

June 13, 2005 - Regular Planning Board Meeting

CITY OF EAST PROVIDENCE

PLANNING BOARD

MINUTES OF JUNE 13, 2005

Present: Messrs. Almeida, Batty, O'Brien, Gerstein, Sullivan, and Patrick Hanner (staff).

Mr. Batty chaired this meeting since Chairman Michael Robinson was unable to attend.

1. SEATING OF ALTRNATE MEMBER

Mr. Gerstein was seated in place of Mr. Robinson who was not in attendance.

2. APPROVAL OF PLANNING BOARD MINUTES

On a motion by Mr. O'Brien, seconded by Mr. Sullivan, the Minutes of May 9, 2005 were approved and made part of the Board's official record.

Mr. Almeida abstains from voting because he was not in attendance at this meeting of May 9.

3. APPROVAL OF PLANNING BOARD CORRESPONDENCE

There was none.

4. NEW BUSINESS

A. Release of Improvement Guarantee – Appl. #2004-08 Minor, 75 Tab Avenue, Applicant/Owner: Robert L. Glaude

Mr. Hanner explained that this subdivision appeared before the Planning Board on May 10, 2004. It was a two-lot subdivision on Tab Avenue. The Planning Board required the installation of granite curbing which was done that included granite bounds and curb returns. The property was inspected by the Department of Public Works and Planning Department. The installation has been installed to City standards and the Planning Department requests that the Planning Board release the full amount of the improvement guarantee, which is \$7,400, currently held by the City.

On a motion by Mr. O'Brien, seconded by Mr. Sullivan, the Board voted to accept the staff recommendation to release the bond for this subdivision.

B. Application #2004-16 Minor, applicant/Owner: Rose Bezigian, 197 Sutton Avenue, Map 205, Block 12, Parcels 37 and 38

Attorney for the applicant notes that the applicant is proposing two rectangular lots and that there is certain zoning relief that is required. There is an existing two-family home on Wilmot Street to which they are proposing a single-family home on the other lot. The two-family will be on a lot of approximately 6,500 square feet. This will make it more consistent with the lots in the area and avoid having an abandoned for an unused portion or block. Additionally there is some side yard relief, but that only comes into play because of the existing garages. There are two garages at present at the existing house. The applicant notes he will install sidewalks in the front of both lots and the curbing will continue.

At this time, Patrick Hanner went through the staff recommendation.

He stated that this is a minor subdivision on existing frontage. The application was determined to be complete and a COC was issued on May 10, 2005. He noted there are no newspaper advertisings for a minor subdivision on existing frontage. Currently at the site there is a two-family dwelling on Parcel 37. The applicant is proposing to subdivide and create two rectangular lots for the purpose of creating a single-family dwelling.

Mr. Hanner noted that Parcel A is proposed at 6,315 feet and Lot B is proposed at 6,225 feet. Lot B meets all zoning requirements, but Parcel A will require a dimensional variance for not complying with the minimum five (5) feet for accessory structures and a use permit for exceeding the area requirement for a two-family dwelling located in a R-6 district. The zoning ordinance requires five feet for all accessory structures including garages. The applicant is proposing a garage to be located at 3.29 feet from the property line. Mr. Hanner stated that the Zoning Officer has determined that the existing two-family dwelling will require a use variance. He noted that two-family dwelling units are an allowed use in an R-6 District provided that there is a minimum lot area of 7,500 square feet. Lot A is proposed at 6,315 feet.

Present on site is granite curbing for the entire length of Parcel 38, sidewalks are not present. The applicant is proposing to install concrete sidewalks for the entire frontage of proposed lots A and B.

Mr. Hanner stated that Planning staff found that this subdivision is consistent with the Comprehensive Plan as well as the Land Use 2010 Plan. All the General Purposes of Section 1-2 have been addressed and positive findings have been found for Section 5-4. Mr. Hanner also noted that this subdivision was originally proposed as an L-shaped parcel for Lot A. Lot A was originally proposed as a 7,800 square foot L-shaped parcel which exceeded the threshold of the minimum 7,500 square foot area requirement for a two-family located in a R-6 district. The Planning Department suggested to the applicant to create two rectangular parcels, which is more appropriate with the intent of zoning and the land use regulations.

RECOMMENDATION

Mr. Hanner notes that the Planning Staff is first recommending that the Planning Board delegate final plan approval to the Administrative Officer and also recommends that the Planning Board grant conditional approval of the subdivision as proposed subject to the following nine 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 proposed dwelling on Lot B be restricted to single-family use and accessory uses in perpetuity;
3. 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;
4. That any outstanding property taxes be paid to date before a final plan approval is granted;
5. That granite bounds be installed at the two property corners of Lot B along Sutton Avenue;
6. That the title block of the Final Plan be revised to indicate Final Plan status;
7. 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
8. That the proposed shall meet all applicable City, State, and/or Federal regulations and requirements;
9. 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 at this time requested the Board to enter the staff memorandum into the record.

Motion

On a motion by Mr. O'Brien, seconded by Mr. Sullivan, the Board voted unanimously to make the staff report part of the Board's official record.

Roll Call Vote

Mr. Almeida	Aye
Mr. O'Brien	Aye
Mr. Gerstein	Aye
Mr. Sullivan	Aye
Chair. Batty	Aye

Mr. Sullivan asks the applicant to clarify that the homes will be single-family. They answered yes they would be single-family and not duplexes.

There were no other questions of the Board.

Motion – Final Approval to the Administrative Officer

On a motion by Mr. O'Brien, seconded by Mr. Sullivan the Board unanimously voted to delegate final approval of this subdivision to the Administrative Officer, Jeanne Boyle.

Mr. O'Brien moves that the Board grant conditional approval of the subdivision as proposed subject to the nine conditions above that were read into record previously. That it is based upon findings that the subdivision is consistent with Section 1-2 of the General Purposes and further that Positive Findings on all applicable standards as listed in the Planning Staff memorandum of June 8, 2005 and is consistent with the East Providence Comprehensive Plan and the Zoning Ordinance.

Motion was made by Mr. O'Brien, seconded by Mr. Sullivan

Roll Call Vote

Mr. Almeida	Aye
Mr. O'Brien	Aye
Mr. Gerstein	Aye
Mr. Sullivan	Aye
Chair Batty	Aye

5. CONTINUED BUSINESS

A. Staff Report

Mr. Hanner informed the Board that the City received an award given by the Environmental Business Council for Brownfield Project of the Year for the Ocean State Steel (GeoNova site) remediation of the site. This was a regional award for all of New England.

6. COMMUNICATIONS

A. Copy of memo dated 5/18/05 to the Zoning Board from the Planning Department regarding the May 25, 2005 requests for variance or special use permit.

7. ANNOUNCEMENTS

A. Next Meeting – July 11, 2005, 7:30 p.m., Room 306.

Mr. Almeida at this time, requests the August 23, 2004 minutes of the Board's meeting regarding Rutland and Mason Street subdivision. He informed the Board that the neighbors are complaining that there are big rocks where there should be curbing. Mr. Hanner stated he would get Mr. Almeida a copy of those minutes and states he will drive out there and look into it.

8. ADJOURNMENT

The meeting adjourned at 8:30 p.m.

Respectfully submitted,

Burton Batty

BB/PH/SAC