

**CITY OF EAST PROVIDENCE**

**PLANNING BOARD**

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**Minutes of December 13, 2010**

Present: Michael Robinson (Board Chair), Burton Batty, Jr., Krista Moravec, Matthew Robinson (Planning Board); Jeanne Boyle (Planning Director), Wayne Barnes (Planning Staff); Erik Skadberg (City Engineer).

Chairman Robinson opened the meeting at 7:05 pm.

The Board recited the Pledge of Allegiance.

**1. SEATING OF ALTERNATE MEMBER**

Mr. Matthew Robinson was seated as a voting member.

**3. APPROVAL OF PLANNING BOARD MINUTES**

A. Minutes of September 29, 2010 (enclosed)

On a motion from Mr. Robinson, seconded by Ms. Moravec, the Board voted unanimously to postpone voting on the minutes of the September 29<sup>th</sup> meeting until the January 2011 meeting, as some of the members in attendance at that meeting were not here tonight.

Roll Call Vote

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

The minutes of the August 10, 2010 meeting and the October 27, 2010 meeting are "to be submitted".

**3. APPROVAL OF PLANNING BOARD CORRESPONDENCE**

There was no correspondence.

**4. NEW BUSINESS**

**A. Public Hearing- Application 2009-06, Major Subdivision Preliminary Plan Approval. Applicant: S. Paul Ryan, Esq. Owners: Norman J. Miranda Jr., Norman J. Miranda Revocable Living Trust. Address: 864 Waterman Avenue, Map 507, Block 2, Parcel 4 (with enclosures).**

Atty. Timothy Chapman, 670 Willett Avenue, Riverside represented the Miranda Family in the absence of Atty. S. Paul Ryan. Atty. Chapman presented information regarding this two-lot subdivision that was granted Master Plan approval on February 8, 2010. The applicant applied for and received zoning variances, which were granted by the Zoning Board in June of 2010. It is their belief that the application is consistent with the Comprehensive Plan. There are no waiver requests. He requests final plan approval from the Administrative Officer. Surveyor Richard Lipsitz from Waterman Engineering is available to answer any questions on the proposal. There were no questions from the Board at this time.

The Chairman asks for the Planning Department Staff Recommendation. Wayne Barnes presents on behalf of the Staff. Mr. Barnes notes that the proposal was classified as a Major Subdivision due to the need for relief from the Zoning ordinance including a Use Variance. Mr. Barnes briefly described existing conditions on the parcel, which has a single-family dwelling, swimming pool with patio, and large parking area nearly all on the southern half of the property, with the remainder vacant but well-maintained. The department's main concern with this subdivision was the potential for added stormwater drainage into the floodplain in the abutting March Street Neighborhood, where flooding is a frequent problem and major flooding occurred in March of 2010. The proposal includes provisions to mitigate added stormwater run-off including a substantial reduction in the large parking area on the property, and the installation of drywells to serve the proposed new dwelling. Mr. Barnes believes that these measures will help to mitigate drainage problems that may have otherwise developed as a result of this proposal. Regarding zoning, he notes that the required zoning relief was granted by the Zoning Board and that these decisions are attached to the Planning Board Packet for this evening.

Mr. Barnes stated that the proposal is consistent with the East Providence Comprehensive Plan in terms of density, as the subdivision's proposed density of 4.8 dwelling units per acre (du/ac) falls within low-density guidelines on this area, and is close to the 4.9 du/ac density of the neighborhood from this location eastward to the Seekonk Line. A dwelling on the proposed new lot would not be out of character with the condition of the surrounding neighborhood. He also stated that the subdivision as proposed is in compliance with the general purposes of the Subdivision and Land Development Review Regulations and that it satisfies the required findings of the same regulations including consistency with the Comprehensive Plan.

Based on the review and analysis, Mr. Barnes recommends that the Planning Board grant conditional approval to the subdivision, as proposed, subject to the following conditions as noted in the Staff Recommendation:

1. That any new development consist of one single-family dwelling in perpetuity, and that the existing dwelling at 864 Waterman Avenue be designated as single-family use in perpetuity;
2. That the Final Plan include the statement that there will be no increase in net stormwater run-off as a result of any future construction on the site, and that the amount of impervious area to be removed approximate the additional impervious area that is added to the subdivision as-built.
3. That the title block of the Plan be revised to indicate Final Plan status;

4. That the Final Plan be based upon the Preliminary Plan, and further that all plans and supporting documentation meet the requirements of the East Providence Land Development and Subdivision Review Regulations;
5. That the proposal shall meet all applicable City, State, and/or Federal regulations and requirements; and
6. That upon project completion, final plans be submitted on Mylar, and electronic format in AutoCAD version 14. The "as-built" drawings shall include all roadway and utility information, including final inverts, rims, sewer lateral depths and locations (swing ties) to all permanent structures.

Chairman Robinson asked for any questions or comments from the public regarding the subdivision. There were none. The Chair then requested a motion from the Board.

On a motion from Mr. Robinson, seconded by Ms. Moravec, the Board voted 4-0 to accept into the record of the meeting the staff recommendation and the supporting documents. Ms. Moravec seconded the motion.

#### Roll Call Vote

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

Regarding approval of the Preliminary Plan, Mr. Robinson acknowledged the issues with water in the adjoining neighborhood, and also noted that abutters were notified and only the applicant was in the audience, indicating that the abutters were not concerned about the proposal.

On a motion from Mr. Robinson, seconded by Ms. Moravec the Board noted 4-0 to grant conditional approval of the preliminary plan for this subdivision, subject to the six conditions listed in the staff report.

#### Roll Call Vote:

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

The preliminary plan is thereby *conditionally approved*.

On a motion from Mr. Robinson, seconded by Ms. Moravec, the Board voted 4-0 to delegated Final Plan approval to the Administrative Officer.

Roll Call Vote:

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

**B. Draft 2011 Planning Board Meeting Schedule (enclosed, including potential change of dates for two meetings as reflected in the agenda).**

Director Boyle requested any preference for dates that are different than listed for the 2011 Planning Board meeting schedule. August 9 and October 10, 2011 both fall on holidays and these meeting dates will be adjusted. At the request of the Board, the February 2011 meeting will be moved from the 14<sup>th</sup> to another date.

**5. CONTINUED BUSINESS**

**A. Staff Report**

Director Boyle announced that "Village on the Waterfront" Tax Increment Financing (TIF) was approved by the City Council at a special meeting held by the Council on November 30, 2010, and that additional required approval was received by from the Waterfront Commission on December 1, 2010. The positive Planning Board recommendation on this proposal was considered a critical component in the approval process. Director Boyle thanked the Board for their recommendation. She stated that without the TIF, the developer would not have gone forward with this project. Remediation at the site is scheduled to begin in the spring of 2011, with construction expected over the next couple of years.

Director Boyle also noted that Planning Staff will have a kick-off meeting with consultants chosen for the Taunton Avenue Auto Row study, for which Chief Planner Diane Feather wrote a successful Planning Challenge Grant for \$38,000. Horsley and Witten is the consultant chosen to work with the City on this project. Public meeting and public participation will be an important part of this process. Mr. Robinson inquired regarding the change in the Enterprise Zone to include this area. Ms. Boyle stated that this change creates a good inducement for development in the Taunton Avenue area. The change in Enterprise Zone to include this portion of the City was also critical in getting a couple of business to relocate to office space on Waterman Avenue in the same area of the City..

Mr. Barnes mentioned that the East Providence Hazard Mitigation Plan is under revision. The completed draft revision is expected to go before the Planning Board in January for their recommendation to Council regard adoption. The current draft plan is posted on the City's Emergency Management Website for viewing, and this post will be updated once the ongoing revision is completed over the coming week.

Director Boyle noted the work of the Planning Department on several energy initiatives, including the East Bay Energy Consortium's effort to build a wind farm in Tiverton. This project, if successful, could be lucrative to the City in terms of energy savings. The State of

Rhode Island has been very supportive of the project as it represents collaboration between nine different communities. Another energy project underway is a feasibility study for hydroelectric generation at three points along the Ten Mile River. The study is expected to be complete early in 2011.

Director Boyle also mentioned that the City, along with CME Energy of Boston, is going forward with plans to pursue funding for a potential solar project at the Forbes Street Landfill. 50,000 cubic yards of free clean fill from the I-195 project has been secured to cap what is estimated to be over half of the landfill, and this fill began arriving at the landfill today. Use of the fill alone is expected to save the City \$1 million in costs associated with closing the landfill, with additional substantial savings expected from using City Public Works personnel to move the fill in place once it is on the site. The solar project itself is very complex. If it can be built it would be one of the largest solar installations in New England.

## **6. COMMUNICATIONS**

1. Letter dated November 30, 2010 to Rosemary Gallogly, RI Department of Administration, from Jeanne Boyle regarding the Comprehensive Plan Update, dated November 30, 2010.

Director Boyle notes that this letter is a response to Statewide Planning accompanying the revised Comprehensive Plan Update. She noted, as a particular item of interest in this letter, that the City plans to further study potential water-dependent uses in the Bold Point Waterfront District beyond those already allowed. The results of this analysis will be presented to the Planning Board at a future date.

On a motion from Mr. Robinson, seconded by Ms. Moravec, the Board voted unanimously to accept the correspondence.

2. Notice of extension of Time Limit for Approval, Appl. #2010-01 Administrative, Joao C. and Eduarda M. Medina, 3 Allerton Avenue (copy enclosed).

On a motion from Mr. Robinson, seconded by Ms. Moravec, the Board voted unanimously to accept the correspondence.

3. Memorandum of Planning Department to Zoning Board of Review for Requests for Variances and Special Use permits to be heard on December 1, 2010 (copy enclosed).

On a motion from Mr. Robinson, seconded by Ms. Moravec, the Board voted unanimously to accept the correspondence.

## **7. ANNOUNCEMENT**

The next meeting of the planning Board will be held on January 10, 2011 at 7:00 pm in Room 306, East Providence City Hall.

Planning Board members will be polled regarding the scheduling of the next meeting being held on November 16, 2009, one week later than what would normally be the time of the monthly meeting, to allow some additional time to work on a full Comprehensive Plan draft.

## **8. ADJOURNMENT**

On a motion from Ms. Moravec, seconded by Mr. Robinson, the meeting was adjourned at 7:45 pm.

G: Planning Board/10-1213 Planning Board Minutes

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