

# May 12, 2008 - Planning Board Meeting

## CITY OF EAST PROVIDENCE

### PLANNING BOARD

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#### Minutes of May 12, 2008

Present: Krista Moravec, Anthony Almeida, Michael Robinson, Matthew Robinson, Jeanne Boyle, James Moran, Patrick Hanner.

Absent: City Solicitor Conley Burton Batty

#### 1. SEATING OF ALTERNATE MEMBER

Matthew Robinson was seated in place of Burton Batty who was out of town.

#### 2. APPROVAL OF PLANNING BOARD MINUTES

A. Minutes of November 14, 2007

It was noted the minutes of November 14<sup>th</sup> would be forthcoming.

B. Minutes of March 10, 2008

On a motion by Ms. Moravec, seconded by Mr. Almeida, the Board voted to approve the minutes of March 10, 2008.

#### 3. APPROVAL OF PLANNING BOARD CORRESPONDENCE

None

#### 4. NEW BUSINESS

A. *Ten Mile River Fish Ladder Easements* – Recommendation to the City Council for the placement of temporary and permanent easements on City owned property being Hunts Mills (Map 604, Block 1, Parcel 45) and the Turner Reservoir Dam as part of the Ten Mile River Fish Restoration Project)

Patrick Hanner went through the staff recommendations. He noted there are temporary and permanent easements which will be used for a construction staging area both for Hunts Mills, Turner Reservoir Dam, and Omega Pond Dam. It is a joint project with Save the Bay, RI DEM, Army Corps of Engineers. Funding is secured and construction will take place this fall. There are still some issues with the Omega Dam. He explained that the fish ladders are cement structures and water can enter the ladder to allow the fish to climb 20 or more feet. He noted that the creation of easements on city owned property requires a recommendation by the Planning Board and approval by the City Council. The easements were prepared by

DEM and were reviewed by staff. Staff asks that the Board recommend approval to the Council that they authorize the placement of these temporary easements.

There were no comments from the Board.

**Motion**

On a motion, by Matthew Robinson, seconded by Ms. Moravec the Board voted to recommend to the Council that they authorize the placement of temporary easements at the Hunts Mills dam, Turner dam and Omega Pond dam, as part of the Ten Mile River restoration project.

Roll Call Vote

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

B. *Appl. #2008-02 Minor Subdivision* - Applicant/Owner Paul Larcher, 15 Nassau Street Map 201, Block 5, Parcels 1, 2 & 3

Ms. Boyle states she distributed the letter from the Narragansett Bay Commission to the Board this evening because it was received too late to put in the Board's package.

Mr. Moran noted that he verbally described the letter from the NBC that was received by Planning later today.

The applicant, Paul Larcher is present and was sworn in.

Mr. Larcher said he wants to change the back lot line and make it into three parcels. The property is zoned R-4. The current parcels 2 and 3 provide approximately 160 feet of frontage along Nassau Street. The lot area for each parcel, as proposed is as follows: Parcel A, 16,861; Parcel B, 19,557 square feet. There is an existing single family dwelling on proposed Parcel B (15 Nassau Street). None of the side lots are changing. They are also asking for a waiver for curbing and sidewalks. The lot on the corner, they asked for a waiver and got it. Mr. Larcher is requesting a waiver from the sidewalk and granite curbing requirements of the regulations. He said he will have to take down two large trees.

Mr. Larcher states he is aware from the staff recommendation that Planning is asking him to reimburse the appropriate amount of funds to the City's curbing installation for use in the City curbing program. The amount of funds to be allocated will be determined by the Public Works Director.

Chairman Robinson asks if there are any comments from the Board.

Matthew Robinson asks Mr. Larcher if he has read the Narragansett Bay Commission's letter. He said that he is aware of the easement where trucks can gain access and it can be an issue in the future. He understands their concerns.

Matthew Robinson asks if Mr. Larcher agrees that if the Board waives the sidewalks and curbing that the money be put into the City's curb fund. Mr. Larcher agrees, but wants the sidewalks waived because of the two big oak trees that would have to be removed. The trees also create a buffer for noise and dust.

Chairman Robinson states that he prefers that the applicant reimburse the cost of those funds to the City's curbing account. Mr. Larcher agreed.

Mr. Moran went through the staff recommendation. He noted that this is a minor subdivision. The entire parcel is located in East Providence, but the utilities are provided by Pawtucket and the Narragansett Bay Commission. They want to convert three lots into two. House #15 will remain and on parcel 2 there will be a 2 unit condo project proposed for the development. They meet all the requirements except for the existing garage on 15 Nassau Street which would require a variance to be determined by the Zoning Officer if the garage remains.

The property was rezoned from Industrial-3 to a Residential 4 zone to rectify zoning issues that were in conflict with the land uses in that particular neighborhood.

Comments were received by various City departments i.e. Zoning which recommended a zoning variance, who also asked if these units would have garages which does include a garage for each unit. The City's Engineers asks that all permits being retained are copied to them.

The applicant has initiated a request for preliminary determination from the CRMC which is underway. That determination when received will be submitted to the Department of Public Works for review. The Fire Department also reviewed this subdivision. There are also two letters from Pawtucket that state they will provide water and sewers to the site. These letters were also submitted in the Board's packages.

It is consistent with the Comprehensive Plan in that the area is identified as low density

The application recommendation also describes the consistency with the East Providence Land Development and Subdivision Review Regulations as noted on page 5 of the staff recommendation.

Under the waiver request there are curbs in this design. If the Board determines that curbing is not required, then a bond calculation will have to be provided by the Public Works Department prior to the Final Plan submission.

Chairman Robinson asks about the staff recommendation.

## Recommendation

### A. Waiver Request

Staff is recommending denial of the waiver of curbing and in lieu of installation of sidewalks, the applicant reimburse the appropriate amount of funds to the City's curbing installation fund for use in the City's curbing program

### B. Subdivision

Based on the finding that the proposed subdivision is consistent with the East Providence Comprehensive Plan, that it meets the General Purposes of Article 1 of the Regulations and that the required positive findings of Section 5-4 can be met, Planning recommends Conditional Approval of the requested Preliminary Plan submission subject to the following:

Based on the finding that the proposed subdivision is consistent with the East Providence Comprehensive Plan, that it meets the General Purposes of Article 1 of the Regulations and that the required positive findings of Section 5-4 can be met, Planning recommends Conditional Approval of the requested Preliminary Plan submission subject to the following:

1. That all comments in the technical staff memoranda to the Planning Department (as attached) and all other requested modifications identified in this recommendation memoranda be incorporated into the plans as submitted; and that any and all conditions of the Planning Board approval be reflected in the Final Plan submission;
2. That the Final Plans and supporting documentation be based upon this Preliminary Plan approval, and that the Final Plans meet all City regulations and ordinances, and all applicable State and or/Federal Regulations;
3. That the applicant obtain the necessary Zoning Variance as identified by the City Zoning Officer in his technical review memorandum;
4. That a performance guarantee be submitted to the City under Final Plan approval for the costs associated with the installation of granite curbing along the frontage of the two proposed parcels. The amount shall be calculated by the applicant's engineer and submitted to the Department of Public Works for review and approval and further, in lieu of installation of sidewalks along the frontage of the development, the applicant provide appropriate funds for deposit into the City's curbing installation program account;

5. That the applicant receive an assent from the Coastal Resources Management Council (CRMC) for the development of the property prior to the submittal of the Final subdivision application;

Mr. Moran asks that a modification be made to item #5. Change the word “assent” to a preliminary determination from the CRMC for the development of the property prior to the submittal of the Final subdivision application.

6. That the Title Block of the Final Plan be revised to indicate Final Plan status;
7. That the proposal meet all applicable City, State and Federal regulations and requirements;
8. That upon project completion final “as-built” 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.

### C. Final Plan Review

Planning recommends that Final Plan review be delegated to the Administrative Officer as covered under Section 9-10 of the Land Development and Subdivision Review Regulations. Planning is of the opinion that Final Plan Review of the subdivision can be adequately reviewed under a ministerial Final Plan Review by staff.

**Motion** – Delegation of Final Plan Review to the Administrative Officer

Planning recommends that Final Plan review be delegated to the Administrative Officer.

At this time, Mr. Moran asks that Items 1 through 16 be entered into the record.

### **Motion**

The Department of Planning requests that the following items be entered into the record by the Planning Board as follows:

1. Subdivision site plans – 3 sheets; Existing conditions, proposed development, detail sheet
2. Subdivision application dated January 24, 2008;
3. Revised Preliminary Plan project narrative dated March 7, 2008
4. Curbing and sidewalk waiver request FAX dated March 21, 2008;
5. April 1, 2008 memorandum from Erik Skadberg to Stephen Coutu;
6. March 24, 2008 memorandum from Edward Pimentel to Stephen Coutu and Jeanne Boyle;

7. March 31, 2008 memorandum from Fire Chief to Jeanne Boyle;
8. Notice of Application to abutters and abutters list;
9. April 3, 2008 Certificate of Completeness;
10. Tax Certificate;
11. Copy of Title Certification prepared by Attorney Richard A. Pacia;
12. October 3, 2007 letter from Richard Antonelli, Pawtucket Water Supply Board;
13. October 3, 2007 letter from John E. Carny, Pawtucket Public Works Department;
14. Nassau Street Drainage Analysis, completed by Carrigan Engineering, Inc.
15. Duplex Elevation sheet, completed by DLR Dimensions, Inc.
16. Application for State Assent, Coastal Resources Management Council

Ms. Moravec asked if there should be notification to the Pawtucket Water Supply Board and suggested it should be noted on the plan. Ms. Boyle and Mr. Moran agreed.

There were not other questions by the Board.

**Motion** – Department of Planning’s Staff Memorandum, Attachments and Exhibits To Be Entered Into the Record

On a motion by Ms. Moravec, seconded by Mr. Robinson voted unanimously to accept the staff recommendations and attachments and make them part of the Board’s official record.

**Motion** – Narragansett Bay Commission faxed letter

On a motion by Mr. Robinson, seconded by Ms. Moravec, the Board unanimously voted to make the NBC letter number 17 as part of the Planning Department’s attachments.

*Public Comment*

Anna and David McLaughlin, 12 Nassau Street were both sworn in.

Mr. and Mrs. McLaughlin expressed their concerns with the property at 15 Nassau Street. They are very concerned about the messy property and if it is going to be cleaned up. Mr. Larcher assured the McLaughlins that it will not stay that way once the condos go up and he will notify the renter that she must cleanit up or she will be evicted. He will also talk to her about the unregistered vehicles which are a violation.

They expressed concerns about the corner of the property and the wildlife. Mr. Larcher said they are not touching that corner of the property. They will be taking down the shed. The McLaughlins suggest they leave the trees to stop the dust and noise. They are concerned about the roads being torn up.

Mr. Larcher said they will not be torn up in front of the McLaughlins' house. Everything that they do will be cleaned up.

Mr. Moran added that under CRMC review those areas will be protected. There is a flood plain limit which protects those wild life areas. He also said that during construction, the Building Inspector will frequently be out there monitoring it for violations etc.

There were no other comments or questions.

**Motion – Waiver for Sidewalks and Curbing**

On a motion by Ms. Moravec, seconded by Mr. Robinson, the Board approves the sidewalk waiver and in lieu of that the appropriate amount of funds will be dedicated to the City' curbing account.

**Motion – Waiver for Curbing.**

On a motion by Ms. Moravec, seconded by Mr. Robinson, the Board unanimously denies the curbing waiver that the applicant requested.

**Motion – Conditional Approval of the Subdivision**

On a motion by Ms. Moravec, seconded by Mr. Almeida, the Board voted unanimously to approve the conditional approval of the subdivision based on the eight items including the amendment of item #5 in the Planning Department's recommendation.

**Motion – Final Plan Approval**

On a motion by Ms. Moravec, seconded by Mr. Robinson, the Board unanimously voted to delegate Final Plan Approval to the Administrative Officer.

**C. *Appl. #2008-05 Minor Subdivision*** - 115 Eastern Avenue Owner/Applicant: SFX Broadcasting of Rhode Island and Radio Mundo Broadcasting Co., Map 205, Block 4, Parcel 8, Zoning: Open Space District

The applicant and his attorney, Christopher Petrarca are present and sworn in by Chairman Robinson. They propose to subdivide one lot into two. He is proposing two parcels, Parcel A at 33,589 sf and Parcel B at 183,215 sf. There are four easements proposed to accommodate guide wires that extend from the towers located on Parcel B onto Parcel A, being proposed easements A, B, C, and D. Parcel B will remain with SFX Broadcasting.

At this time, Patrick Hanner went through the Planning Department's recommendation.

Mr. Hanner said this application is to divide the property into two lots which is defined as a minor subdivision. The abutters within a 200 foot radius all received notice of this public meeting. The application was reviewed by City staff and deemed complete on May 6, 2008.

The applicant is proposing a 216,804 sf parcel. Parcel A at 33,589 sf and Parcel B at 183,215 sf. No structures are being proposed and site is not being re-structured in anyway, just the property line division. Four easements are proposed to accommodate the guide wires coming off of those antennas. The purpose of the subdivision is to subdivide the property and change ownership at some time in the future. Two parcels in the future will not be solely owned by SFX.

### Zoning

Two variances will be required. A variance is required for an accessory use (the antenna) to be located on a separate parcel. An accessory use must be located on the same parcel as the principal use. Because Parcel A is open space, it requires dimensional relief for failing to meet the minimum lot depth requirement of 100,000 sf (33,589 sf is proposed and the minimum lot depth requirement of 300 feet (136 feet is proposed).

There may be additional variances, because the zoning officer has requested that they illustrate meeting the off street parking requirement for an office use and the building lot coverage. The impervious coverage of the two proposed parcels must be calculated and placed as a notation on the site plan.

Staff has recommended that after the preliminary plan approval, the applicant speak to the Zoning Officer and identify the needed variances before they go to the Zoning Board.

### Consistency with the Comprehensive Plan

The Land Use 2010 Plan designates the area of the subject property as being in the vicinity of three separate future preferred land use designations being Open Space to the south, Mixed Use, and Low Density Residential. It is the opinion of staff that the that the proposed subdivision will not adversely affect the neighborhood or surrounding community. The intensity will not change.

Chairman Robinson said that Lot A will be substantially undersized. Mr. Hanner said yes but disregarding dimensional relief staff finds that it is consistent with the Comprehensive Plan. Ms. Boyle said they are not proposing any increase in the intensity of the office use that will be on the remaining Parcel A.

Matt Robinson asks if the antennas are operated from the building and asked if they are trying to sell the building to Radio Mundo because he is trying to lease the antenna next door. Attorney Petrarca said SFX has moved on and wishes to locate from another location. They still have equipment in this building to operate in this building. Radio Mundo wants to move into that building because the antenna is located there.

Mr. Robinson says it seems we are splitting a property in half just to accommodate a business venture even though the lot is grossly undersized. They need a zoning variance to separate the parcels which does not seem feasible from the City's standpoint. It is like separating a house in half where you have the utilities on one side and the house on the other.

Ms. Boyle said staff is looking at it more like a paper transaction and not a physical change. There are two antennas now and two antennas servicing two separate radio stations. The building is going to be occupied by Radio Mundo. Radio Mundo which if approved will be occupying the building where WHJY was. It's still advantageous to own a property where you are going to have your headquarters rather than leasing it. They are not intending to put a new use on an undersized open space lot, but just continuing with the existing situation with kind of a flipping of ownership.

Mr. Robinson asked what happens 30 years from now if someone wants to go into the retail business and no one has a building to run the antennas on. Ms. Boyle said perhaps we were mistaken in not sending the Board the 99 year lease to review, but we are trying to go green and not send out too much paper. The lease clarifies that there will be a long-term on-going relationship between the owner of the radio station and the owner of the operating antenna. Ms. Boyle said if the zoning will not have changed after the 99 years a retail use will still be a non-permitted use. If someone else came in they would have to obtain a variance from the Zoning Board and the stipulations that the Board makes here tonight would also restrict their ability to make that change without having to go before the Board.

Chairman Robinson asks Ms. Boyle that assuming that we approve this tonight 10 or 15 years from now what would be involved with changing the use of the property.

Ms. Boyle said the use of the property is zoned open space and there are a limited number of uses that can take place there. If someone wants to make it another type of use in the future they go for a hardship or use variance can request a rezoning of the property.

Matt Robinson asks about the lease rental structure. Will the cost of the rent change after 99 years? Is there a limit as to how much the landlord can raise it. If the rent goes up and the client cannot afford it, he will be in a situation where he cannot even sell the other property. Attorney Petrarca said that it is a relationship that they need our proposed property as much as we need their property. It is mutual relationship that we created. We need this building to broadcast from.

## Public Comments

Mr. Bento of 62 Eastern Avenue asks about how the lots are going to be split; north, south, east, west? He is concerned about the open field and who will be maintaining it. The grass is only cut once a year. Attorney Petrarca said his client will maintain the Parcel B, but he wasn't aware about the grass not being cut and would check on it.

A resident at 40 Eastern Avenue said that Lot A is a swamp area and the buildings are abandoned. People do not feel safe walking near there, so anyone occupying those buildings would be a plus for her neighborhood.

## General Purposes and Required Findings

In accordance with Section 5-4 of the Regulations: "Prior to approval of any application for subdivision and/or land development project, the Administrative Officer or Planning Board, as applicable, shall address each of the general purposes stated in Article 1 and shall make positive findings of fact on all of the applicable standards listed in the staff recommendation.

### **Motion** – Accept the Staff Recommendation and Documents

On a motion by Mr. Robinson, seconded by Ms. Moravec, the Board unanimously voted to accept the staff recommendation with all supporting documents.

### **Motion** – Waivers for Sidewalks

On a motion by Mr. Mathew Robinson, seconded by Ms. Krista Moravec, a payment in lieu of the installation of sidewalks along 80.5 feet of frontage on Eastern Avenue must be deposited into the City's curbing installation program account in an amount to be determined by the Director of Public Works.

### **Motion**

On a motion by Robinson, seconded by Ms. Moravec, the Board approved the applicant's petition based on the testimony presented by the public tonight and that it may possibly go before the Zoning Board for variances and the Planning Board in the future if there are any changes to be made.

### **Motion** – Final Plan Approval

On a motion by Ms. Krista Moravec, seconded by Mr. Mathew Robinson, the Board voted 4-0 to delegate final plan approval to the Administrative Officer.

### **Motion** – Staff memoranda

On a motion by Mr. Mathew Robinson, seconded by Ms. Moravec, the Board voted 4-0, to ***conditionally approve the subdivision***, as proposed, based upon the submitted application, testimony presented to the Board, Planning Staff report, and memorandum from various City Departments, the subdivision may be consistent with Section 1-2, “General Purposes” and that positive findings may be made to the standard of Section 5-4 “Required Findings” of the East Providence Land Development and Subdivision Review Regulation subject to the following conditions:

1. That the applicant post an improvement guarantee in an amount determined by the Public Works Department for any required improvements to the City’s Right-of-way;
2. Legal descriptions of all easements must be reviewed by City staff and recorded in the land evidence record prior to a final plan approval;
3. The site plan must illustrate compliance to the off-street parking requirement for an office use;
4. The building lot coverage and impervious coverage of the two proposed parcels must be placed as notation on the site plan;
5. That the title block of the Preliminary Plan be revised to indicate Final Plan status;
6. That the Final Plans be based upon the approved Preliminary Plans, and further that the Final Plan and supporting documentation meet the requirements of the East Providence Land Development and Subdivision Review Regulations; and
7. That the proposal shall meet all applicable City, State, and/or Federal regulations and requirements.
8. That upon project completion, final “as-built” 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.

**Motion** – Delegation of Final Plan Approval to the Administrative Officer

On a motion by Mr. Robinson, seconded by Ms. Moravec, the Board unanimously voted to designate Final Plan Approval to the Administrative Officer.

**D. *Petition to Amend Zoning*** from R-6 to C-4, Owner: Sun Refining Marketing Co., 481 Warren Avenue, Map 307, Block 36, Parcel 18

Attorney Sousa represents the owner and the applicant. The applicant wants to resurrect this property as the Sunoco Gas Station on Warren avenue with the addition

of a Dunkin Donuts inside the building. The zoning line runs right through the property. He described the property. They would like to run the zoning line along the property line. This will not be a full blown Dunkin Donuts with a drive-through. It will be contained to inside the building. The building will not be expanded. The Traffic Engineer is reviewing the site and his report will be presented to the Council at their meeting.

Chairman Robinson asks if there will be a further intensification of the property if it should include the Duncan Donuts and were the abutters notified. Ms. Boyle said the zone change will require a public hearing with the abutters being notified within a 200 foot radius. There will be 3 consecutive weeks advertised in the Providence Journal. Mr. Sousa said that Joe Giordano of GRA is taking traffic counts in the area some of which are on the Wampanoag Trail.

Chairman Robinson asked if there can be anything done regarding street access on Slocum Street. Ms. Boyle said if there are specific concerns that the Board wants to convey in its recommendation and submit them to the Council they can ask for additional documentation prior to them making a decision the Board can.

Mr. Hanner explained that Section 19 of Zoning requires the Planning Board to review and provide an advisory opinion to the Council for request to amend current zoning. It will be before the City Council at a public hearing.

Chairman Robinson said he would like to be on record that he is concerned about the traffic increase if the Duncan Donuts is put inside the Sunoco Station and that the neighbors on Slocum Street are not aware of this.

Mr. Robinson asks that the decision tonight be deferred to the next meeting so that the Slocum Street neighbors have a chance to attend.

Ms. Boyle states that there may be issues with advertising the Council's meeting, since the City Clerk has not submitted an advertising date.

Chairman Robinson states he does not have a problem with the zone change, just with the curb cuts on Slocum Street. Mr. Sousa said he will have his traffic engineer address that specifically in his report. He said everyone in the immediate area will be given a notice of the public hearing so that they can review the plans.

Ms. Boyle noted that if there are concerns from the Board, then the applicant will have to address those concerns and issues and Planning will share that recommendation to the applicant prior to it going to the Council.

She suggests that the applicant prepare a report to the Board prior to the Council meeting so that if those questions are not responded to, there is also the opportunity to speak at the Council meeting.

Mr. Hanner asks what the traffic study will entail. Mr. Sousa said it will be a full traffic study showing the traffic patterns in and out of the site and the interplay with the site in relation to access with the highway. Ms. Boyle stated that she was not aware that a full traffic study was being done or we would have deferred this going to the Planning Board so that the applicant could complete it.

Ms. Boyle also suggests to the Board that they pose a condition that there will be no drive-through going through the property. They agreed.

There were no other questions or comments.

**Motion – Staff Recommendation**

On a motion by Mr. Robinson, seconded by Mr. Almeida, the Board unanimously voted to accept the Planning Department recommendation and supporting documentation and make them part of the Board's official record.

**Motion – Zoning Change – Advisory Opinion by the Board to the City Council**

On a motion by Ms. Moravec, seconded by the Board, decided to advise the Council to approve the petition subject to the condition of prohibiting a drive-through facility from operating on the property and provided that negative impacts are noted in the engineer's report, and that the Council address whether Slocum Street should be closed if there is a negative impact noted in the engineer's traffic report study.

Mr. Sousa asks for clarification on whether the Board wants Slocum St. to be closed.

Chairman Robinson said the Board is not asking that Slocum Street be closed but is asking that the Council take a close look that particular issue.

**5. CONTINUED BUSINESS**

**A. Staff Report**

**1. Proposed Amendment to the Subdivision Regulations – Inactive Applications**

Mr. Boyle explained that a lot of subdivisions applications are inactive and would like to officially deem them inactive when we don't hear from the applicant for a long time. When they finally do come in, changes on their plan have taken place and we have to go back and see what has changed. It is very time consuming and not fair to other departments. We propose re-drafting the regulations and if the applicant has submitted and not come back before the Board within so many months, then the application will be deemed null and void. The applicant will then have to resubmit with all the appropriate fees etc.

Ms. Boyle said staff will give the applicant consideration if there are extenuating circumstances.

The other issue is simple storage and retrieval with the maps and documents and making sure everyone still has copies of everything.

She noted the City Solicitor has reviewed the new language and agrees with it.

Ms. Moravec said that if they are approaching six months do they have to submit something in writing to request an extension to continue the process.

It was suggested that it should be at the discretion of the Administrative Officer whether it is active and inactive. We will give them a gentle reminder and if we receive the information then the application could be considered active.

Mr. Robinson said that it should be that after we deem the application active, the applicant must reapply with all appropriate fees and documentation. We will take the comments and send out another draft to the Board and if acceptable will then advertise it. The Board was agreeable to this.

Mr. Almeida asked about the status of the Ballou subdivision Ms. Boyle said she has not heard anything lately, but that she heard that the anticipated purchaser was going to be Providence Country Day.

Wampanoag Ponds – Ms. Boyle reported that Wampanoag Ponds will not be before the Board in June. Staff is still working with the development engineers on the drainage issues.

Madeira Master Plan – Mr. Moran states that this will be before the Board for the June 9<sup>th</sup> agenda.

Ms. Boyle reported that our IT Department has set up an FTP site which is a File Transfer Protocol site. This means we can post some of these plans on-line. It will be password protected. The general public may be able to access it also.

We are in the process of updating the Comprehensive Plan and want to get public input. We are looking into using the FTP site or Google site and have the public to comment through this site on-line. We thought it would be more efficient since it is hard to get people to come out to a meeting.

Ms. Boyle informed the Board that she is hiring a volunteer planning student this summer to do public outreach and a community-run charette. He will be attending Heritage Days and asking the public what they like about East Providence

Mr. Robinson asked about the Cedar Avenue street abandonment project. Ms. Boyle reported that the City Manager has asked the Conservation Commission to work with

the neighborhood in assisting with the maintenance of that portion of land so that it can be usable open space. She does not think the street will be abandoned. Jim Boyd a member of the Conservation Commission also works with the CRMC and is looking into designating it as waterfront public access.

Mr. Almeida asked about the gas station next to Sunshine Creamery on Roger Williams and North Broadway. Ms. Boyle reported that she had a meeting with Rite Aid and described to them all of the issues, such as drainage that would be associated with it, and they chose not to pursue it. However, she heard that another pharmacy might be interested.

## **6. COMMUNICATIONS**

On a motion by Robinson, seconded by Ms. Moravec, the Board unanimously voted to approve the communications below.

- A. Copy of Notice of Decision, Appl. #2007-15 Minor Subdivision – Tockwotton Home, Map 016, Block 21, Parcel 7, on Waterfront Drive
- B. Copy of Certificate of Completeness dated 4/15/08, 288 Warren Avenue LDP, Applicant: Albertino Milo
- C. Copy of memo to the Zoning Board of Review from the Department of Planning, Re: Requests for Variance or Special Use Permit to be heard on March 26, 2008
- D. Copy of memo to the Zoning Board of Review from the Department of Planning, Re: Requests for Variance or Special Use Permit to be heard on April 30, 2008

## **7. ANNOUNCEMENT**

- A. Next Meeting – **Monday, June 9, 2008**, 7:30 p.m., Room 306;

## **8. ADJOURNMENT**

On a motion by Mr. Robinson, seconded by Ms. Moravec, the Board adjourned at 9:00 p.m.

Respectfully submitted,

Michael Robinson  
Chairman

JMB/sac