded the motion.

#### Roll Call Vote:

Mr. Batty	Aye
Ms. Moravec	Aye
Mr. Almeida	Aye
Mr. Grant	Aye
Chairman Robinson	Aye

Following this vote, the Public Information Hearing proceeded.

Mr. Bolton, representing the applicant, briefly described the project. The 55-acre site, located in a Commercial-1 zoning district, would contain 308 multi-family dwelling units and 617 parking spaces, and would retain roughly 36 acres as "passive open space". The project proposal includes a subdivision which would separate out 1.83 acres at the northwest corner of the site, to be retained by the current property owner. There are no development plans for that proposed new parcel.

#### Driscoll Development LLC Witnesses

Mr. Bolton called witnesses to testify on behalf of the project as follows:

1. Eric Prive  
Diprete Engineering  
2 Stafford Ct.  
Cranston, RI

Mr. Prive was sworn in and spoke regarding civil engineering aspects of the project. He added to Mr. Bolton's information above, noting that there would also be 14 garage units, a clubhouse,

tennis and basketball courts and a swimming pool, in addition to a stormwater retention area/water feature. Access will be from the Wampanoag trail, with gated emergency-only access from Hospital Road, per Fire Department Master Plan comments. Water and Sewer tie-in for the project would be from the Wampanoag Trail. Mr. Prive described the current condition in of the site, being a “bowl” as a result of is previous use for sand and gravel operations, with an elevation difference within the parcel of about 30 feet, highest around the outside edges. He stated his belief of no significant environmental impact from the project, safe access and interior circulation, and a net decrease in stormwater due to improved landscaping and on-site retention. He reiterated compliance with zoning requirements and stated that residential density would be within City Comprehensive Plan guidelines.

Board questions (witness answers):

Mr. Batty asked questions as follows: Did the Fire Department agree to 24-ft travel width of project roadways? (Affirmative). Will there be on-street parking? (Do not anticipate it; off-street parking is “excessive”). Will there be elevation grade changes? ( Some fill is anticipated “ in front”). Will it be uphill, then downhill, onto the property? (No, site will be leveled off in this area) Will buildings be visible from the Trail? (Probably). Will there be basements? (No, buildings will be slab-on-grade).

From Chairman Robinson: Will sewer service be made available to residents on Hospital Rd/Reardon Ave abutting the project area? City Engineer Erik Skadberg noted that the applicant would need to make sure that these residents have access to water and sewer lines and that the details will be dealt with at Preliminary Plan phase.

From Mr. Grant: How far will project access be from the corner of Wampanoag Trail and Forbes Street? (about 800 feet).

2. John Shevlin  
Pare Corporation  
8 Blackstone Valley Place  
Lincoln, RI

Mr. Shevlin prepared the Traffic Impact Analysis, which was developed based on data collection including traffic counts during the morning and afternoon peak traffic times, updated crash data for the Trail in this area, site distance along the Trail from the property access road, and a “trip generation study” based on full build-out of the project. The analysis concluded there the project would cause no traffic safety concerns and that the Trail’s “level of service” would not be changed, and that there would be very minimal impact to the turnaround points along the trail.

Board question (witness answer):

Mr. Batty asked for clarification on the trip analysis. (The number of trips generated is for the same peak travel hours and appears low due to the expectation of differing schedules and work hours).

3. Joseph Lombardo  
11 Grancera Drive  
Hope Valley, RI

Mr. Lombardo prepared the Comprehensive Plan Consistency Report. He described contents of the report, including the proposed project being consistent with several goals and objectives of the City’s Land Use and Housing Elements and being in compliance with City zoning regulations. Mr. Lombardo also prepared the Fiscal Impact Study for the project, which was based on property assessment, project build-out population projects, anticipated municipal

expenses versus the estimated revenue expected to be generated. Given those factors, Mr. Lombardo reported an approximate net fiscal impact of \$101,000 on the positive side for the City. He also stated that he has not ever seen a negative net fiscal impact for a multi-family project such as this one.

Chairman Robinson asked Planning Director Boyle for her opinion on project consistency with the Comprehensive Plan. Ms Boyle and Principle Planner Diane Feather has discussed this and determined in the affirmative on this question.

Chairman Robinson then solicited Public Comment regarding the application.

Sworn in and commenting were:

1. Gert DiQuinzio  
94 Hospital Road

Ms. DiQuinzio asked questions as follows: What is "passive open space"? (Mr. Bolton explained that this implies no development such as ball fields, courts, etc. in the open space area). Will the owner sell the development? (Mr. Paul Driscoll of Driscoll Development was sworn in by Chairman Robinson and replied that they will retain ownership and manage the property). Will residents be tied into water and sewer? (Mr. Bolton stated that as part of the project, water and sewer lines would be provided "in the street". Chairman Robinson noted that details on this would be provided at Preliminary Plan stage.). How large is the buffer? (about 220 feet from the perimeter of the developed area to the south edge of the property). How many of the units will be two-bedroom? (154, or about half). How is the number of children only estimated at 15? (The estimate was done based on statewide studies of multi-family developments; the units being one- and two-bedroom in size, result in an expected limited number of children in this development).

2. Olivia Howard  
16 Hospital Road

Ms Howard asked what happens on Parcel B? (Mr. Bolton answered that the current owner will retain it. Any development plans on this property would be subject to separate review).

#### Planning Staff Recommendation

Planning Director Boyle offered the staff recommendation. She reviewed the amenities detailed previously and clarified the three-stage review process, this being the first, or "Master Plan", stage of project review. She noted that the 1.83 acre "Parcel B" proposed to be subdivided out is not subject to this plan. A key element of the proposal of the 30+ acres of passive open space. Ms. Boyle pointed out that DEM permitted will be needed as more than 5 acres will be "disturbed" as part of the project, and that a Physical Alteration Permit will be needed from RIDOT to construct the access road from the Wampanoag Trail. There will be an extensive DOT review involved.

City Departments review the proposal; the Fire Department requested the emergency access roadway from Hospital Road and the City Engineer requested numerous project details that will be provided as part of the upcoming Preliminary Plan stage; and the Zoning Officer requested dumpster locations, which are also now shown on the Master Plan.

Planning is of the opinion that the project will result in the curbing of the unauthorized use of ATVs on the property, and that the additional of landscaping and vegetation should improve the "dust bowl" conditions that exist at times now. Building setbacks from the perimeter of the property will well exceed the guidelines and will provide an effective buffer zone around the development. There should be no adverse impact from a drainage standpoint and that there may actually be an improvement in drainage. Ms. Boyle re-iterated that several engineering comments will be addressed by the time the preliminary Plan comes before the board, including information on high groundwater elevations, an operation and maintenance report, and details regarding the Wampanoag Trail entrance. The Department is satisfied with the Traffic Impact Study and Fiscal Impact Analysis along with consistency with the Comprehensive Plan, the Zoning Ordinance, and the Subdivision Regulations.

Based upon the Master Plan and supporting documentation submitted by the applicant, and a finding that proposed Master Plan is consistent with the East Providence Comprehensive Plan and with the General Purposes of Chapter 19, Zoning, and with the General Purposes of the Subdivision Regulations, and that positive findings can be made per Sec. 5-4 of the Subdivision Regulations, Planning recommends approval of the Master Plan, as proposed, based upon the following conditions:

1. that the Planning Board fully scopes the submission requirements of the Preliminary Plan Stage prior to its submission, and any requirements for outside peer review of certain aspects of the proposal, such as drainage, geotechnical, and traffic shall be identified;
2. that the applicant continue to work with city staff in the preparation of the LDP/Subdivision Preliminary Plan, including details on stormwater/drainage, geotechnical, and traffic, and that all staff comments are adequately addressed in the Preliminary Plan submission;
3. that the applicant obtain any and all required federal, state and city permits for the Preliminary Plan stage for the proposed use, and include documentation of said permits in the Preliminary Plan submission;
4. that the comments of the City Engineer Erik Skadberg in the attached memorandum dated 7/12/12 to Stephen Coutu, Director of Public Works, be addressed in the Preliminary Plan submission;
5. that the second means of access for emergency purposes as requested by the Fire Department continue to be shown on the Preliminary Plan and that the details for the access are shown on the Plan, e.g. gating, plan and profile details. (It is shown on the Master Plan.)
6. that trash storage areas as required by the City be shown on the Preliminary Plan. (Sixteen dumpsters are shown on the Master Plan.)
7. that an Operations and Maintenance Manual for the private improvements will be submitted for the review and approval of the City at the Preliminary Plan stage.
8. that the exact location and terminus of proposed and/or required utility lines relating to the Hospital Road Extension be identified on the Preliminary Plans, as discussed above;

9. that a proposed means of performance guarantee for the required public improvements and the estimated dollar amount for the public improvements guarantee is included in the Preliminary Plan submission.
10. that proposed Parcel B shall be restricted to residential land use and accessory residential land uses in perpetuity;
11. that the Preliminary Plans be based upon the approved Master Plan; and
12. that the proposal shall meet all applicable City, State, and/or Federal regulations and requirements.

#### Motion

Upon a motion by Ms. Moravec, seconded by Mr. Batty, the Board voted unanimously to accept all documents related to this application including the Planning staff recommendation into the record of the meeting.

This closes the record of for this portion of the Public Informational Meeting regarding Wampanoag Meadows. The Public Informational meeting will be continued to the regularly scheduled September Planning Board meeting, as motioned above.

At this point, the Board observed a brief recess. Chairman Robinson called the meeting back to order at 8:30 pm.

#### **5. CONTINUED BUSINESS**

There was no continued business.

#### **6. STAFF REPORT**

Mr. Barnes mentioned that the City's proposed new Emergency Notification System was closer to becoming implemented, as police funding was made available to pay for the new system. The plan is for this system become operational during the Fall.

Ms. Boyle announced a new Waterfront District residential development proposal at Kettle Point. The proposed development will include over 400 units with an initial plan for 300 rental units and 100 units for sale. At some point, there may be a subdivision as part of the development plan which would come before the Planning Board. Some site remediation is needed along with several approvals. The developer is Churchill and Banks.

Mr. Barnes updated the Board on the Capital Budget process. The Budget Commission will likely have the Capital Budget on their agenda at two meetings, the first of which will be on August 23. They would consider the item and possibly vote on it at a second meeting, in September. Mr. Barnes has forwarded the required Fiscal Impact Statement template along to the department/division heads whose projects were recommended by the Planning Board at their July meeting.

#### **7. COMMUNICATIONS**

**A. Certificate of Completeness, Appl. No. 2012-04 LDP, Master Plan for Wampanoag Meadows, 1279 Wampanoag Trail, Owner: AMJAM LLC, Applicant: Driscoll Development (copy enclosed)**

On a motion from Ms. Moravec, seconded by Mr. Batty, the Board voted unanimously to accept this item of communication.

**B. Memo dated August 8, 2012 from the Planning Department to the Zoning Board of Review re: "Appeal To Be Heard on August 15, 2012" (copy enclosed)**

On a motion from Ms. Moravec, seconded by Mr. Batty, the Board voted unanimously to accept this item of communication.

**8. ANNOUNCEMENT**

Next meeting: Monday, September 10, 2012, Room to be determined.

Ms. Boyle informed the Board that there may be a need for a special Board meeting regarding the Forbes Street solar project between the regularly scheduled September and October meeting. If this appears necessary Ms Boyle will poll the Board regarding a possible special meeting date.

**9. ADJOURNMENT**

On a motion from Ms. Moravec, seconded by Mr. Batty, the Board voted unanimously to adjourn the meeting at 8:40 pm.

Respectfully submitted,

Michael Robinson, Chairman

MR/JMB/wb