

# April 10, 2006 - Regular Planning Board Meeting

## CITY OF EAST PROVIDENCE

### PLANNING BOARD

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#### Minutes of April 10, 2006

Present: Mr. Almeida, Mr. Batty, Mr. Cunha, Mr. O'Brien, Mr. Robinson, Mr. Sullivan, Jeanne Boyle (staff), Patrick Hanner (staff), Chelsea Pierce (staff).

The Board recited the Pledge of Allegiance.

#### 1. SEATING OF ALTERNATE MEMBER

It was noted that Mr. Cunha would be seated until Mr. Almeida arrives.

#### 2. APPROVAL OF PLANNING BOARD MINUTES

- A. Minutes of February 13, 2006
- B. Minutes of March 17, 2006

It was noted the minutes of February 13 and March 17 would be forthcoming.

#### 3. APPROVAL OF PLANNING BOARD CORRESPONDENCE

No correspondence.

#### 4. NEW BUSINESS

The Board unanimously voted to reverse the order of the new business so that they could review the subdivision first and then follow with the Pedestrian Plan.

Mr. Robinson asked about the status of the proposed language that was brought back before the Board about five or six months ago regarding money being put into a fund if someone was electing not to do anything with respect to their sidewalks? Ms. Boyle stated not as yet. The recommendation on that will be part of the final pedestrian plan approval and that this plan will give the Board the backup they need in their decision making process.

Mr. Batty asks who has the authority to do something about people that don't do what they are required to do by us as far as sidewalks go? Ms. Boyle states that we hold a performance bond. They calculate the costs associated with those improvements and if those improvements are not done within a two year

timeframe, we will take enforcement action. Before we sign off on the final subdivision, all of those improvements have to be place. Staff comes back before the Board for the release of those performance guarantees and if the work is not complete, we will not release the funds. She said if there are particular subdivisions where the improvements don't seem to be moving at the pace that we expect, the Board should bring it to the staff's attention and we will follow up on it.

**A. Appl. #2006-02 Minor, 1281-1283 S. Broadway, Applicant: Joseph and Flora Correia, Map 207, Block 27, Parcel 3**

The attorney for the applicant, Monica Horan, distributed a map to the Board as how they want to divide the two lots.

She explained that there is a single family dwelling on Lot #2. The applicant wants to make that a separate lot from Lot #1 that has a two family dwelling on it. Both lots meet all zoning requirements except Lot 2. It was noted that Lot #1 requires relief from the Zoning Board for failing to comply with the minimum lot frontage and width requirement. She noted that her clients, Joseph Correia and Flora Correia are present if the Board has any questions.

Mr. Robinson asks if there are any comments or questions from the Board. Mr. Batty noted that the rear of the property is stated differently on the assessor's maps and site plan. Mr. Hanner said that staff is comfortable with the square footage of the site plan because it is a Class 1 survey.

Mr. Hanner presented the staff recommendation. He said it is a minor subdivision. The applicant is proposing to create two lots. The immediate abutters were notified. It is a single 37,914 square foot lot currently with four structures on the property. The single family dwelling which is 1281 South Broadway, two unit dwelling to the rear of the sight, and a shed. The purpose of the subdivision is to get 1281 South Broadway its own separate parcel. There is no new construction or alteration of any of the existing structures proposed. There are no new utilities. Concrete sidewalks and curbing are present at the site. Variances are required.

This subdivision was previously reviewed as an Administrative Subdivision and the approval was recently granted in January 2006. It came to the Planning Department as an administrative subdivision for the purpose of adjusting a rear lot line because the existing shed to the rear of the lot was encroaching on the property owned by Metacomet Realty. The Zoning Officer noted that 1281 S. Broadway was converted to a two-unit dwelling. Two unit dwellings are a prohibited use in an R-3 District. The Zoning Officer and applicant came to an agreement that there could be some minor modifications done to the dwelling to convert it to a single family dwelling. As of today the applicant has not come in for a building permit, but we have placed as a condition of approval that 1281 S.

Broadway is restricted to single family use and that the Zoning Officer must inspect this property before we issue a final plan approval to determine that the minor modifications were done.

The existing two family was built prior to Zoning in 1967. It was classified as a legal non-conforming use.

The subdivision was reviewed by City staff and all the General Purposes and staff memoranda were addressed and positive findings were found.

#### Delegation of Final Plan Approval

The Planning Department recommends that delegation of Final Plan approval be made by the Administrative Officer.

#### Preliminary Approval

That the Planning Board grant Conditional Approval of the subdivision, as proposed, subject to the following conditions:

1. That any and all required variances be obtained from the Zoning Board of Review, and that a note be placed on the final plan indicating which variances were granted, date of the Zoning Board approval, and recorded book and page of the East Providence Land Evidence Record;
2. That the residential use of the existing dwelling on proposed lot 2 (1281 South Broadway) is restricted to single-family use and accessory uses in perpetuity;
3. That a final plan shows the exact location and type of all utilities, including gas lines which are currently not shown on the plan;
4. That the plan must clarify whether the existing water line located on proposed lot 1 that provides service to 1283 South Broadway is encroaching upon proposed lot 2;
5. That 1281 South Broadway is inspected by the Zoning Officer and determined to be a single-family dwelling;
6. That any outstanding property taxes be paid to date before a final plan approval is granted;
7. That the title block of the Final Plan be revised to indicate Final Plan status;

8. That the Final Plan 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
9. That the proposal shall meet all applicable City, State, and/or Federal regulations and requirements; and
10. 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.

Mr. Hanner also asks that the Board enter into the record the staff's recommendations and a memorandum that came in late Friday from the Director of Public Works noting that he has no comment since there are no utilities proposed.

Mr. Robinson asks if there are any comments.

Mr. Batty asks if the water line will encroach on Lot 1 or Lot 2 and if it cuts that corner. Mr. Hanner states that this is under condition #4 where it states that the plan must clarify whether the existing water line located on the proposed Lot 1 that provides service to 1283 South Broadway whether it is encroaching proposed Lot 2. The surveyor will clarify that. If it is encroaching we will have an easement placed on it. There are also electric lines running down the south property line of the proposed Lot 1 and the surveyor will also identify these electric lines; whether they are telephone, cable or electric. There may be need for easements because of the water line. Also there is a utility pole on proposed Lot 1 providing some sort of utility service to 1281 S. Broadway. Mr. Hanner said that if it turns out to be an issue, it will be addressed at final plan approval.

Mr. Batty asks if we will require the location of that water line. Mr. Hanner said yes. Ms. Boyle said that the surveyor states "approximate water line". When we get more information it may turn out that it does not touch the line.

Mr. Batty explained to the applicant that the reason for the requirement is that if you get two separate lots, you can sell either one as you please. If you sold Lot 1 and there was a problem with that water line going back to Lot 2, if it were on that property, they could not dig on that property legally. If there is an easement location, then they could get to that pipe. This is for the protection of the other neighbors.

Chairman Robinson asks if there is anyone from the public who has a question. There was none.

Motion – Staff Memorandum and attachments

On a motion by Mr. Batty, seconded by Mr. Sullivan, the Board unanimously approved the staff memorandum and made it part of the Board’s official records.

Motion - Subdivision

On a motion by Mr. Batty, seconded by Sullivan, the Board approved the subdivision based upon the submitted application testimony presented to the Board, Planning staff report with all the conditions, and memoranda from various City Departments. All of the General Purposes of Section 1-2 of the East Providence Land Development and Subdivision Review Regulations have been addressed and positive findings were found for all the standards of Section 5-4, Required Findings. It is also apparent that the proposed subdivision is consistent with the East Providence Comprehensive Plan.

Roll Call Vote

Mr. Batty	Aye
Mr. Cunha	Aye
Mr. O’Brien	Aye
Mr. Sullivan	Aye
Chairman Robinson	Aye

Motion – Delegation of Final Plan Approval

On a motion by Mr. O’Brien, seconded by Mr. Cunha, the Board unanimously voted to delegate final plan approval to the Administrative Officer.

Roll Call Vote

Mr. Batty	Aye
Mr. Cunha	Aye
Mr. O’Brien	Aye
Mr. Sullivan	Aye
Chairman Robinson	Aye

At this time, Mr. Almeida arrived and will be resuming his position as a voting member on the Board.

**B. Pedestrian Plan Presentation**

Ms. Boyle explained that this is for the Board's information only because there have been so many discussions by the Board regarding the issue of sidewalks. We had discussed with the Board the need to come up with a pedestrian and sidewalk plan. Patrick Hanner started working on the pedestrian plan and also Chelsea Pierce has also been working for us as a graduate student/planning intern for the last several months. This is very important in the planning world for pedestrian friendly communities. She said that Chelsea has taken aspects of Patrick's study and is using geographic information systems to try to come up with a very logical and analytical approach to the problem.

Ms. Pierce described the Vision Statement and the goals of the Plan as follows:

**Vision Statement:** To establish a framework for the implementation of public and private improvements, in order to provide a safe pedestrian environment throughout the entire City, and therefore increasing the likelihood for the choice of walking and bicycling as a mode of transportation.

In order to achieve this vision, the Planning Department has identified four major goals with subsequent objectives. They are as follows:

**Goal 1:** Identify the areas that are likely to have the highest amount of pedestrian traffic and to identify routes through these areas that are most compatible with pedestrian traffic.

Objective 1a: An existing conditions analysis must be performed in order to identify the pedestrian generators throughout the City.

Objective 1b: A system of rating the pedestrian generators must be implemented to determine areas of highest pedestrian priority throughout the City.

Objective 1c: Pedestrian pathways within the highest rated pedestrian priority areas must then be analyzed for existing walkability.

Objective 1d: A pedestrian route network will then be created which connects the functional destinations throughout the City by identifying the specific right of ways with the highest potential for becoming pedestrian friendly environments.

**Goal 2:** Identify and make recommendations regarding crucial areas and priority projects throughout the City that must be considered before a City-wide pedestrian friendly environment can be achieved.

Objective 2a: A review of the functionality of traffic interaction within the pedestrian route network must be performed to determine

where problems may arise due to inadequate traffic patterns and pedestrian amenities.

Objective 2b: Various solutions must be considered for the identified problem areas, leading to specific recommendations for resolving any pedestrian issues.

Objective 2c: A list of priority projects to be completed by the City must be compiled.

**Goal 3:** Provide design guidelines for physical improvements that will assist in creating a friendly and functional pedestrian realm.

Objective 3: A set of guidelines for pedestrian improvements, including both design and construction standards, as well as the identification of techniques for mitigated various traffic issues must be established.

**Goal 4:** Suggest various methods of implementation that will best bring about the changes necessary to achieve a pedestrian friendly East Providence.

Objective 4a: Current policies, ordinances and procedures must be reviewed to determine where, if necessary, any changes need to be made to ensure the best implementation of the pedestrian plan.

Objective 4b: Techniques executed by other municipalities must be analyzed for appropriateness, and suggestions must be made for implementation of the pedestrian plan.

### Overview of Pedestrian Plan Methodology

The principle behind required sidewalk improvements is increasing the walkability and use of the sidewalks throughout the City. It is the intent of the East Providence Pedestrian Plan to create a truly walkable City. The final pedestrian plan will classify right of ways into four categories: Pedestrian Place, Pedestrian Supportive, Pedestrian Tolerant and Pedestrian Intolerant. Currently, many of the streets within the City of East Providence are Pedestrian Intolerant and it is the goal of the Pedestrian Plan to ensure that every street become at least Pedestrian Tolerant.

### Existing Conditions Analysis

The first step in the creation of the Pedestrian Plan was to analyze the existing conditions of the City as a whole and determine which areas have the highest likelihood for pedestrian travel. This exercise was completed using a Geographic

Information System, where multiple sets of data were inputted to identify the Pedestrian Travel Areas throughout the City. This procedure mapped the locations of the functional destinations and pedestrian generators throughout the City, including high-density residential and neighborhood commercial areas, parks and open space, schools and community centers, churches, public and school bus routes, concentrations of target groups (children, elderly, those who use public transit as a means to work and households without a vehicle), use category and density.

### Priority Identification

It was necessary to create a rating system to identify areas throughout the City which were most likely to induce pedestrian traffic. Points were assigned to each pedestrian generator, taking into account density, distance, frequency and perceived community value. The resulting Pedestrian Travel Areas, were then separated into six categories according to priority.

### Pedestrian Route Network

The next step to be completed for the City of East Providence Pedestrian Plan is to identify a Pedestrian Route Network that runs throughout the City. Pedestrian pathways within the highest rated pedestrian travel areas will be analyzed for their existing walkability. The number of vehicular traffic lanes, posted speed limit, building density, building setbacks, condition and/or presence of sidewalks, location of parking, buffer width and presence of street trees and/or landscaping will be assessed to determine which roadways are the most suitable for becoming useful pedestrian paths. A matrix will then be created for each priority pedestrian travel area with the existing conditions of each right of way. A GIS map, showing the right of way hierarchy will be established for the City, showing the right-of-ways within the highest ranked priority areas. A determination will be made, based on the matrix, as to which right of ways are the most suitable for pedestrian improvements. Based on the matrix, a route network will then be established, linking the functional destinations, such as parks, schools and commercial districts and running throughout the high priority areas.

### Right of Way Classifications

The pathway classification system will then be implemented. The classifications are meant to guide future development toward a level of pedestrian friendliness that is desired for specific right-of-ways. Pedestrian pathways within the route network will be classified as Pedestrian Places. Right-of-ways that are not included in the route network but are within the high priority areas will be classified as Pedestrian Supportive. All other pedestrian areas within the City will be Pedestrian Tolerant.

### Project Recommendations

In order for a pedestrian pathway to be truly a Pedestrian Place or Pedestrian Supportive, it may be necessary to make changes to the right-of-way and traffic patterns. At this point, pathways within the Route Network will be analyzed for their pedestrian potential and specific recommendations will be made regarding the attributes over which the City has control, including the locations of pedestrian crossings, vehicular speed and direction of travel, as well as some landscaping and buffering issues. A list of priority projects will then be established according to the need of each area.

### Design Guidelines and Construction Standards

The next stage will be to review accepted pedestrian pathway design and construction standards, as well as other municipalities' pedestrian plans to produce appropriate design and construction guidelines for use within the City of East Providence. Depending on the topic, it may be appropriate to separate the guidelines by classification to show the level of pedestrian friendliness intended. It will also be necessary to present a general discussion of traffic and pedestrian issues that are not necessarily included in the guidelines.

### Implementation

The final stage in the creation of a comprehensive pedestrian plan is to suggest methods for implementation. This will include a thorough examination of current policy and procedure, as well as other community pedestrian plans for suggested implementation methods. Changes, where necessary, will be made to City ordinances to fulfill the realization of the Pedestrian Plan throughout the entire City.

Ms. Pierce also explained that the first of the pedestrian generators was identified as "Residential Densities" with the highest importance given to high density residential and then moving down to low density residential. She also explained to the Board the areas broken down by neighborhood and large scale commercial, recreational land uses buffered at quarter and half mile distances, libraries, City Hall and municipal centers, religious institutions, East Providence Enterprise Zone, RIPTA bus stops, school bus stops, bike paths, density of elderly persons by census block, density of school age children by census block group, density of persons taking public transit to work, and density of households without a vehicle.

When you apply the different point systems to the maps of the pedestrian generators you come up with top priority pedestrian travel areas (PTAs). The red on the map indicates the most areas in need of pedestrian improvements and then going down through the pink area. The next step was to go through and identify all the roads within the priority areas and do the data collection which

would be the present condition of sidewalks, presence of landscaping, number of posted speed limit etc.

Mr. Robinson asked about the orange sections of the plan. Ms. Pierce said that this is a secondary priority in a 1-6 priority scenario. The red area indicates a high priority. Mr. Robinson asked what this information will do. Ms. Pierce said it can be used by the Planning Board to decide who needs to install sidewalks and who doesn't, and also who would be eligible for certain fees, and also to identify priority projects for the City to complete using City funds. In the end it will be a comprehensive planning tool.

Ms. Boyle explained that this is a framework and to have some rationale basis for a lot of the prioritization is very important. The next level will be to take these maps and apply them to the real world applications that we have whether it is through the neighborhood or school system and make some changes to it. When we develop that whole in-lieu system and knowing where the priorities are we can apply those funds. There will be some adjustments, but it is a unique approach to actually give you that rationale background and we are delighted by the work that Ms. Pierce was able to do on this.

Ms. Pierce noted that part of the next task is to develop a route network through the priority areas in collaboration with DOT and other agencies to identify which roadways we may have missed with the study.

Ms. Boyle noted that one of Ms. Pierce's concerns in the study was that not enough people are walking. Because there may be not enough pedestrian activity at this point, does not mean that that is something that we should accept in the future. As planners we all need to make sure that we will provide that choice to the public. Mr. Hanner noted that the importance of walking is the exercising you would be getting, you're also saving gas.

Mr. Batty asked about the sidewalks that are in place now but need future repair and who would be responsible? Ms. Boyle said that the responsibility of maintenance of the sidewalk is on the property owner. Some of the residents cannot do it, so there are funds through the CDBG fund or using the City's bond issues to improve the streets and sidewalks. When we have new construction it makes sense to put the regulations in place now and to put it in the areas with of the highest need.

Mr. Batty asked if a factory should come in and they don't need a lot of sidewalk area, will we set up some type of in lieu of putting in sidewalks there and a certain amount of dollars would go into a fund? Ms. Boyle said it will be a case by case basis. For example, there was a development on Waterman Avenue where the developer insisted on having no sidewalks because he said no one walks there. The Board insisted on having those sidewalks in place and it turns out that people do use those sidewalks. Most sidewalks should be provided.

The next step will be to find out which routes we are missing under the analysis and find out the problem areas in the City.

Mr. Batty states that we are going in the right direction as far as schools go and churches. Mr. Robinson agreed that this is a good start.

Ms. Boyle states that she went to a public meeting held regarding the Wampanoag Trail at the new library on Bullocks Pt. Avenue and two people complained to her about the lack of pedestrian access to the library.

Patrick Hanner stated we will also be looking at the accident area data. The East Providence Police Department keeps track of all the pedestrian accidents and vehicle accidents by intersection and by block. That data can be made part of the analysis.

## **5. CONTINUED BUSINESS**

### Staff Report

#### A. Land Use Plan

Ms. Boyle informed the Board that she is a member of the State Planning Council who is in charge of preparing the State Land Use Plan. She said that Chief Planner, Diane Feather is also working on it by serving on the State Technical Committee. The new State Land Use Plan is a departure from a lot of the plans that have been done before. The State prepares the guide plans and our Comprehensive plan is required to be consistent with their plan.

The Land Use Plan takes a look at the development trends and issues that have been occurring over the last 10 years. The areas of open space that we enjoy in Rhode Island have been taken significantly over the past 10 years with sprawling development. There is still a lot of open space left, but the Plan is trying to guide the development into areas where the infrastructure is already present and where you can conserve open space. If the State Guide Plan is approved it will influence where state or federal money goes for issues for funding, transportation improvements, infrastructure improvements, housing, as well as recreation and open space.

Ms. Boyle noted that the draft Land Use Plan is on-line at the state's website for review. It has gotten a lot of support from GrowSmart Rhode Island where they are trying to preserve the open space. It has also gotten a lot of support from some of the urban communities. She said that if we continued to grow as currently with large lot zoning in the rural areas, there will be no rural areas left in the State of Rhode Island within the next 20 years. The Plan is proposing an urban growth boundary where most of the development that is proposed to be

continued in the future is concentrated within the areas that are already development and the rural areas will be kept in a more pristine fashion.

Mr. Hanner explained that the Plan makes the assumption that there is a trend now for the last eight years in vesting and within City's within densely populated areas. In Providence we see developers investing in the mill buildings and there are large scale developments being proposed in very densely populated areas. This Plan makes the assumption that this an existing trend and it will continue. That is why they have targeted these areas that are already high density residential commercial as growth areas.

Mr. Batty asked what happens if you own 1,000 acres and want to put 1,000 homes on each individual lot. Ms. Boyle states that State Guide Plan does not tell anyone what to do with their property; but that would be the individual city or town reviewing it with their Comprehensive Plan. If you need to put a new road in the development, then the State would get involved and possibly say that this development should be more concentrated in one of the villages associated with it.

Mr. Hanner noted that all the DEM grants that are written always ask that you identify how the proposal is consistent with either your local Comprehensive Plan and the State Guide Plan.

## B. Affordable Housing

Ms. Boyle gave a brief overview of the Affordable Housing Plan. She said the Plan is becoming a huge issue in this state. It's almost impossible for middle income persons to afford a house. The median income for a family of four in the State of Rhode is \$76,000 a year. You would find that the vast majority that work for the City of East Providence are not making \$76,000 per year, presuming that there is not two incomes. 80 percent of that is about \$58,000 per year. A family of four making 58,000 per year would be considered eligible for affordable housing. They could afford a house price of between \$155,000 to \$215,000. The median house price in the City of East Providence is \$260,000. We need to provide affordable housing for everyone. It has implications not only for the quality of life here, but also for economic development. One of the issues that they are encountering is that a lot of the business that the Economic Development Corporation is trying to relocate to the State of Rhode Island they are concerned about getting employees because there is no place where they can afford to live.

Mr. Hanner stated that in the past you would think of affordable housing as someone being on Section 8. Salaries are not keeping up with the prices of housing. If you're not making a salary of \$62,000, you cannot afford to buy a home.

Mr. Cunha asked about the affordable housing program that the City had a few years back.

Ms. Boyle said that the non-profit that we had in place through the East Providence Neighborhood Services probably did not have the administrative capability to do what they wanted. It is very difficult to build homes and keep it affordable. That organization was funded through CDBG funds and other sources and were not able to keep their administrative costs where they needed and to actually produce the units. She noted that the affordable housing resource guide has a lot of non-profits that have the system down.

Ms. Boyle said that the Waterfront District Plan requires that 10 percent of all of the housing be affordable. It mandates that the developer's do it themselves. There is a 75 million dollar bond issue that will go before the voters in November to provide partial financing so that we can start to see more of the affordable housing created.

The Board then discussed the high rents in East Providence in some of the tenements and agreed something needs to be done.

## **6. COMMUNICATIONS**

There were no communications.

## **7. ANNOUNCEMENT**

A. It was announced that the next meeting is **May 8, 2006, 7:30 p.m.**, Room 306

## **8. ADJOURNMENT**

The meeting adjourned at 8:45 p.m.

Respectfully submitted,

Michael Robinson  
Chairman

JMB/sac