

September 18, 2002 - Regular Planning Board Meeting

CITY OF EAST PROVIDENCE

PLANNING BOARD

Minutes of the Meeting of September 18, 2002

Present: Chairman Peter Poland, Theodore Sullivan, Michael Robinson, John O'Brien, Alternate Octavio Cunha, Alternate Harold Gerstein, Diane Feather (staff), Alan Corvi (City Engineer).

Call to Order: 7:30 PM (Ms. Feather noted that Jeanne Boyle and William Conley had prior commitments and were unable to attend the meeting this evening.)

I. I. SEATING OF ALTERNTE MEMBER

Mr. Cunha was seated in absence of regular member Anthony Almeida.

II. II. APPROVAL OF PLANNING BOARD MINUTES

It was noted that the minutes of December 11, 2001, February 12, 2002 and August 20, 2002 were yet to be submitted.

III. III. APPROVAL OF PLANNING BOARD CORRESPONDENCE

On a motion made by Mr. Sullivan, seconded by Mr. Robinson, the Board voted 5 – 0 to accept the following correspondence:

A. Memo dated 9/11/02 to the City Council Re: Land Donation to City – Mink Road and River Road, Runnins River Watershed, Map 709, Block 2, Parcels 001.00 and 001.00 (enclosed in the Board's packet).

IV. IV. NEW BUSINESS

A. Application Number 2002-6 -Minor Michael Bahry, 26 Nye Street
Assessors Map 505, Block 6, Parcels 1, 2 and 8

Ms. Feather explained the specifics of the subdivision and the staff's recommendation of conditional approval as detailed in the memorandum to the Board dated September 13, 2002. She noted that this was a merger subdivision with no new additional lots being created for development, but was reclassified as a Minor Subdivision because it requires zoning variances and permits from the Rhode Island Department of Environmental Management. She noted that final approval could be given after the variances and permits are obtained and recommended that the Board delegate final approval to the Administrative Officer. She noted that the property owner and applicant, Michael Bahry, was present to answer any questions the Board may have.

Ms. Feather stated that notice of the subdivision had been mailed via certified mail to all immediate abutters and that to her knowledge the office had received no phone calls or in-person visits regarding the subdivision.

Chairman Poland asked Michael Bahry if he had anything to add to the comments made by staff. He said no, other than that he had circulated a petition around the neighborhood and had signatures indicating support from all but one neighbor, and that neighbor was not home. He submitted a copy of the petition to Chairman Poland and noted that he would like to keep the original to submit to the Zoning Board. Chairman Poland noted that doing that was a good idea.

On a motion made by Mr. Sullivan, seconded by Mr. Cunha, the Board voted 5 – 0 to make the petition part of the Board's record on this subdivision.

Chairman Poland asked Mr. Bahry if he had seen the recommended conditions of approval and agrees with them. Mr. Bahry noted that he had not seen them in writing but that Ms. Feather had telephoned and told him of the conditions, including the condition that residential use of the property be restricted to single-family uses and accessory uses in perpetuity. Mr. Bahry was given a copy of the conditions, which he read. Mr. Bahry stated that he agrees with all the conditions.

On a motion made by Mr. Sullivan, seconded by Mr. Robinson, the Board voted 5 – 0 to delegate Final Plan approval to the Administrative Officer.

On a motion made by Mr. Sullivan, seconded by Mr. Robinson, the Board voted 5 – 0 to ***Conditionally Approve*** the subdivision, as proposed, subject to the following:

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 and the date of the Zoning Board approval;
2. That the applicant obtain any and all required permits from the Rhode Island Department of Environmental Management (RIDEM).
3. That the residential use of the property be restricted to single-family uses and accessory uses in perpetuity;

4. That the title block of the Final Plan be revised to indicate Final Plan status;
5. 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
6. That the proposal shall meet all applicable City, State, and/or Federal regulations and requirements.

Roll Call Vote as taken

Mr. Sullivan – Aye
Mr. Robinson – Aye
Mr. Cunha – Aye
Mr. O’Brien – Aye
Mr. Poland – Aye

- B. Request for Easement – Narragansett Electric, North Broadway at Centre Street, Freedom Green Park (for Decorative Light Poles)

Ms. Feather noted that staff is seeking unanimous consent to place this item before the Board for consideration. She noted that it involves an easement to Narragansett Electric for decorative light poles associated with the City’s new Freedom Green Park, currently under construction at the corner of North Broadway and Centre Street. She noted that Planning staff and City Solicitor Conley reviewed the request.

On a motion made by Mr. Sullivan, seconded by Mr. Cunha, the Board voted 5 – 0 to place this item on the Board’s agenda for review and action.

Ms. Feather distributed copies of the staff recommendation on the easement to Board members and referred them to a full-size plan depicting the location of the decorative light poles. Ms. Feather explained the request and noted that staff is recommending that the Board recommend that the City Council *approve* the easement request.

Mr. Sullivan asked why the easement was needed. Chairman Poland and Alan Corvi noted that Narragansett Electric needs the easement because they do not own the property where the poles are being installed.

Mr. Sullivan asked if wires would be placed underground and if so, would this limit what could be constructed in the park.

Mr. Corvi noted that wires in the park would be placed underground in conduit, but noted that there would be no problem placing improvements over the conduit. He noted that the overhead wires along the street frontage and the existing utility poles would remain.

Mr. Gerstein asked if there were any similar poles that he could go out and look at. Chairman Poland referred him to the sketch of the light pole attached to the staff recommendation. Ms. Feather noted that decorative light poles were installed in the Bridgham Farm subdivision in Rumford.

On a motion made by Mr. Sullivan, seconded by Mr. Cunha, the Board voted 5 – 0 to recommend that the City Council *Approve* the granting of the easement.

Roll Call Vote as taken

Mr. Sullivan – Aye
Mr. Robinson – Aye
Mr. Cunha – Aye
Mr. O’Brien – Aye
Mr. Poland – Aye

V. CONTINUED BUSINESS

Staff Report

1. Ms. Feather noted that a tentative date of October 2nd had been scheduled for a presentation to the City Council by the City’s consultant Vanasse Hangen Brustlin (VHB) regarding the Waterfront Access Improvement study. She noted that Ms. Boyle wished to encourage members to attend since this may be the only opportunity to have the consultant make a formal presentation.
2. Ms. Feather noted that the City Council had announced the formation of a “Soccer Field Task Force” at their meeting of September 17, 2002, and noted that this committee’s work would likely involve the Planning Board at some point in the process.
3. Board members asked what was being constructed on the property at the southeast corner of the intersection of Pawtucket Avenue and Waterman Avenue. Ms. Feather noted that two parcels had just been combined in an administrative subdivision, and noted that the property was being redeveloped as a gas station, convenience store and car wash. Chairman Poland noted that he was told that the redevelopment of the property would be the same as the Wood’s Mobil gas station redevelopment, except for the different location of the car wash. Ms. Feather stated that this was correct.
4. Mr. Cunha asked about the Taunton Avenue revitalization initiatives and whether more improvements were being planned. Ms. Feather stated yes, and noted that staff is in the process of preparing a Request for Qualifications for landscape architecture services for Taunton Avenue.

She noted that the Downtown Business Association of East Providence (DBA) has formed as a 501(c)(3) non-profit corporation and would continue to be active in the revitalization efforts for Taunton Avenue. She noted that the City and DBA worked cooperatively to petition RIDOT to remove the asphalt and landscape the large traffic island located at Taunton Avenue and John Street, which DBA has volunteered to maintain once completed.

VI. VI. COMMUNICATIONS

On a motion made by Mr. Sullivan, seconded by Mr. Cunha, the Board voted 5 – 0 to accept the following communications:

A. Memo to the Zoning Board of Review from the Department of Planning Re: August 28, 2002 Zoning Board Cases (copies included in the Board's packet).

B. B. Memo dated 9/11/02 to the City Council from Paul Lemont Re: Riverside Square Improvements/Request to Acquire City-Owned Land, Map 312, Block 9, Parcel 1.1 (copies included in the Board's packet).

Chairman Poland asked about Item B. under "Communications" and stated that he thought the Board had deferred voting on this request to acquire City-owned land and stated that he thought this item would be coming back to the Board for a recommendation to the Council. He stated that he was not saying that the Board's recommendation would have been different from staff, but thought it was coming back to the Board. Ms. Feather noted that she believed the City Council had taken a vote on this request at their meeting the prior evening (September 17, 2002), and that she would check the record and notify Ms. Boyle of Mr. Poland's question.

VII. VII. ANNOUNCEMENTS

The next meeting of the Board will be held *Tuesday, October 8, 2002*, at 7 :30 PM in Room 306.

VIII. VIII. ADJOURNMENT

On a motion made by Mr. Sullivan, seconded by Mr. O'Brien, the Board voted 5 – 0 to adjourn the meeting at 8:05 PM.

Respectfully Submitted,

Peter G. Poland
Chairman

PGP/DF

Cc: City Council
City Manager
City Solicitor
Director of Public Works
Zoning Officer