

August 20, 2002 - Regular Planning Board Meeting

CITY OF EAST PROVIDENCE

PLANNING BOARD

MINUTES OF AUGUST 20, 2002

Present: Messrs. Almeida, Cunha, Gerstein, O'Brien, Poland, Robinson, Sullivan, Diane Feather (staff), James Moran (staff), Patrick Hanner (staff) and Assistant City Solicitor Greg Dias.

I. I. SEATING OF ALTERNATE MEMBER

II. II. APPROVAL OF PLANNING BOARD MINUTES

On a motion by Mr. Sullivan, seconded by Mr. Robinson the Board voted unanimously to accept the minutes of June 11, 2002.

It was noted the minutes of December 2001 and February 12, 2002 would be forthcoming.

III. III. APPROVAL OF PLANNING BOARD CORRESPONDENCE

On a motion by Mr. Sullivan, seconded by Mr. Robinson, the Board unanimously voted to accept the correspondence listed below and make it part of its official record.

A. Memo dated 6/13/02 to the City Council, Re: "Proposed Modification to Previously Approved Planned Unit Development – former Edmund Place Nursing Home, Applicant: Hamlet Court Real Estate, LLC, Joseph Ruggiero, Manager.

On a motion by Mr. Sullivan, seconded by Mr. O'Brien, the Board unanimously voted to accept the correspondence listed below and make it part of its official record.

B. Memo dated 6/13/02 to the City Council, Re: "Proposed Zoning Ordinance Amendments".

IV. IV. NEW BUSINESS

A. **Donation of Land Along the Runnins River**, Map 709, Block 2, Parcels 1 and 1.1 (enclosure);

Ms. Feather stated that Planning Director, Jeanne Boyle and City Solicitor Bill Conley are both on vacation and will not be attending the meeting tonight. Instead Assistant City Solicitor will fill in for the City Solicitor. She noted that Patrick Hanner would be making the presentation and that Conservation Chairman, Paul Capaldo is also in attendance.

Mr. Hanner stated that it a long-term goal of the City is to create an uninterrupted greenway along the banks of the Runnins River from Rt. 6 in Seekonk to the Osamequin Wildlife refuge in Barrington. Such a greenway will provide habitat for numerous types of plants and animals and some day will be developed for passive recreation in the form of nature trails. The two parcels are located east of the Wampanoag Trail and the intersection of Mink and River Roads. The parcels are currently owned by Leonard on Map 709, Block 2, Parcel 1 which is 2.55 acres and the smaller parcel, Map 709, Block 2, Parcel 1.1 consists of 10,183 square feet. The acquisition of these two parcels by the City would result in an insignificant loss of tax revenue. Little or no maintenance would be required by the City and therefore the Department of Planning recommends that the Board approve these donations of land.

Paul Capaldo, Chairman of the Conservation Commission, 72 Circuit Drive, Riverside, was sworn in by Assistant City Solicitor Greg Dias. He notes that the City's Comprehensive Plan identifies the Runnins River as areas of high interest specifically for obtaining properties for conservation purposes. He noted that this acquisition is a bigger part of this program to obtain land. The City recently acquired property south and east of this donation and we are actively pursuing two other donations of land along the Runnins River which falls close to the property. He noted he is very excited about this, and plans on pursuing land donation with other property owners in the area.

Chairman Poland asked if there were any comments from the Board.

Motion

On a motion by Mr. Almeida, seconded by Mr. Robinson, the Board unanimously voted to advise the City Council to approve the donation of these two parcels of land; Map 709, Block 2, Parcels 1 and 1.1.

Roll Call Vote

Mr. Almeida	Aye
Mr. O'Brien	Aye
Mr. Robinson	Aye
Mr. Sullivan	Aye
Chairman Poland	Aye

B. Rezoning request of David Enos, 149 Cadorna Street from R-4 to C-5, Map 305, Block 1, Parcel 3;

Assistant City Solicitor Dias noted that Attorney William Maia is here representing Mr. Enos and noted that he (Mr. Dias) was recusing himself and would not be participating in this discussion, so the Board will rely on staff if there are any questions.

Ms. Feather gave a brief presentation. She noted the Board has copies of the zoning maps that were prepared for the Board's consideration.

Ms. Feather noted to the newest members of the Board that the zone change is a matter that is reviewed and approved by the City Council in East Providence. As Planning Board members you make an advisory recommendation to the City Council. The Public Hearing is not here at the Planning Board meeting, but at the City Council level. She noted it is advertised through a display ad in the Providence Journal and any property owner within a 200-foot radius receives direct certified mail notification from the City Clerk's Office, to which they can make comments at the public hearing.

Ms. Feather noted that the petition for the zone change was submitted with the packed of information submitted to the Board. The petition notes that there is a pre-existing automotive repair use that at some point was established in the structure that is located on the property. The petition also indicates that they wanted to request a zone change that would allow that use to continue, and therefore sought the C-5 designation.

Ms. Feather recommended that the Board enter the staff memo into the record. Ms. Feather explained some of the site particulars. It is a corner lot with frontage on Cordona and Clemenceau Streets. It is 8,000 square feet, and the rezoning to C-5 would make it conforming by use, but it would become non-conforming dimensionally because it does not have the minimum 10,000 square foot lot area that is required for the C-5. Ms. Feather identified the adjacent land uses. There is a pizza shop and a bar on C-2 property to the east, vacant property to the south. On the north side of Cordona Street there is a parking lot associated with a restaurant and a bar located on that corner. Land uses to the south along Clemenceau and Pershing Streets include auto bodies, vehicle-towing recovery and auto storage manufacturing and an architecture supply warehouse. Residential land is on the corner across the side (Clemenceau) Street.

Ms. Feather noted that staff in reviewing this was faced with the question of what is the appropriate zone for this property. If we had a vacant piece of land that did not have any building or history on it, that the preference would be to go to a lower order of commercial zoning district, which would provide you with buffer between the commercial on North Broadway and the residential uses that start up as you go down Cordona Street. We have a property owner who has indicated that they want to continue with the existing automotive repair use; that they want to make that a conforming use rather than a non-conforming land use. Based on the lot size, the petition, and proximity to other uses, staff recommended the zoning be changed to C-5, but impose some conditions on that rezoning to C-5.

Ms. Feather handed out copies of the Schedule of Uses for the Board on which staff identified some of the uses allowed in a C-5 that staff feels are not appropriate to this parcel particularly considering that it is undersized lot, and the proximity to residential uses and considering that it is a side street and not on a principal or arterial street. Under the C-5 schedule dated 1998 it is noted that motor vehicle sales, trailer, drilling supplies, boats and machines, restaurant, gasoline station, and retail sales et al are all uses that are uses which are permitted as of right in a C-5 that staff had some concern that if we just did a blanket rezoning to C-5 to any commercial use, then we would be opening up that property to some uses that might not be appropriate given its size and proximity to residential.

Ms. Feather noted that some other uses such as restaurants and retail sales would have dumpsters, there may be odors or noises and extended hours associated with the site that would not be associated with the existing use and would have negative impact on the nearby residential uses. Ms. Feather also distributed Section 19-76 of the Zoning Ordinance which indicates the City Council's prerogative in imposing limitations, conditions and restrictions on the zoning. Under 19-76, the City Council may limit the change to one of the permitted uses in the zone to which the subject land is rezoned and may impose such limitations, conditions and restrictions including without limitation requiring a petitioner to obtain a permit or approval from the state agencies or other governmental agencies; conditions relating to the effectiveness or continued effectiveness of the zoning change (this relates to the reverter clause) and may impose limitations, conditions and restrictions relating to the use of the land as deemed necessary. She told the Board that zone changes are usually associated with new development, and the site plans will show drainage and landscaping, and other site improvements. Staff saw this as an opportunity to look at this property and the landscaping and see if something more could be done to try to screen the automotive use from the nearby residential use.

Staff recommends conditional approval with the following conditions:

1. That there be no expansion of the existing building either in footprint or a second story expansion beyond the current 1400 sq. ft. size;
2. That there be no curb cuts and driveway access from the Clemenceau Street side of the frontage (to limit any curb breaks to the Cadorna Street side of the frontage);
3. That a screening and landscape buffer be installed along Clemenceau Street subject to the review and approval of the Zoning Officer;
4. That the rezoning shall be specific to this automotive repair shop use only;
5. That there be no on-street parking for this use on the adjoining City streets; and
6. That the property shall revert to the Residential-4 zoning should any of the above conditions fail to be met.

Ms. Feather stated that the Planning Department recommendation is advisory based on our review of the Comprehensive Plan and the Zoning Ordinance. The Board's recommendation to the City Council is advisory and it is the Planning Board's decision as to what the conditions you choose to agree or not agree on.

Attorney William Maaia, Warren Avenue, East Providence is sworn in.

He noted this property was an eyesore and his client has cleaned it up immensely and has received congratulations from the neighbors. He said that the likelihood that anyone would build anything residential on that piece of commercial property is highly unlikely. He notes that the Planning department did an excellent job in scrutinizing the petition and has done an ambitious job in its deliberations. He states that you cannot accomplish the C-5 use because the conditions of approval for this particular area are in somewhat overkill. Some of these conditions are acceptable such as the landscaping. It is now a residential property with a nonconforming use without conditions, but why would you want to put more conditions on the property? He feels this is a contradiction. He said with the conditions the Board would be limiting his rights to the possibility of putting something in there that was appropriate under a C-5 District.

Mr. Maaia asks that the Board review this carefully for what it isn't and not so much as what it is. He notes that he understands that staff is protective of areas in this neighborhood and other parts of the City, but should consider the fact that the petitioner is improving the property. The reverter clause would not even bring the property back to what he has now, residential property. He asks that the Board, when they make the recommendation that you see it as an approval to what the petitioner is asking for and not the conditions stipulated. He asks that the Board be understanding as to what the intent was.

Mr. Sullivan asked Attorney Maaia if the petitioner operates a business there now? He answered yes. The petitioner was there before the Zoning Ordinance. Mr. Sullivan asked what the petitioner is doing now and what he wants to with the property. Mr. Maaia said he is limited right now to just fixing the place up and is getting his business ready such as landscaping and cleaning. Mr. Sullivan asked why the petitioner wants to go to a C-5 District? Mr. Maaia answered that right now it makes sense for the petitioner when purchasing the property to get the most broad use that he can not only for his current business, but for any expansion he might want to make on the other lot. Going to a C-5 will give my client more potential use for the property in the future. Mr. Maaia stated he would request that the Board not vote tonight if the vote would be to accept the staff recommendation.

Chairman Poland stated he is familiar with the property and the building behind the property was a mess. He states he did not realize the property was zoned R-4. The building has been there forever and it seems it was zoned improperly at the time. It should have been zoned C-2 or C-5 and not R-4 when the City adopted Zoning in 1966. There use to be a mill across the street with a body shop and Daisy Mays Restaurant was

next to it. It should have been C-2 with the automotive repair place being in there as a non-conforming use in C-2 rather than R-4. He said when he read the petition it made sense to him because the property next to it is vacant and these two pieces of property could not be merged together without going to the Zoning Board for any type of use because of the R-4 Zoning on the present lot. When I read the recommendations, if this is going to be the way that this is going to go through, then the petitioner should probably withdraw because he is going to have more restrictions on it when he is done then when he has going in to this and will not be gaining anything. Mr. Poland understands the staff concerns that this street is a residential street going in. There are regular business across the street and is a mixed area, but cannot see making it into entirely limited to an automotive use that it is now and then put the restrictions on that it cannot ever be changed or added to. He asked Ms. Feather is there was some other way that staff could restrict it? He said he does not see anything wrong with a restaurant or retail sales on that corner if it encompasses both lots. I can see not putting a gas station there, but limiting it to the one use that is there is too restrictive on the owner for the request that he wants. And if that is the way it is, then I would be voting against it because I do not think the Board should grant it as recommended.

Ms. Feather states that staff had a petition that was presented to us that was very clear what it requested an automotive repair use that would like to become a conforming use, therefore they asked for a zone change to a district to which this use is permitted, which is a C-5. In defense of staff, she noted that we did not look to confine this petition. This petition came in and stated it was their intent to make the automotive repair use conforming. She feels there is motivation and purposes beyond what is noted on the petition. She states she agrees Chairman Poland that assembly of this parcel and merging it with the other parcel and looking at a DPR or LDP on some kind of use makes sense, but noted staff does not have the ability to do that right now. We are looking at this piece of land which exists as an 8,000 sq. ft. lot and do I want to recommend to the Board that we rezone it to C-5 without any limitations.

Ms. Feather noted that based on the proximity to residential use, based on the type of street that this is, the lot which exists right now does not have frontage on North Broadway, it has frontage on the two side streets. Do we want to continue the C-5 use? At some point you have to draw the line. She stated the sale of autos is not permitted on this premises right now if he decides to do this. If he decided to do this separate and apart from a zone change and go for a use variance, the Zoning Officer would look at landscaping and the perimeter buffer. If they were to expand this use in this way, they must go for a use variance and maybe some dimensional variances. Landscaping and buffering would come into play and either they would have to provide them or get a variance before the Zoning Board.

Chairman Poland states this is an undersized lot for a C-5 and any use changes would have to come before the Zoning Board.

Chairman Poland asked Ms. Feather if it would limit them from going to the Zoning Board the way the stipulations are noted and asked if it were to be combined with

another piece of property making it a larger piece of property, could all the stipulations be removed? Mr. Poland asked if the petitioner plans on selling automobiles from this property in the future. Attorney Maaia stated the petitioner really does not know as yet.

Ms. Feather states she thinks the Zoning Officer would looking at that and make some kind of determination and the applicant would be able to appeal the Zoning Officer's decision. She stated we were trying to provide the petitioner with what we thought he was look for to operate the existing automotive repair shop as a conforming use, rather than a non-conforming use and that is what staff thought we were accomplishing with the recommendation. Mr. Poland stated he is a legal non-conforming use right now.

Mr. Sullivan asks that this be deferred to the next meeting. Mr. Poland agrees and asks that staff come up with a list of uses that we could limit it to rather than just the existing use. Ms. Feather asked Attorney Maaia if that is an exercise that he would want to engage in with staff or whether a C-5 without limitation was what the client was ultimately looking for. Mr. Maaia agreed to have it deferred to the next meeting.

Motion

On a motion by Mr. Almeida, seconded by Mr. Sullivan, the Board voted to defer making a recommendation to the City Council until the September 10th Planning Board meeting.

Roll Call Vote

Mr. Almeida	Aye	
Mr. O'Brien	Aye	
Mr. Robinson		Aye
Mr. Sullivan	Aye	
Chairman Poland	Aye	

C. Request to Purchase City-Owned Property by Mr. Thomas Bezigian - Map 205, Block 12, Parcel 38 behind 197 Sutton Avenue;

Mr. Sullivan asked if a person wants to purchase property, are the abutters informed as to whether to make a bid? Ms. Feather explained that the disposition of City property is a City Council action so any notification would come from the City Clerk. The Planning Board makes an advisory recommendation to the City Council.

Mr. Dias states that the recommendation of the Board is only to recommend whether the property is to be sold or not; who it gets sold to would be a different issue. The procedure is that someone actually makes a request from a list of property that the City has available and this individual then made a request to the City to purchase it. Ms. Feather told the Board their consideration of this is property is to ask if it has any public purposes to the City, such as are there any utilities, storm drains, sanitary sewers on it, and if not, then is there any reason to hold on to this property and keep it off the tax rolls?

Ms. Feather stated it is a landlocked piece of property that is 2,540 square feet. Ms. Feather stated she did not know how the City originally acquired this property.

Ms. Feather noted that the recommendation of the Capital Facilities Committee which looked at City property and designated whether it should be declared surplus and sold or not was that it does not have a public purpose and should be sold. The City Assessor will do an appraisal and the City Solicitor will do negotiations on this. Ms. Feather stated for the record that the person interested in acquiring it is interested in subdividing it. She stated that in no way are we conceptually endorsing any subdivision as part of this. The person would have to go through the subdivision process and if there were any dimensional problems relating to zoning, he would have to petition for zoning variances. The property owner who is interested in this piece of property also owns Map 205, Block 12, Parcel 37 which has an existing structure. She noted that the staff memorandum did have a typographical error in it. In the first paragraph, the last sentence, which states: “there is an existing single residence, it should read *multi family* residence”. The City Solicitor, Finance Director and Director of Public Works have all reviewed the proposal and have no objections.

Motion

On a motion by Mr. Sullivan, seconded by Mr. O’Brien, the Board voted to recommend to the City Council that at price to be set by the City Assessor and negotiations by the City Solicitor to put this parcel up for sale to anyone interested in purchasing it.

Roll Call Vote

Mr. Almeida	Aye
Mr. O’Brien	Aye
Mr. Robinson	Aye
Mr. Sullivan	Aye
Chairman Poland	Aye

D. Appl. #2002-10 Administrative Subdivision – Eye Health Visions and Francis A. Rose

Ms. Feather noted that Zachary Gordon had prepared the staff recommendation, but was not able to attend the meeting this evening. Both applicants were in attendance.

Ms. Feather explained this is a transfer of 6,933 square feet from one piece of property to an adjoining property. The adjoining piece of property has gone through development plan review process, and received approval for the construction of Eye Health Vision Centers. It will enlarge that adjoining parcel. It would reduce the size of the residential property that fronts on Baldwin Street, which is owned by Mr. Rose. There are two garages shown on the plan that are proposed to be demolished. The Zoning Officer has commented on these. It requires a dimensional variance from lot

depth for the depth of the Baldwin Street lot. This is on the Zoning Board agenda for August 28th. As noted in the memorandum, the Board must look at the required findings listed in Section 5-4 of the Regulations and Mr. Gordon has gone through each one of those and indicated compliance with all the required findings subject to the petitioner obtaining the zoning variance for lot depth.

Ms. Feather noted that staff is recommending approval on this administrative subdivision conditional to the items noted on page 4: revision to the title block; that the final plans need the requirements of the Subdivision Review Regulations, that they obtain the Zoning Board variance;

That the existing two-family use of the property located on parcel 9, which is the Baldwin Street property, be abandoned and that the property be dedicated to single-family use which has been agreed to;

That the existing detached garages would also be demolished.

Ms. Feather explained that this is administrative and typically those are handled at staff level by the Administrative Officer (Planning Director), however, this does require a zoning variance and Ms. Boyle opted to refer this to the Planning Board for review. An Administrative Subdivision does not result in any net new lots for buildings. It is just a change of a lot line where you are taking about 6900 sq. ft. from parcel 9, Baldwin Street frontage and merging it into the larger parcel that is proposed for the Eye Health Vision Centers.

Comments from public

Mr. Steven Cabral, Crossman Engineering, 151 Centerville Road, Warwick, RI was sworn in. Mr. Cabral stated that Mr. Rose's lot is the only one of ten lots fronting on Baldwin Street whose lot extends 77 feet further to the rear. It juts into the property owned by Eye Health Vision and is surrounded on all three sides by asphalt. He states that the subdivision would create a new rear property line for Mr. Rose's property that is the same depth as the adjoining lots and the excess property would be conveyed to the Eye Health property.

Mr. Cabral stated he agrees with all the staff stipulations and that he will obtain the Zoning Board approval. Also that he agrees that the existing two-family house on Baldwin Street is going to be a single-family house and the existing garages will be demolished.

There were no more questions.

Motion

On a motion by Mr. Sullivan, seconded by Mr. O'Brien, the Board voted unanimously to approve the conditional final approval of this administrative subdivision subject to all the stipulations in the staff memorandum.

Roll Call Vote

Mr. Ameida	Aye
Mr. O'Brien	Aye
Mr. Robinson	Aye
Mr. Sullivan	Aye
Chairman Poland	Aye

E. **Appl. #2002-12 Minor, Blanding Avenue Subdivision**, Map 205, Block 18, Parcel 11 (enclosures)

Ms. Feather explained that this subdivision was reviewed by Patrick Hanner who will be making the staff presentation recommendation.

Mr. Hanner explained that the applicant is proposing a two-lot subdivision on existing City streets. This is a minor subdivision on existing frontage. There are two stages of review, preliminary and final. The applicant is asking for preliminary approval tonight. The Planning Board may vote to delegate final plan approval to the Administrative Officer. The Board must make a decision within 65 days of the issuance of the Certificate of Completeness which was issued on July 23rd. There is no advertising required for a minor subdivision on existing frontage. Notice was mailed to the abutters by certified mail.

Mr. Hanner stated there is a single family residential dwelling located on a single lot on Map 205, Block 18, Parcel 11. It is 10,446 square feet. The applicant is proposing two lots; Lot one is shown on the plans consisting of 5,000 square feet and Lot 2 which consists of 5,446 square feet. The property is zoned R-6 and requires a minimum lot width of 5,000 square feet. Dimensional requirements are as follows:

Minimum lot width 50 feet, minimum lot depth 100 feet, front setback 15 feet, rear setback 20 feet and side setback is 8 feet. Stormwater and gas utilities are available to existing parcels and currently connected to the existing structure located on proposed Parcel 1. Sidewalks and curbing are present along this section of Blanding Avenue. Staff recommends the installation of curbing and sidewalks along the frontage of this subdivision. The Land Use 2010 Plan designates this area as Medium Density Residential which allows the residential development of density of up to 15 dwelling units per acre. This subdivision is consistent with the Land Use 2010 Plan designation. The preliminary plan complies with all the Zoning requirements. In addition, the lots are serviced by sewer, water and gas and there appears to be no negative environmental impacts from the proposed subdivision. There appears to be no physical constraints in development. The two proposed lots have physical access to Blanding Avenue. Surface runoff would be to over land infiltration on site and the proposed subdivision does not impede circulation of pedestrian and vehicle traffic. Since sidewalks and curbing are present along Blanding Avenue presently, staff recommends the installation of sidewalks and curbing.

Staff recommends that the Planning Board give final plan approval to the Administrative Officer;

That there be installation of sidewalks and curbing;

That the Board grant conditional approval of the subdivision as proposed subject to the following conditions:

1. That the parcels be restricted to single-family use forever and accessory use in perpetuity and that a note be placed in the final plans;
2. That the proposed drainage easement located the eastern property line be granted to the City for access to maintain the existing 12 inch clay drain lane and in addition that the easement must be recorded by the applicant before final plan approval;
3. That the Title Block of the Final plans be revised to indicate the final plan status;
4. 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 Regulations; and
5. That the proposal meet all applicable City, State and Federal Regulations and requirements.

Mr. Hanner distributed pictures of the property to the Board. He notes that the pictures depict the sidewalks along Blanding Avenue in proximity to the subdivision proposed.

Motion

On a motion by Mr. Sullivan, seconded by Mr. Almeida, the Board unanimously voted to make the pictures distributed part of the Board's official records.

Mr. Vernon Barboza, East Providence was sworn in. Mr. Poland asked if Mr. Barboza has seen the Department's recommendations and if he agrees with them. He stated yes. Mr. Poland noted to the applicant that he cannot put up any structure on top of the easement area wherever it is located. It is a 10 foot wide easement that runs along the property line. Mr. Barboza agreed.

Chairman Poland asked if there were any questions by the Board. There were not.

1st. Motion

On a motion by Mr. Almeida, seconded by Mr. Sullivan, the Board voted to require the installation of sidewalks and curbing;

Roll Call Vote

Mr. Almeida	Aye
Mr. O'Brien	Aye
Mr. Robinson	Aye
Mr. Sullivan	Aye
Chairman Poland	Aye

2nd Motion

On a motion by Mr. Almeida, seconded by Mr. Sullivan, the Board voted to grant conditional approval of the subdivision as proposed subject to the five stipulations of the staff recommendation.

Roll Call Vote

Mr. Almeida	Aye
Mr. O'Brien	Aye
Mr. Robinson	Aye
Mr. Sullivan	Aye
Chairman Poland	Aye

3rd Motion

On a motion by Mr. Sullivan, seconded by Mr. Almeida, the Board voted to delegate final plan approval to the Administrative Officer.

Roll Call Vote

Mr. Almeida	Aye
Mr. O'Brien	Aye
Mr. Robinson	Aye
Mr. Sullivan	Aye
Chairman Poland	Aye

F. Appl. #2002-13 Minor, Catamore Holdings Inc. Subdivision, Map 608, Block 3, Parcel 1;

Attorney Christine Engustian, One Grove Avenue, East Providence, RI was sworn in.

Ms. Engustian explained that in regard to the preliminary plan for subdivision that is presently before the Board, I represent both William E. Anderson, President of

Catamore Holdings Inc. which owns the subject property located at 1 Catamore Boulevard. The property is located on Map 608, Block 3, Parcel 1 and is more commonly referred to as the site of the former Catamore Jewelry Factory. The parcel is over six acres and is located in an I-3 District. The applicant proposes to subdivide the property into two lots. These plans with conjunction with the landscaping plan prepared reflects how the proposed subdivision meets the requirements of the City's Zoning Ordinance and the Land Development and Subdivision Review Regulations. The lot designated on Stanley Engineering's plan is Lot 1 has no proposed use and therefore no footprint of the building is shown on these plans. Lot No. 1 which is under two acres meets the required lot area with in depth as shown on the Zoning Schedule located in the lower left corner of the proposed parking plan.

Ms. Engustian stated that the owners intention is to market this lot for future development if the subdivision is granted. Any future development would be subject to applicable City review. The lot designated on Stanley Engineering's plan is Lot 2 which contains the existing occupied building which is 65,000 square feet. Ms. Engustian stated she reviewed the parking and landscaping requirements and the proposed subdivision plan for the City's Zoning Officer who is confident that the subdivision as proposed, would not create any violations of the Ordinance. The plan includes an intensification of the present landscaping on the site and the owner will fully implement this landscaping plan if this minor subdivision is approved. The same is true of the proposed parking plans. It includes the modification of the present configuration of parking at the southwesterly side of Lot #2 where it immediately joins lot #1.

Ms. Engustian went on to note the following. The present drainage at the site are shown on sheet 1 and sheet 2 on the plan indicates that the size of all proposed utilities will have to be determined when lot #1 is developed. City sanitary and water are available for these two lots. She noted that the staff recommendation states this subdivision is consistent with the City's Comprehensive Plan. Both of the lots exceed the lot area requirements of the industrial and commercial zoning districts. No variances are needed. There are no negative or environment impacts for this subdivision and the subdivision will not result in physical restraints that will make development or construction on these sites impractical. Both lots have access to a public street; namely Catamore Boulevard and Risho Avenue. The proposed subdivision provides for the safety circulation of vehicular traffic and also the plan provides for the treatment for the surface runoff and lots that are suitable for building development within the permitted limits of an I-3 District.

Ms. Engustian at this time asks that the Board adopt the recommendations that staff made in its memorandum of August 15, 2002 and approve this preliminary plan for the minor subdivision. She noted that the applicant, Mr. Anderson, President of Catamore Holdings, Inc. could not be present, but that Mr. Morris Bishop and Mr. John Hopper, Vice Presidents of the company on behalf of the applicant are present if the Board wishes to ask any questions.

Mr. Moran stated that the Zoning Officer has reviewed the development proposal, and asked that this approval contain a stipulation requiring that the build-out contain the landscaping improvements on shown on the plan attached to the documentation. This is one of the requirements of the development. This development can contain industrial, retail, office service provided those uses are compatible with existing adjacent land uses. The proposal will likely be consistent with an industrial office building or industrial manufacturing building. At the time that this particular property is developed, it would need to be reviewed with consistency with the Comprehensive Plan at this time because there is no specific use proposed for that location and when they do come in with a specific proposal we can reiterate the fact that the use must be consistent with the Comprehensive Plan. The lots sizes are 81,697 square feet and 191,536. Both parcels have more than sufficient size in this district and are appropriately sized in compliance with the comprehensive Plan.

Environmental Impacts

Mr. Moran noted that at this time, there are no environmental impacts. There is a small wooded area in the corner that may require review by the Department of Environmental Management to determine whether or not there are wetland issues associated with them.

In all the other areas it does comply with the Comprehensive Plan in terms of providing adequate street frontage. Utilities are included on Catamore Boulevard and Risho Avenue.

Recommendation

Mr. Moran went through the staff recommendation. Based on the findings that the proposed subdivision is consistent with the East Providence Comprehensive Plan, that it meets the general purpose of Article 1 of the regulations, and that the required positive findings of Section 5-4 can be met, the Department of Planning recommends conditional approval of the requested preliminary plan submission subject to the following:

1. that all comments in the technical staff memorandum to the Planning Department as attached be incorporated into the plans as submitted and that any and all conditions of the Planning Board will be reflected in the final plan submission;
2. that the landscaping plan submitted as part of this application for the One Catamore Boulevard property as described in the Zoning Officer's July 10, 2002 review memorandum, and that the final plans and supporting documentation be based upon this preliminary plan approval; and
3. that the final plan meet all City regulations and Ordinances and all applicable State and Federal Regulations; and to add:
4. that the plans will need to be updated to indicate final plan submission.

Mr. Moran noted that the Department of Public Works and Fire Department had no comments on the development. He noted this is similar to the Greenville Enterprises subdivision that came before the Board two months ago where the applicant had indicated it is not their intention to do a build-out on the location, but to market the property for future development. He said if it has more than 25 parking spaces, it will be a LDP or DPR if someone comes in to do a future development.

Chairman Poland asked if there were any questions. There were none.

1st Motion

On a motion by Mr. Sullivan, seconded by Mr. Almeida, the Board voted to grant conditional approval of the requested preliminary plan submission subject to the four stipulations noted in the staff memorandum.

Roll Call Vote

Mr. Almeida	Aye
Mr. O'Brien	Aye
Mr. Robinson	Aye
Mr. Sullivan	Aye
Chairman Poland	Aye

2nd Motion

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

Roll Call Vote

Mr. Almeida	Aye
Mr. O'Brien	Aye
Mr. Robinson	Aye
Mr. Sullivan	Aye
Chairman Poland	Aye

G. Appl. #2002-14 Minor Subdivision – 702-706 Warren Avenue, Map 507, Block 6, Parcel 4;

Ms. Feather gave the staff presentation. It is a two lot minor subdivision on existing frontage. There is a two-stage plan review; preliminary and final. There was no advertising or public hearing requirements for a two lot minor subdivision. Notices were sent to immediate abutters of the subdivision on August 8, 2002.

Ms. Feather noted the subdivision needs a dimensional variance on one of the parcels so conditional plan approval is required from the Planning Board before the applicants can proceed to the Zoning Board to obtain the variance. We recommend that the Board delegate final to the Administrative Officer conditional upon the zoning variance being granted.

Ms. Feather noted the existing frontage is on Warren Avenue. There is one lot which consists of 29,211 square feet plus or minus, which contains two existing residential structures and two unattached one-car garages. The petitioners in their letter that accompanied the petition indicated that the property has been in their family since approximately 1900 and they have personally owned it since 1971. The existing residential uses are pre-existing nonconforming uses. The property is zoned C-1. The subdivision plan is to create two lots; parcel 1 which is 12,925 square feet and parcel 2 which would be 16,286 square feet, with one house and garage located on each lot. The applicants are proposing to sell each of the lots following approval and recording of the final subdivision plan. The dwellings are connected to City water. The sanitary sewer is unavailable to them at this location on Warren Avenue and currently each of the properties relies on a cesspool. Those have been identified on the plan for each of the lots as required by the Department of Public Works. The septic and cesspool aspects of the properties are subject to the jurisdiction of the Rhode Island Department of Environmental Management. If those failed and needed to be replaced, the property owners would need to go through the process of RI DEM as far as replacing the cesspools. Parcel 1 has a proposed lot width of 68 feet so it does not meet the 100 foot minimum width requirement and will have to go before the Zoning Board. She said the petitioners, dependent on approval by the Board this evening, would put together a petition to go before the Zoning Board in September.

The property is bounded by one single family residential dwelling to the west which is also zoned C-1, and by Interstate 195 and the East Shore Expressway and the extensive rights-of-way for those two roads that are owned by the State of Rhode Island. The roads and rights of way are zoned Open Space 1. The property frontage is on Warren Avenue.

In his review of the subdivision, the Zoning Officer did note that there were some use violations occurring on one of the properties, a tenant had been conducting some illegal auto sales and auto detailing operations and there were violations issued and notification to cease those activities. The property owners were notified and have spoken to the Zoning Officer.

Ms. Feather noted that the property is designated as office and service in the Comprehensive Plan. This is noted on the attached map. There are a total of four existing parcels in this section of Warren Avenue, all zoned C-1 and surrounded by the highway approaches and rights of way for I-195 and the East Shore expressway (Wampanoag Trail). They do have frontage on Warren Avenue which is a principal arterial high volume traffic road at that point. Given their location and surrounding land use, as part of the comprehensive planning process, these particular parcels were

identified as being more appropriate for small-scale office and small-scale service uses rather than a single family or two family residential uses.

Ms. Feather stated that the dwellings are preexisting, nonconforming residential uses, and they are allowed to continue under Zoning. It is a fundamental principal that we try not to expand on non-conforming uses, but they are certainly allowed to continue.

Ms. Feather noted the staff recommendation for based on conditional approval subject to the petitioner obtaining all required variances from the Zoning Board, and the following:

1. that there be no expansion in the footprint of total square footage of the existing dwellings and garages, and that there be no construction expanding the existing residential uses,

2. that a note be placed on the final plan stating that the residential use of the existing dwellings be restricted to no more than a single-family use;

3. that the Title Block of the Final Plan be corrected to show the Commercial 1 Zoning designation of the property and the Title Block changed to reflect the final plan,

4. that the final plans be based on the preliminary plans and that they be in conformance with all the City's regulations, and

5. that the proposal shall meet all applicable City, State and Federal Regulations and requirements.

Attorney Martin Sleprow was present to represent the petitioners and noted they agree with all the stipulations in the staff memorandum. He stated they met with the tenant who is violating Zoning and instructed him to stop. We ask for conditional approval subject to all the conditions outlined by Planning staff and said they will go before Zoning Board in September to request a variance for a 100 foot width requirement.

Chairman Poland asked if there were any questions. There were none. Mr. Poland asked Mr. Dias about stipulation #2 regarding there be no expansion of the footprint for the total square footage on the existing buildings and if a variance could be requested on this? Mr. Dias stated that if the Board makes a condition here, than the applicant would have to come back to the Planning Board to get that waived. Mr. Sleprow agrees that his client would come back before the Planning Board for the amendment and then would go before Zoning.

Ms. Feather noted that staff did have an applicant come back before the Board to remove a subdivision condition stipulation on a Warren Avenue Subdivision. She noted that the applicants trying to place the existing houses each on there own lot with a garage, and to

sell them. It is a C-1 zone and eventually it may be transitioned over to a commercial use. Chairman Poland stated that every house should have its own lot.

1st Motion

On a motion by Mr. Almeida, seconded by Mr. Sullivan, the Board voted to grant conditional approval of the subdivision subject to the seven stipulations in the staff memorandum.

Roll Call Vote

Mr. Almeida	Aye
Mr. O'Brien	Aye
Mr. Robinson	Aye
Mr. Sullivan	Aye
Chairman Poland	Aye

2nd Motion

On a motion by Mr. Sullivan, seconded by Mr. O'Brien, the Board voted to grant final approval to the Administrative Officer.

Mr. Almeida	Aye
Mr. O'Brien	Aye
Mr. Robinson	Aye
Mr. Sullivan	Aye
Chairman Poland	Aye

H. Public Hearing – 900 Warren Avenue LDP; Applicant: Marshall 950 Warren Avenue LLC, Map 507, Block 12, Parcels 1 and 2

Attorney Christine Engustian, One Grove Avenue, East Providence was sworn in. She represents the applicant, Marshall 950 Warren Avenue LLC, which owns the property known as Map 507, Block 11, Parcel 2 and Map 507, Block 12, Parcels 1 and 2.

Ms. Engustian described the property to the Board. She stated it is located near a newly constructed four story, 72,000 s.f. office building. The parcel at 900 Warren Avenue consists of approximately 3 and 1/2 acres and is located in a C-1 office business district. The proposed use at 900 Warren Avenue is a four story, 48,000 square foot office building and is in a C-1 zoning district.

Ms. Engustian noted that staff has submitted to the Board an extensive memorandum on this LDP. However, she would like to summarize the memorandum.

She would like to start with the Master Plan for this LDP that was approved on May 14, 2002. She addresses three conditions that the Planning Board attached to the Master Plan. First the condition of the applicant was to obtain the zoning variances prior to the submittal of the preliminary plan. The applicant went before the Zoning Board on May 29, 2002 and received three-dimensional variances sought for the office building. Those variances related to the building height, number of stories and maximum impermeable surface coverage requirement. These variances were the same variances needed and granted for the 950 and 1000 Warren Avenue developments. Ms. Engustian stated another condition of the Planning Board's approval of the Master Plan was that South Revere Street be abandoned subject to the approval of the City Council prior to submission of the preliminary plan. As explained in the Master Plan review, the City's Fire Department wanted a second emergency access to that site. The primary access to the 900 Warren Avenue site will be provided by a single non-signalized entrance shared with the 950 and 1000 Warren Avenue sites. That entrance is approximately opposite Evergreen Drive. The secondary access to the 950 and 1000 Warren Avenues developments was proposed with a paper street named South Revere Street. However, with the addition of 900 Warren Avenue, this paper street was proposed for parking instead and consequently the location of that second emergency access was moved approximately 300 feet west. The emergency access would then service all three-development sites (900, 950 and 1000 Warren Avenue). The Fire Chief has approved a new location for the secondary emergency access.

In addition the Fire Department in their memo to the Planning Director has no public safety concerns with the preliminary plans as submitted. She noted in order to move the secondary emergency access to the western most side of 900 Warren Avenue, we needed to abandon South Revere Street. The applicant had submitted his petition to the City for the abandonment and after the Planning Board's approval of the street abandonment, the City Council gave its approval on July 2, 2002 in a resolution with the abandonment of South Revere Street has been recorded in the City Land Evidence Records. Lastly, with respect to the issue of access, there is an easement agreement between the three sites. These sites will share access and the utility infrastructures. The City Solicitor reviewed and approved this cross easement agreement, and the agreement is recorded with the City of East Providence on November 14, 2001.

She noted a request for modification to the parking area configuration for 950 Warren Avenue had to be submitted prior to the submission of the preliminary plan. This condition is connected to the condition of the street abandonment. If the abandonment were approved, then the owner would have to submit a written request for modification to the previously approved parking plan for 950 Warren Avenue to accommodate the parking needs and plans for these two adjoining developments. The applicant, through its engineers, met this requirement by submitting to the Planning Department a site modification plan to 950 Warren Avenue Phase I Final Site Plan submission.

On July 1st, 2002 the DPR Committee granted approval of the minor modification request and the modified plan had been recorded in the City Clerk's office.

Ms. Engustian states she would like to show the Board how this preliminary plan meets the requirements of the City's Land Development and Subdivision Review Regulations. An engineer from Garofalo and Associates is available to answer any questions the Board has.

Drainage

Ms. Engustian addressed the drainage issue at this time and stated that the direction of storm water runoff as well as the watershed area are described in a letter from the State of Rhode to the City of East Providence which states that there is no net increase in storm water or runoff due to this development. In order to meet this requirement the storm water management facility is designed to direct the runoff from the impervious portion of the site to on-site infiltration facilities that are designed for 25-year storm events. This infiltration facilities are similar to the ones that have been installed at the 950 Warren Avenue site. The project narrative also addresses runoff events larger than 100 year events.

Ms. Engustian noted that in the City Engineer's memo dated June 14th to the Director of Public Works that the proposed drainage layout and accompanying calculations satisfy the City's requirement of no net increase in runoff in a 25-year storm event. The applicant had not received from the RI DEM and underground injection control permit for this system, however DEM has since issued that permit. The development will be serviced by City water which are shown on Sheet C-3 of the preliminary plan. Electric, telephone and cable service are available in each of the adjoining streets and/or adjoining development and this service to and within the proposed development in 900 Warren Avenue will be underground. The interior landscaping design is shown on Sheet L-1 of the plans. Both the interior landscaping and the lot shading designing exceed the minimum requirements of the East Providence Zoning Ordinances Development Plan Review. In addition, the Plan proposes an appropriate buffer at the lot line adjoining the multi-family development to the west of the site.

Ms. Engustian stated the next issue is one in which the applicant, City staff and the Planning Board has expressed its greatest concern regarding traffic and safety. This 900 Warren Avenue proposal is intimately connected with the developments at 950 and 1000 Warren Avenue because they share access. Traffic analyses have been completed and noted in the staff memorandum.

She said it is important to remember that although the traffic analysis were performed prior to the submission of Master Plan for this particular land development project, these analyses did cover all three development sites. Traffic volume for the three developments were based in part, on the presumption that an office building with 60,000 square feet would be present at the 900 Warren Avenue location. Therefore this Board can use the traffic analyses when considering the impact that this particular Land

Development Project for that 48,000 square feet may have on the immediately roadway. Next we know that three development proposals will not adversely affect the traffic operations of Warren Avenue if there is a traffic signal installed at the intersection of Warren Avenue and Evergreen Drive, which is the point of entry.

Ms. Engustian stated that she was requesting on behalf of her client, that the Board consider removing the requirement for replacement of the sidewalks and the re-setting of the curbing. She stated that her client has developed a significant commercial development and that the replacement of these items would be better placed under the authority of, perhaps, the State in light of the fact that this is a State roadway. Ms. Engustian stated that her client was amenable to all of the other items identified in the recommendation but asked for the Board to consider removal of the sidewalk/curbing requirement as identified in the Planning Board memorandum.

Mr. Moran discussed the Planning Department recommendation for the 900 Warren Avenue development. He described the linkages of the development with the completed 950 Warren Avenue development including the shared access that is provided through the entrance near Evergreen Drive.

Mr. Moran stated that the development is smaller than the existing 950 Warren Avenue development providing 48,000 square feet. Mr. Moran indicated that traffic would be discussed in greater detail later in the Planning Department recommendation. He noted that because of the linkage between the two developments a minor modification for the re-alignment of the 950 Warren Avenue parking area was necessary. He indicated that this was granted by the Development Plan Review Committee. Mr. Moran also indicated that the abandonment of South Revere Street had been completed and approved by the City Council prior to the submission of the Preliminary Plan for this development.

Mr. Moran indicated that all Zoning permits had been obtained for this development and noted the review comment of the Zoning Officer that a note be placed on the plans indicating the Zoning variances had been previously obtained for this development. The Zoning Officer also mentioned the need for a signage plan which Planning indicated could be submitted under the Final Plan submittal.

Mr. Moran briefly covered the traffic impact issues and stated that the traffic impact assessment previously completed for the 950 Warren Avenue project was still applicable as traffic counts for the 900 Warren Avenue Project were incorporated in the assessment. Mr. Moran indicated that Planning and City staff continue to indicate that a traffic signal should be installed to alleviate hazards at the entryway to this development. Mr. Moran indicated that the Physical Alteration Permit has been reviewed by the Rhode Island Department of Transportation and that it was their opinion that the previously approved PAP continued to remain valid under this review.

Mr. Moran stated that the petitioner had also obtained an Underground Injection Control Permit from the Rhode Island Department of Environmental Management. Mr. Moran discussed the movement of the Secondary Emergency Access to a point 300 feet west of

its current location, which was approved by the Planning Board at Master Plan Phase. He also described the abandonment of the South Revere paper street that was approved by the City Council prior to the Preliminary Plan phase.

Mr. Moran noted other review comments identified in Public Works Director Stephen Coutu's review memoranda for this development, with attachments. Mr. Moran said that Planning believed these comments were primarily technical in nature and could be incorporated and updated on the Final Plan submission.

Mr. Moran noted that the Department of Planning recommended the installation of sidewalks and resetting of the curbing along the frontage of 900 and 950 Warren Avenue in light of the extremely deteriorated condition of these amenities in this location and as a result of the requirements of City Ordinance Section 14-44 which requires that property owners be responsible for keeping sidewalks and associated curbing in good repair along the frontages of their development. He stated that the condition of the sidewalks and curbing detract from the visual aesthetics of the development and that Planning recommended that the Board require the developer to complete these improvements as part of the project approval.

Mr. Moran noted the project's compatibility with the Comprehensive Plan including the Land Use 2010 Plan and a number of elements of the City's Economic Development Element of the Plan.

Mr. Moran read the recommendation into the record as follows:

Based upon a finding that the proposed office development portion of the submission is consistent with the East Providence Comprehensive Plan, meets the general purposes stated in Article 1 of the Regulations and further that the required findings of Section 5-4 of the Regulations are met, staff recommends Conditional Approval of the 900 Warren Avenue Land Development Project Preliminary Plan submission as proposed, subject to the following conditions of Preliminary Plan approval being incorporated into the Final Plan submission:

- (1)** That all comments in the technical staff memoranda and this Planning Department recommendation, and any and all conditions of the Planning Board approval, be reflected in the Final Plan submission;
- (2)** That the applicant continue in its efforts to secure a traffic signal at the entry to the development site through appropriate measures identified by the Rhode Island Department of Transportation in securing a signalized intersection for this development;
- (3)** That the applicant replace the existing degraded sidewalk and restore or reset curbing along the frontage of 900 and 950 Warren Avenue;

(4) That the Final plans and supporting documentation be based upon this Preliminary Plan approval.

Mr. Poland asked if there were any questions from the Board.

Mr. Poland indicated that he has not seen the condition of the sidewalks and curbing in that area but felt that the petitioner for this development should not be responsible for the replacement of these items. Mr. Poland said he was not sure how it would be possible to require the applicant to provide sidewalk and curbing improvements on a development that has already been completed (950 Warren Avenue). Mr. Poland stated that this may be an issue that the State would need to look at.

Mr. Sullivan asked who would be using this sidewalk. Mr. J Ralph McGonigle indicated that there would not be many people utilizing the sidewalk area as it was his opinion that crossing the road at any location near this property would be extremely difficult. City Engineer Alan Corvi indicated that the sidewalk conditions along the frontage of 900 and 950 Warren Avenue were in poor condition and represented some degree of hazard to people walking along the sidewalk areas.

Mr. McGonigle indicated that it may or should be the responsibility of the State when it comes to sidewalks on this development and felt that in light of all the work that they have done on this site, it should not be their responsibility to complete the work.

There was discussion relating to the complete removal of the sidewalk. Ms. Feather noted that RIDOT would likely not approve of this action.

After continued discussion the Board indicated that the issue of sidewalks and curbing would not be decided upon at Preliminary Plan by the Board. The decision of the Board should reflect that the applicant will discuss options for the installation of sidewalk and curbing with City staff and that if the applicant and City staff could not reach an agreement, the Final Plan Review process would be heard by the Planning Board for a decision on this issue.

1st. Motion

On a motion by Mr. Sullivan, seconded by Mr. Almeida, the Board voted to grant conditional approval of the requested preliminary plan submission subject to the four stipulations noted in the staff memorandum with exception to item 3, in which the petitioner will meet with City staff to discuss options for installing sidewalks and resetting the curbs along the frontages of 900 and 950 Warren Avenue. In the event an agreement on responsibility for improvements cannot be reached, the Final Plan shall be referred to the Planning Board for a final decision on this issue and on the Final Plan.

Roll Call Vote

Mr. Almeida	Aye
Mr. O'Brien	Aye
Mr. Robinson	Aye
Mr. Sullivan	Aye
Chairman Poland	Aye

2nd Motion

On a motion by Mr. Sullivan, seconded by Mr. O'Brien, the Board voted to delegate final plan approval to the Administrative Officer subject to the issue of sidewalks and curbing being adequately resolved between the applicant and City staff as previously described.

Roll Call Vote

Mr. Almeida	Aye
Mr. O'Brien	Aye
Mr. Robinson	Aye
Mr. Sullivan	Aye
Chairman Poland	Aye

I. 2002-2003 Capital Budget and 2002-2008 Six-Year Capital Improvement Program.

Ms. Feather states that Planner, Patrick Hanner will be making the presentation for the 2002-2003 Capital Budget and Six-year Capital Improvement Program.

Mr. Hanner stated that under the terms of the City Ordinances, the Planning Board shall recommend to the City Manager, for inclusion by the manager in his annual budget, a capital program of proposed capital projects for the five fiscal years, with recommendations as to which projects should be constructed in which year.

Mr. Hanner stated that it is important to note that capital items that have been considered for the purposes of recommending a capital budget are capital projects that have a value of over \$25,000, that include such items as major improvements to land, acquisition or construction of new buildings and facilities, the construction or reconstruction of bridges, streets, sidewalks, sewers, water mains, storm drains, and related facilities, and the purchases of equipment which has a useful life of five years.

Mr. Hanner stated all of the Board members should have in front of them, that was included in the Planning Board packet a recommended capital budget for 2002-2003, the memo to the Planning Board from the Planning Department, and the recommended capital improvement schedule for the years 2002-2008, which is the four-page

spreadsheet. The recommended capital improvement schedule, the spreadsheets, includes every request that was made by all of the City Departments regarding capital funding for 2002 through 2008, while the recommended capital budget for 2002-2003, the memo that gives a brief description of projects, are only those capital projects, which the Planning Department in consultation with City Department Heads, has deemed as the highest priority.

Overall, the Planning Department is recommending a net capital budget of \$1,489,000 for fiscal year 2002-2003, while the total project cost figure, the total amount of all the requests that Planning Department received from various City Departments was \$16,149,000. The difference between the Planning Department's recommended net capital budget of \$1,489,000 and the total amount that was requested is \$14,660,000. This \$14,660,000 is comprised of a 2002 Bond Issue for \$9,250,000, 1998-99 Bond Issue for \$1,158,000, other financing sources of \$3,090,000, and deferred items of \$1,162,000. Mr. Hanner stated following the numbers through the spreadsheet is a bit confusing, however, the bottom line number, the number the Planning Department is recommending to the Planning Board to advise the City Council is a net capital budget of \$1,489,000.

Mr. Hanner asked the Board if there were any questions regarding specific line items or projects, or how the numbers were calculated. The Board had no questions.

Mr. Hanner stated according to the American Planning Association, a municipality should expend, at a minimum, between 3% and 5% of its previous year's total operating budget for capital projects. The city previous fiscal year operating budget, not including the school department's budget was \$37,168,688. Therefore, the recommended net capital budget of \$1,489,000 falls between the APA's recommended capital expenditures.

Mr. Poland stated that it is evident by reviewing the material that a lot of work and dedication of staff time goes into the preparation of the recommended capital budget. Mr. Poland asked the Board if anyone has any questions.

On a motion by Mr. O'Brien, seconded by Mr. Sullivan, the Board voted to advise the City Council to approve the 2002-2003 Capital Budget and 2002-2008 Six-Year Capital Improvement Program.

Mr. Almeida	Aye
Mr. O'Brien	Aye
Mr. Robinson	Aye
Mr. Sullivan	Aye
Chairman Poland	Aye

V. V. CONTINUED BUSINESS

A. A. Staff Report

Ms. Feather updated the Board on the possible projects that may come before the Board in the next few months.

VI. VI. COMMUNICATIONS

VII. VII. ANNOUNCEMENT

Next meeting – **September 17, 2002, 7:30 p.m.**, Room 306

VIII. VIII. ADJOURNMENT

The meeting adjourned at 11:00 p.m.

Respectfully submitted,

Peter Poland, Chairman

PP/JMB/DMF/sac