

March 13, 2001 - Regular Planning Board Meeting

CITY OF EAST PROVIDENCE

PLANNING BOARD

Minutes of March 13, 2001

517th meeting

Present were: Messers Almeida, Cunha, DiTraglia, Fisher, Gerstein, Poland, Sullivan, William Conley, City Solicitor, Jeanne Boyle (staff), James Moran (staff).

I. SEATING OF ALTERNATE MEMBER

II. APPROVAL OF PLANNING BOARD MINUTES

It was noted that the following minutes would be forthcoming;

- A. Minutes of September 13, 2000
- B. Minutes of January 9, 2001
- C. Minutes of February 13, 2001

III. APPROVAL OF PLANNING BOARD CORRESPONDENCE

On a motion by Mr. DiTraglia, seconded by Mr. Fisher, the following correspondence were received and approved by the Board:

- A. Request of Mr. and Mrs. Frank Silva to acquire city-owned land on Bullocks Point Avenue, Map 312, Block 9, Parcel 1.1.

IV. NEW BUSINESS

A. Minor Subdivision - 250 Ferris Avenue, Applicant: Mike West

Mr. Moran went through the staff recommendation. He explained that the preliminary plan stage is the first of two phases of plan review for a minor subdivision. Since there is no street creation for the proposed development, no public hearing or newspaper advertisement for this petition is required. He said a notice to the certified list of abutters was sent out per the Land Development and Subdivision Review Regulations.

Mr. Moran stated that the proposed development has been submitted by Mike West. It is located at the corner of Ferris Avenue and Brentwood Drive. It is zoned R-3 which requires lots of no less than 7,500 square feet, a minimum width of 75 feet and a minimum depth of 100 feet. Minimum yard setbacks are as follows: front yard 20 feet; rear yard 25 feet; side yard 15 feet. The parcel currently provides 239 feet of frontage along Ferris Avenue and 256 feet along Brentwood Drive. The proposed lot area of the parcel is as follows: Lot 1, 8,906 square feet; Lot 2, 7,500 square feet; Lot 3, 8,906 square feet; Lot 4, 12,129 square feet and Lot 5, 11,300. The parcels do not require any dimensional variances from the City's Zoning requirements.

No new road construction is proposed for this development. Public water and sewer services are provided for all of the lots as well as gas and electric utilities.

Waiver Requests

Mr. Moran explained that the applicant is requesting two waivers from the Subdivision Regulations. One is for sidewalks for the entire development. Public Works is recommending the sidewalks be installed along the entire frontage of this development. The Planning Department is recommending that sidewalks be required along the Ferris Avenue frontage of the development because Ferris Avenue is heavily traveled and the road carries significant automobile and commercial truck traffic. Traffic is a major concern to local residents. Based on these concerns, Planning feels the installation of sidewalks on the Ferris Avenue frontage will dramatically increase pedestrian safety. Mr. Moran stated that pedestrian traffic associated with the Kimberly Ann Rock Athletic Complex would support a decision to require sidewalks on the frontage of Ferris Avenue. Section 12-15(1) of the Regulations states that the Planning Board may require the installation of sidewalks on both sides of the streets if the subdivision is located within one half mile of a public or private school. The Thompson Elementary School is located within one half mile of the development. Due to the fact that Brentwood Drive is a dead-end street with much lower traffic densities, the necessity for sidewalks along its frontage is not as pressing. Staff recommends that the waiver request for this portion of the development be approved.

Other Review Issues

Performance Guarantee

There will be a need to post a performance guarantee to cover the installation costs. The amount of the bond is contingent upon the Board's decision on the requested waivers.

Other Review Comments

Mr. Moran stated that under Item 2 of the Public Works recommendation requests the applicant show the location of proposed structures along with off-street parking areas and driveways. The applicant has provided updated plans that indicate these items.

Response from Certified Abutters

Mr. Moran stated that Providence and Worcester Railroad is one of the abutters. They have requested two conditions be stipulated under the Planning Board approval. First, P&W requests that the applicant provide "stable construction and erosion control measures to ensure no without or other drainage of foreign material will enter into the railroad right-of-way. The Planning Department does not object to this. Second, P&W requests "a property line survey be performed with a copy of the survey plan sent to the P&W to clearly define the property line". Their concern is encroachment. Mr. Moran stated the applicant's surveyor has provided a Class 1 survey which meets the standard for subdivision submission in the City of East Providence. An additional line survey, in the opinion of the Planning Department is not required since a Class 1 survey has already been concluded.

CONSISTENCY WITH COMPREHENSIVE PLAN

The "Land Use 2010 Map" of the East Providence Comprehensive Plan designates the area of this proposed subdivision as "Low Density Residential". The plan defines the dominant character of this land use as single family and two family development at densities of no more than eight (8) dwelling units per acre. A goal of the Comprehensive Plan is for all existing residential areas to be maintained at existing densities.

- a) Subdivision and land development project proposals shall be consistent with the East Providence Comprehensive Plan, including its goals, objectives, policy statements and Land use 2010 Plan.

The proposed configuration contains lots containing a size range from 7,500 square feet to a high of 12, 129 square feet. Under the low density residential designation as stipulated under the Comprehensive Plan, a minimum of 5,000 square feet would be required to be considered consistent with the "2010 Land Use Plan". All of the proposed lots significantly exceed this requirement. The proposed configuration then, is found to be consistent with the goals, objectives, policy statements and the Land Use 2010 Plan.

- b) All lots in a subdivision, and all land development projects shall conform to the standards and provisions of Chapter 19, Zoning.

The proposed subdivision meets all of the requirements of Chapter 19 Zoning.

- c) There will be no significant environmental impacts from the proposed development as shown on the plan.

There do not appear to be any significant environmental impacts from the proposed subdivision since all the lots would be connected to the City's sanitary sewer.

d) Subdivision as proposed will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulation and building standards would be impractical.

The proposed lots will not create lots with physical constraints that will require future relief from pertinent regulation and building standards in the City.

e) All proposed land development and all subdivisions shall have adequate and permanent physical access to a public street. Lots cannot be isolated by topographic, natural or other features that prevent adequate physical access from the street.

All five lots have physical access to a public street and are not isolated from the street by any topographic or natural features.

f) Each subdivision and land development project shall provide for safe circulation of pedestrian and vehicular traffic, for adequate surface runoff, for suitable building sites and shall provide for preservation of natural, historical or cultural features that contribute to the attractiveness of the community to the extent feasible.

The proposed subdivision provides for safe circulation of pedestrian and vehicular traffic, provides for the treatment of surface runoff and provides parcels what are suitable for building development within the allowable limits in the R-3 district. The location does not exhibit any natural, cultural or historical features and as such would not be an issue in this case.

g) The design and location of streets, building lots, utilities, drainage improvements and other improvements in each subdivision and land development shall minimize flooding and erosion.

City sanitary sewer and water will be installed to the homes on Ferris and Brentwood Drive. Stormwater runoff for the streets will be directed to the granite curbing and into the drainage grates along Ferris Avenue.

RECOMMENDATIONS

Waivers

The applicant is requesting waivers from certain requirements of the Regulations. The staff recommendation on the requested waivers is summarized below for a separate vote of the Board:

Recommendations:

Waivers

The applicant is requesting waivers from certain requirements of the Regulations. The staff recommendation on the requested waivers is summarized below for a separate vote of the Board:

| Requested Waiver | Required | Proposed | Recommendation |
|---------------------------------|-----------------|--------------------|---|
| 1. Section 13-2(3) Curbs | Yes | Ferris Ave only | Require on entire frontage |
| 2. Section 13-2(4) Sidewalks | Yes | None | Require on Ferris Grant waiver on Brentwood Drive |

Subdivision

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

1. 1. That all comments in the technical staff memoranda to the Planning Department (as attached) be incorporated into the plans as submitted; and that any and all conditions of the Planning Board approval be reflected in the Final Plan submission;
2. 2. That the Final Plans and supporting documentation be based upon this Preliminary Plan approval, and that the Final Plans met all City regulations and ordinances, and all applicable State and/or Federal Regulations;
3. 3. That granite curbing be installed along the frontages of all residential lots within the development.
4. 4. That sidewalks are installed along the Ferris Avenue portion of the proposed development.

Board's Comments

B. Taco Manufacturing - Planning Board Review of Outside Consultant Services

Ms. Boyle explained that staff has met with representatives of Taco Manufacturing regarding a proposed subdivision and Land Development Project for a 700,000 square foot (two to three-phase) industrial and office parking on a 55 acre parcel located between the Wampanoag Trail and Hospital Road. The property is owned by A.M.J.A.M. L.. The property is zoned R-1. A rezoning to Industrial-1 will be submitted concurrently with the application for Master Plan, as will an amendment to the City's Comprehensive Plan. The application is represented by Gilbane Properties of Providence, and the applicant's engineer is Vanasse Hangen Brustlin, Inc. (VHB).

The applicant's engineer has prepared the submission outlines on the Master Plan Submission

Traffic Impact and Access Study Outline;
Drainage Analysis Outline;
Geotechnical Report Outline; and
Air Quality and Noise Study Outline

Regarding Authority and Process for Outside Review and Fees, Ms. Boyle explained that Sec. 4-6 of the East Providence Land Development and Subdivision Review Regulations provides the Planning Board with the authority to require an applicant to pay fees in addition to the filing fee(s) so that the City may hire outside professions to conduct their review of impact analyses submitted by applicants and to conduct independent reviews. The following is an overview of this section of the regulations:

The elements of an application for which the Board may require additional review fees includes, but is not limited to the following: drainage, traffic, noise, environmental assessments, and geotechnical sampling and testing

The Board is required to indicate use of outside review at the Pre-application stage of review, based upon a recommendation of staff. (The Board may also require outside review at a later sate of review if the Board believes this is required for an adequate review of the proposal).

The amount of the fee shall be based upon written cost estimates prepared by qualified consultants based upon a written scope of work prepared by the Administrative Officer in consultation with applicable City staff; the applicant is afforded the opportunity to review and comment on the scope of work and proposed fees

The review fees are deposited in a review escrow account established by the City; as part of the public record the Board shall indicate its intent to spend any portion of this account and shall specify the purpose for the proposed expenditure; those monies not spent by the Planning Board in the course of its review shall be returned to the applicant within 30 days after the Board renders its final decision on the application.

Ms. Boyle explained that the Wampanoag Trail in this vicinity has been the site of numerous motor vehicle accidents, including two fatalities. RIDOT recently completed the permanent closure of the turnaround south of the Forbes Street intersection. The property has been utilized for sand and gravel mining for several years and this has made the natural topography of the site significantly altered. The applicant proposes to

reclaim the site by extensive cut, fill and regrading. Other concerns include noise from the fill operations, traffic and erosion and fugitive dust.

Recommendation

Mr. Boyle stated that staff is recommending outside professional review in the following three areas:

- 1) traffic
- 2) drainage; and
- 3) geotechnical review

Ms. Boyle said that staff would like to reiterate that outside professional review might be necessary at both the Master and Preliminary Plan stages of review. The conceptual stormwater management proposal may be reviewed at the Master Plan stage so that general concerns may be addressed, while detailed engineering calculations and a specific stormwater management proposal may be reviewed at the Preliminary Plan stage. She stated staff would like to advise the Board that submission of a master plan is expected soon and the Public Informational Meeting for the Master Plan may be scheduled as early as the May 8 Planning Board meeting.

On a motion by Mr. seconded by Mr. the Board voted to

V. CONTINUED BUSINESS

1. Staff Report

VI. COMMUNICATIONS

On a motion by Mr. DiTraglia, seconded by Mr. Fisher, the following communication was approved by the Board:

A. Memo dated February 23, 2001 to the Zoning Board of Review regarding Requests for Variance or Special Use Permit to be held on February 28, 2001

VII. ANNOUNCEMENT

Next Meeting – April 10, 2001, 7:30 p.m., Room 306

VIII. ADJOURNMENT

The meeting adjourned at 9:30 p.m.

Respectfully submitted,

Peter Poland, Chairman

PP/JMB/sac