

WEST GREENWICH
January 22, 2007
PLANNING BOARD MEETING

A regular meeting of the West Greenwich Planning Board was held on January 22, 2007, at the Exeter/ West Greenwich Regional High School Auditorium, 930 Nooseneck Hill Road, West Greenwich, RI.

Present were:

Chairman Mark Boyer, Brad Ward, William Lepak, David Berry, Tim Regan, and alternate Tom O'Loughlin. Alternate Bill Bryan was absent.

Town Planner Jennifer Paquet was present. Assistant Town Solicitor Nancy Letendre, Esq. was present.

Chairman Boyer called the meeting to order at 7:07 p.m.

CONSENT AGENDA

Mr. Lepak called for discussion on the consent agenda items. Motion to open the consent agenda items. Ward-Berry. (5-0)

A. Acceptance of Minutes

December 18, 2006 Regular Meeting

Motion to approve the minutes. Ward-Berry (5-0)

C. Bond Requests

Bond reduction and recommendation for Town acceptance of improvements:
Oak Ridge Major Subdivision
Off John Potter Road

Mr. Lepak had a concern of the conditions in the draft motion and cited Article 7, Section C5 of the Regulations. There was discussion on the easement documents. Assistant Solicitor Letendre noted that the Town should obtain the documents. There was further discussion.

Motion to approve the Oakridge bond reduction as noted in the draft motion, and that the items be completed before the recommendation is forwarded administratively to the Town Council for acceptance. Ward-Regan. (5-0).

Bond reduction and recommendation for Town acceptance of improvements:
Wickaboxet Hills Major Subdivision
Off Plain Meeting House Road

There was discussion. It was decided to do the same thing as for Oakridge. Mr. Gary Johnson, present in the audience, had questions about the easements. He was directed to speak to the Town's legal counsel about this.

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Motion to approve the Wickaboxet Estates bond reduction as noted in the draft motion, and that the items be completed before the recommendation is forwarded administratively to the Town Council for acceptance. Ward-Berry. (5-0).

Pine Estate/ Minor Subdivision, cont.: Preliminary Plan AP 53, Lot 6-1

Public Hearing, cont.

--off Hopkins Hill Road; 5 lot subdivision with road creation;

Owner: William Pine

Mr. Mike McCormick, PLS from Alpha Associates was present. Mr. McCormick briefly explained the site features and proposed improvements. He noted that the latest comments from December have been addressed, and he passed out the 2-page written response. He also acknowledged that the comment on the stainless steel hardware from Mr. Martin's January 18, 2007 memo has been addressed. Mr. Novak, in the audience, noted that he is ok with the buffer, and noted that there are prominent trees existing within that area.

Miss Paquet noted that Mr. Martin has not seen these responses to the comments yet.

Mr. McCormick noted that they have a proposal for signage, and would also like to coordinate this in the field. Mr. Berry asked about contact with The Nature Conservancy. Mr. McCormick noted that this was not known.

Chairman Boyer entertained public comments.

Gail Murray, Hopkins Hill Road, asked where the property boundaries are physically in the ground. Mr. McCormick explained that he is not required to put them in the ground. Chairman Boyer suggested that the perimeter for the buffer be flagged, and explained that if they wanted to find out where their own property line is marked, that they would be responsible to hire their own surveyor at their own cost. There was discussion. The Board decided to add a condition of approval that the buffer be monumented with posts.

Dan Novak, Hopkins Hill Road, asked about discussions with the Nature Conservancy. Mr. McCormick noted that he does not know what the conversations have been.

Motion to approve the Preliminary plan entitled, "Pine Estate," Assessors Plat 53, Lot 6-1, prepared for William Pine, prepared by Alpha Associates, Ltd., dated May 2005, revised through November, 2006, sheets 1 through 7, with the following conditions:

Conditions of Approval:

1. Reimburse the Town for the cost of the Public Hearing notice
2. provide a 30 foot no-cut buffer to the Novak property (AP 53, Lot 7)
3. perform site distance clearing as recommended by the Town's consulting engineer.
4. Town's consulting engineer to review and approve the redesigned cul-de-sac
5. provide signage for intersection (reimburse Town for cost of all signage)
6. show lots 1 and 2 with a 50- foot rear yard setback

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7. Get approval from the Town on whether to use HDPE or PVC drainage piping.
8. Add a note to the plan that the Cape Cod berm is to be integral with the binder course in addition to the surface course.
9. remove the detail note regarding a Homeowner's association responsibility for drainage Basin Maintenance, and replace with an appropriate note section.
10. add notes to plan on stabilization of disturbed areas, loam and seed, etc.
11. specify what kind of vegetation and soil to apply in the two drainage basins
12. specify size of rip rap for the rip rap ditch
13. show the local 200- foot stream buffer for ISDS on the Record Plan.
14. underground electric and utilities are to be installed in this subdivision
15. stumps and boulders are to be removed from the site, or properly buried in approved locations. Stumps should be removed or ground on site for mulch
16. landscaping plan needs to be stamped by Registered Landscape Architect, and it needs details on how to plant. It should also have notes on loam and seed.
17. Open Space and Recreation fee to be assessed on the five lots at time of Final approval.
18. Replenish Project Review Fee account prior to construction start, and as needed
19. that the no-cut buffer along the Novak property be monumented with iron pins and 4 by 4 posts.
20. That the responses dated January 17, 2007 by Alpha Associates are included in the conditions, and the Preliminary plans are to be revised in accordance with all the conditions, and reviewed and approved administratively. This will affect the revised date on the final Preliminary Plan.

This motion is based on the 7 standard findings of fact from the Land Development and Subdivision Regulations, Article 3. Ward-Berry. There was discussion. Chairman Boyer expressed concern over the Planning Board not seeing the plans as revised. There was no further discussion. Chairman Boyer called for the vote. **Motion carries 3-2**, with Mr. Ward, Mr. Lepak, and Mr. Regan voting aye, and Mr. Boyer and Mr. Berry voting nay.

Raven Gravel License Renewal: AP 14, Lots 5, 7, 8, and 9

- report on Site Visit and advisory opinion to Town Council

Continue to February meeting

Mr. Mike McCormick, PLS from Alpha Associates was present. It was noted that an issue has arisen on this site.

Miss Paquet noted that she has not heard an update on this situation.

Motion to continue to the February meeting. Ward-Berry. (5-0).

Traffic Update: Centre of New England Boulevard

-- Presentation by Paul Bannon, PE on status and recommendations for traffic at Centre of New England development.

Moved to later in the evening as Mr. Bannon was not yet present.

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Major Commercial Land Development Project: Preliminary Plan

Exit 6 Industrial Park - AP 6, Lot 21-6

-- Off Route 3, Seth Way ; 9 individual buildings for contractor storage proposed.

Owner/ Applicant: Exit 6 Plaza, LLC; contact: John Assalone

- Schedule Site visit
- Set Preliminary Plan Public Hearing date
- Request for re-instatement of expired Master Plan

Miss Paquet explained that the Master Plan was approved in November of 2005. She explained that the Preliminary Plan shows the same project as the Master Plan, but with engineering details, and that the proposed use and density has not changed since the Master Plan.

Mrs. Letendre asked if anything in the subdivision regulations or zoning has changed that would affect the site. She noted that the Board needs to make specific findings of fact with regards to this. The Board requested a memo of review of the regulations that have changed and if anything affects this Master Plan approval. The Board noted that they would not take any action on this tonight, and would continue to next months meeting. Motion to continue to next month. Ward-Berry. (5-0). The Board set a site visit for January 27, 2007. The Board did not set a hearing date and noted that the Master Plan needs to be decided on first.

Major Commercial Land Development Project: Master Plan

Hopkins Hill Commerce Park – AP 3, Lot 16

--off Hopkins Hill Road; 5 buildings proposed for offices and 3 buildings proposed for storage

Owner/ Applicant: Gansett Associates, LLC; contact: Jeff Butler

- Schedule Site visit
- Set Master Plan Public Informational Meeting Date

It was noted that this is the site with the new Dunkin' Donuts. The Board discussed looking at the project again before setting the Public Informational meeting, and requested a larger size plan than the 8 ½ by 11. The Board requested a Pre-application meeting for February. Motion to review a pre-application plan and to set the site visit at the February meeting. Ward-Berry. (5-0)

Major Residential Subdivision: Pre-application

“Millstone Farm Estates” – AP 33, Lot 1-1

--off Plain Meeting House Road; 19 lots proposed

Owner: Wayne Regnaire, Executor of Estate; Applicant: Universal Realty

Mr. Tim Behan, PE from TJB Engineering and Mr. Kirk Andrews, PLS were present, representing Universal Realty. Mr. Behan gave an introduction to the site and went over the existing conditions as guided by the narrative report for the project. He noted that according to the soils, the groundwater table is greater than 6 feet, and the depth to ledge is greater than 5 feet. Mr. Behan went over the sheets of the plan set and noted the particular features of the 3 concepts that they designed. Miss Paquet gave her comments and the TRC comments regarding the historic structure on the site, the name of the project, the drainage and public works comments, and the possible driveway access to eliminate the curb cuts on Plain Meeting House Road. Mr. Ward noted a concern of the location of the proposed intersection at the bottom of the hill.

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Chairman Boyer noted the huge issues of drainage and noted that the applicant will need to work with the consulting engineer to relieve this. He noted that there may be additional requirements for water due to water availability issues on nearby sites. Mr. Lepak noted that the development impact statement was missing comments on geology, affordable housing plans, fiscal analysis, whether the site is vacant, and he discussed the Composite Constraints map from the Natural Resources section of the Comprehensive Plan. Mr. Lepak asked for more information about the feasibility of the 19 lots. Mr. Behan noted that they have additional information that will be known soon.

The Board requested more information of a topo map, to have the wetlands flagged, and to investigate the feasibility of the intersection at the bottom of the hill at the curve. Mr. Ward noted that it seems a hazardous intersection at the bottom of the hill. The Board invited the applicant to come back for a supplemental pre-application next month. Mr. Lepak noted a possible off-site improvement of repaving a section of Plain Meeting House Road.

There was a 5 minute recess.

Public Hearing: Amendment to Comprehensive Plan

In conjunction with

Advisory Opinion to Town Council on application for Zone Change regarding

Residential Condominiums/ Major Land Development Project: AP 1 Lot 10-1 and 10-3

--Current Zoning is Highway Business; Proposed Zoning is to extend the Exit 7 Special Management District to encompass these parcels. On corner of Division Street and New London Turnpike; Owner: Universal Properties (Nicolas Cambio)

Miss Paquet explained the agenda items, and noted what the application is for. She further explained the application and the procedure for the Comprehensive Plan amendment and the Zoning Amendment.

Motion to open the Public Hearing. Ward-Berry. (5-0).

Mr. John Pagliarini, Jr., Esq., approached the Board. Mr. Pagliarini further explained that this application is just for the Zone Change and noted that there will be further public hearings when the actual site specific plans for the proposed project comes forward. Mr. Pagliarini passed out an 11 x 17 plan to the Board, with 3 sheets showing a revised concept plan for the project. He noted that the review by the Conservation Commission was continued to February.

Mr. Pagliarini then explained the Exit 7 Special Management District for the Centre of New England and what is allowed at that site. He noted that the application for the commercial phase will be submitted to the Town tomorrow. Mr. Pagliarini noted that Mr. Bannon will speak later this evening for an update on the traffic. He explained that the traffic by Wal-Mart and Home Depot is spurring more commercial development interest and that it is becoming a commercial magnet. He stated that a business decision was made to relocate the residential age-restricted out of the business park onto the "Lawson parcel" (referring to AP 1 Lots 10-1 and 10-3), that Mr. Cambio purchased in November. Mr. Pagliarini noted that they made a pitch to the Town Council that they wanted the rooftops out of the West Greenwich side to bring the commercial

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in. He noted that the site is zoned Highway Business and that the Wal-Mart could have gone there but that it would be a business problem having the secondary commercial market disconnected from Centre of New England Boulevard, and noted that it makes more sense to have the commercial all in the park itself.

He noted that a concern that came out of the meeting with the Conservation Commission meeting was the density. He noted that right now they can build 40 elderly units per acre in the business park, and they can build 220 units on 5 acres in the Centre of New England tomorrow. He noted that they wanted to build 147 condominiums on the Lawson parcel. He noted that the Lawson parcel and the lots around it are all zoned Highway Business. He noted that the latest plan is before the Board now, with 110 condominiums with a different road layout. He noted that this project, on 25 acres of land comes out to a density of about 5.5 units per acre. He stated that multifamily housing is a good transitional use to the single family housing of Carrs Pond Road, rather than a 60 foot tall commercial building. He noted that in addition to commercial, this site was identified in the Town's Affordable Housing Plan as a prime place for Senior Village District Zoning. He noted that the Senior Village District can have a density of up to 10 units per acre. He noted that the Planner would like this project put on hold to have this parcel rezoned for a Senior Village District. Mr. Pagliarini proposed that that should be more intense than what he is proposing now at 5.5 units per acre. He stated that he did not like Miss Paquet's recommendation because speed is not that Town's greatest asset. He referred to an exit 5 proposal and asked how it is going. He questioned the time line of a minimum of 6 months. He asked that the Planning Board move forward with it's recommendation to the Town Council for the February 14th public hearing.

Mr. Pagliarini noted that there are 4 things before the Board. He noted that they need textual changes to the Comprehensive Plan for the SMD, to add the acreage to the text. He noted that the Future Land Use Map needs to be amended to show Exit 7 SMD. He noted that then the Town Council needs to amend the designation of the parcel from Highway Business to Exit 7 SMD, and lastly, some text changes are needed to the ordinance.

Mr. Pagliarini noted that at the last meeting there were some heated words about what was being done on the site. He noted that he walked the site today and noted that some trees were cut down, but the stumps are still there, and there has been no excavation. He noted that he asked his client to stop what ever he was doing and he did.

Chairman Boyer entertained discussion with the Board.

Mr. Ward noted that the Low to Moderate income is not Section 8 housing, and noted it is more for work-force housing or young people moving out of parent's homes, but being able to stay in West Greenwich.

Mr. Lepak asked about the numbers in terms of what was told to the Board for meeting the Affordable Housing for Centre of New England versus what is proposed here. Mr. Pagliarini noted that the SMD requires 13.5 percent of the units in the SMD to be Low to Moderate Income units. He noted that the number was derived by the 70 units of Affordable units that were going to be created out of the 520 units that were approved. He noted that the 300 units pushed the

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Town into deficit with no Affordable Housing units. He stated that if he builds the 110 units on the 25 acre site, he does not want to put any affordable there. He stated what they would like to do is either give the land or work with a professional low-mod corporation and build a low-rise 2 or 3 story building on the remaining 4 or 5 acres of land that they have. He noted that they promised the Town 70 low-mod units, but it was based on 520 units. He noted that they only built 300 units. Chairman Boyer noted that the 70 units were specified in the Ordinance. Miss Paquet noted it was mentioned in the phasing section of the ordinance. Chairman Boyer asked if they are not going to build the units in the park. Mr. Pagliarini noted that if this project is rejected, they still have the right to build the 220 under the current Master Plan in the park. He noted that if he doesn't build those, then he owes the Town 40 affordable units plus another 15 or 16 affordable units for the 110 units proposed now. Mr. Pagliarini continued to postulate numbers of affordable units. He then discussed the fiscal impact of the project. He stated that these 110 units would be assessed at a minimum value of \$300,000 each for a total assessed value of \$33,000,000.00. He noted that, as a Rhode Island Certified Tax Assessor, the Homestead exemption would have to be given considering these are single family ownership. He calculated a tax rate of about \$12 and noted that the total taxes would be just under \$400,000.00 per year. He noted that this would be private roads and an age-restricted community where, at most, a couple of children would be there.

Mr. Pagliarini then supposed a fiscal impact for a commercial development where \$5,000,000.00 was paid for the land, and \$10,000,000.00 was spent on a commercial building. He calculated \$15,000,000.00 at a tax rate of \$20/\$1,000 would be \$300,000.00. He stated that the Town would generate more revenue with the age-restricted housing.

Mr. Lepak asked how many children per unit would be in a 4-bedroom unit. Mr. Pagliarini said, if he was asked as an expert witness in Planning, that he would say 2. He noted that the 4-bedroom homes in Town are skewed by the trailer parks and the other residents in Town. He noted that all the one-bedrooms are dragging down the average number of children per unit. He noted that no one is building a 4-bedroom house with just a couple moving in. He noted that they are bringing a couple of children with them. There was discussion.

Mr. Ward noted that there are elderly people and over-55 people that qualify for Low to Moderate housing, and that there should be provisions to have an inclusion of affordable. Mr. Lepak asked if this type of proposal would qualify for affordable housing. Mrs. Letendre noted that the proposed condominium development would not count because it is not subsidized and it is not being restricted to occupancy by residents at or below 80 percent of median income. Mr. Pagliarini noted that \$175,000.00 is the maximum he can sell a condominium unit for, and then stated that he paid \$150,000.00 per acre for the land. He stated that it is a loser. Mrs. Letendre explained that the other project Mr. Pagliarini referred to would be senior housing subsidized by HUD money and all of the units would be limited to elderly affordable units that would count towards the 10 percent. Mr. Pagliarini noted that it doesn't work from a developer's point of view, and that it is unrealistic.

Mr. Ward noted that the Board approved the Grandeville apartment complex with the understanding that the Town would be provided with 70 affordable units and stated that those units have to be provided for the Town. He noted that he would say a certain percentage of these

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110 proposed units need to provide for that 70. He noted that they made their money over at Grandeville and they will have to bite the bullet at some point and come forward with the age-restricted affordable. He noted that his point is that the Town is owed affordable units and that an agreement was made for 55 and older units, and that some of these units need to be age-restricted affordable low-mod income.

Chairman Boyer noted that the Board was promised the affordable in the SMD and that they were cast aside. He noted that now they are being pushed again, but they are still not part of what is being proposed, and rather they are some future possibility that might happen in some joint venture with the Town. He noted that the units are still not accounted for and in reality, the Town needs them.

Mr. Pagliarini explained that this is easily remedied in this process. He noted that the Town is getting the commercial now. Mr. Lepak asked why if any reason the affordable units can not be built prior to the age-restricted condos. Mr. Pagliarini explained that they can't happen until later because the utilities need to be brought over Route 95 and down New London Turnpike. He noted that they would not do that for the Low-Mod. Chairman Boyer expressed concern over Mr. Pagliarini's discussion on income and profitability. He noted that when it comes to the affordable units, it is not the Board's concern, because the Town was supposed to have the affordable units already. He noted that now the Board is faced with the request to expand the SMD to across the street, and thought maybe it would be better as it's own parcel standing separately from the SMD, and asked why this land needs to be part of the SMD. Mr. Pagliarini noted that it is the frustration of trying to read the Boards. He asked after the Corporate Zoning went through, how many SMD's does the Town want. He noted that it was easier to tweak the existing ordinance than to create a whole new layer of zoning. Mr. Lepak asked Miss Paquet how what Mr. Pagliarini is proposing differs from what the affordable housing consultant is proposing. Miss Paquet noted that we don't know yet how much it would be different, but that the benefit is that the Town would be pro-actively initiating it's own ordinance based upon Town input. She noted that the Town is currently working with a consultant and noted that the Affordable Housing Task Force has already had a meeting with the consultant. She noted that the Town is on a tight time-line. She noted that the Town is working with a consultant to implement the Affordable Housing Plan by developing a number of ordinances that were recommended by the Plan. She noted that the Town has already given input for details that needed to be fleshed out for an Inclusionary Zoning ordinance. She noted that when the Affordable Housing Task Force meets with the consultant again in February, that the consultant will have a draft of the ordinance based on that input. She noted that also at that same meeting, the Town will discuss details for the two mixed-use zoning districts, of the Senior Village District and the Village Center District for the Town. She noted that this exact parcel was noted in the plan as an area earmarked for future zoning as a Senior Village District. There was discussion.

The Board asked for the applicant to show some renderings of how and what kind of structure they would propose low to moderate income housing. There was discussion. Chairman Boyer asked to see what structure footprints would look like in the configuration, in order to see the density.

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Mr. Ward asked if there are any issues with the Town Line with East Greenwich, as there were with the Town of Coventry. Mr. Boyer noted he was not aware of issues with the Town line there.

Chairman Boyer opened the hearing to comments from the audience.

AnneMarie D'Abrosca, corner of Division and Carrs Pond Road, noted that she will be able to see everything from her bedroom window and asked about Kent County Water Authority and if they have any comments on this proposal. Chairman Boyer noted that if they proposed to have the site serviced with public water, then they would have to get approvals from Kent County Water. He noted that the project is proposing private wells. Ms. D'Abrosca asked how 110 wells would impact her water. Chairman Boyer noted that that is something that will have to be looked at, and he assumes the Board would make them do a water study. Mr. Pagliarini represented that they probably already have that in motion to complete a hydrological study. Mr. Pagliarini noted that at a minimum, they have already been to Kent County Water looking at hydrants for fire suppression. He noted that as far as drinking water, occupancy is projected at 18 months out at the earliest, which is when Kent County Water is supposed to have water.

AnneMarie D'Abrosca explained that she likes the rural in her area, and noted that this development is not rural. She stated that West Greenwich will not be rural when she can look out her bedroom window and see 110 units. She noted that his residential area does not go at all with her residential area. Mr. Pagliarini clarified that he said it would be transitional, because it could be commercial. Ms. D'Abrosca noted that he is holding the commercial aspect hostage to the Board, and it is not fair. She noted that she pays taxes too, and the fact that Mr. Cambio paid \$4.5 million for that land is being held over the Planning Board's head too, and that he is posing what is the lesser of two evils here. Ms. D'Abrosca noted that she understands that there has to be a compromise and that something has to be done, but that she doesn't see anyone asking the residents to participate in the decision and be included in the planning. She noted that truly, she would like to see nothing, but that she knows that is not going to happen. She noted that she has to make a decision now whether to live in her house or move. She reiterated that she thinks they are holding the Town hostage and noted that she doesn't think that is how the public process should work.

Bill Williams, 70 Division Road, the triangle- asked Miss Paquet how to balance the Big River area across the street which is total rural and can't be built upon, with this dense development. He noted that he thinks the Town needs to maintain the ruralness of the area. Chairman Boyer explained that the zoning is Highway Business, even though there is preserved property right across the street, and what ever is allowed in the zoning ordinance, they are allowed to do. There was discussion. Chairman Boyer noted that density seems to be the issue.

DaleWilliams, 70 Division Road- asked how many people would live in the 110 units and the low-rise 40-70 units. Mr. Pagliarini estimated on the high side would be a maximum of 2 bedrooms per unit, so 2 people per unit. Mrs. Letendre clarified that HUD funding is for only 1 person per unit.

Someone asked if there are delays with HUD funding.

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Michael Gormley, 51 Carrs Pond Road noted that this Town has volunteer fire departments and asked if elderly will require more fire and rescue services and if the Planning Board has considered this. Chairman Boyer noted that the Technical Review Committee looks at this, and noted that comments from the fire departments are given at that time.

Michael Gormley said last month the Board said they have no decision making ability, but now tonight they do with regards to changing the Comprehensive Plan. He said he feels mislead. Mr. Ward stated that there was no legal counsel at the last meeting and that the Board was not aware of the Comprehensive Plan amendment. Chairman Boyer noted that the Board can not make the decision themselves, and that the Board is also giving an advisory opinion to the Town Council on the Zoning change. It was noted that the Planning Board does have the authority to amend the Comprehensive Plan, but it requires both Planning Board and Town Council approval. It was clarified that if one Board denies the Comprehensive Plan amendment, then it would be denied because both Boards would need to agree to approve it.

Mr. Pagliarini answered the previous question of 300 people for the population, and noted that for fire suppression, Lake Mishnock Fire Department has them run a computer program to make sure all the vehicles can go through and noted that they can lay up to 1,600 feet of hose from a fire hydrant and that they may look at Phelps Pond for a dry hydrant.

Vivean Peasley, 64 Division Road, noted she is concerned about all the light pollution and noted she did not plan on all the lights from Centre of New England on 24-7, and asked what is going to happen when these people want street lights? Mr. Pagliarini noted that the lighting has to be designed by a lighting electrical engineer and it needs the Board's approval.

Roger Martin, Carrs Pond Road, asked what an SMD is. Chairman Boyer explained that it stands for Special Management District, and noted that it is zone change with it's own rules and regulations. He noted that it was done for Centre of New England and noted that it has certain restrictions, but also certain advantages that go along with it. Mr. Ward noted that it allows mixed-use of a residential and a commercial component.

Mrs. Peasley noted that the lighting for the Piascyk property was supposed to be facing down and time restricted but that the lighting in the Center of New England was a surprise.

Suzanne Martin, 21 Carrs Pond Road- asked if has already been pre-determined that Low to Moderate housing is destined for that property. Chairman Boyer noted that originally it was going to be incorporated into the structures at the Centre of New England. He noted that the applicant is saying that the market has changed such that they no longer feel that it is viable to have the housing in the Centre of New England, and that they are asking the Board to extend the SMD to this area so that they can provide the housing that was promised there to be put over here. Mrs. Martin asked so they had approval to build there with the provision that they would have low to moderate housing in there, but then decided it wasn't cost effective and want to move it somewhere else.

Roger Martin asked why it can't be put back in Grandeville. Chairman Boyer explained that it was not supposed to be in Grandeville, but it was supposed to be in that part of Center of New

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England in West Greenwich. Mr. Martin expressed concern that they would build the 110 units and the Town would still be stuck without the low income housing, and there will be a very dense high-rise on the corner of Division Street and New London that looks like hell, and that it is going to compromise their quality of life. Chairman Boyer noted his worry is that the Board is not going to get the affordable that keeps getting pushed aside. Mr. Ward noted that the Board would like to see renderings of the housing to see if the plan is acceptable. Mr. Martin asked why we can't look at a commercial aspect for this land because maybe it is more beneficial for the Town. Chairman Boyer noted it might be but that the application tonight is for deciding whether or not this should be residential.

Bill Williams, 75 Division Road, asked if there will be a buffer. The Board noted they would require some kind of buffer, but asked if privacy would be there with a 30 foot buffer for a 3 story building in the winter. He noted that even if there is a buffer, he couldn't say if it would be adequate.

Dale Williams, complained about the traffic at Exit 7, and reminded the Board about the 300 more people that will be using the exit.

Tom Lepre, 53 Division Road, noted that his lot is surrounded by the parcel. He noted a concern of it being in his back yard. He noted that the traffic is horrendous at Exit 7, and that there are crashes every few months in the Williams' yard.

Tom D'Abrosca, Carrs Pond Road, noted that in this end of Town, they don't see much attention from the Town compared with the rest of West Greenwich because of where it is located. He noted that they don't see the police very often, they don't see the plow as quick as everybody else does, and he noted that they feel like this is going to be shoved down our throat because of where they live. He noted that he appreciates hearing from the Board that they do have their best interest in mind.

Mr. Berry noted that this application is a big deal because it is a zone change and that the Town is here for the people of the Town who provide feedback. Chairman Boyer noted that the residents shocked everybody last month when they came to the meeting because every time something goes on at the Centre of New England there are usually only 5 people in the audience, and noted that the residents made a statement and that is why the meeting was moved to the high school.

Mr. Ward thanked the audience for their comments but noted that he is not comfortable making a decision either way tonight and noted that he would like to see architectural renderings and more information on what the proposal would look like and some of the buffer concerns. Chairman Boyer asked for some perspectives of elevated rises from Carrs Pond Road looking towards the property of where the rooflines would be in relation to the treeline. He asked the view to be up to 21 Carrs Pond Road as a vantage point, looking straight down the road.

Ray Dauplaise, 12 Carrs Pond Road, noted that he doesn't like the way that Parcel B is being set aside until later on because he can see that the 110 units will go in, and then they will have to settle for what ever is being proposed because the Town has requirements to meet for affordable

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housing. He expressed concern that the possible high-rise building would look out of place with the neighborhood. Chairman Boyer noted that the Board doesn't want it pushed aside and noted that if this was to move forward, that the Board would like to know what that one building would look like too in terms of the façade and the height, and that there should be restrictions on it so that it wouldn't be a high-rise or a low-rise in the middle of West Greenwich. Mr. Dauplaise asked not to just see the 110 for the renderings, but also to see a rendition of this parcel.

Tom Lepre- asked why the 70 low to moderate income units from Centre of New England were cast aside. Miss Paquet explained that there was supposed to be a second residential development within the Centre of New England, and she noted that it is still on the Master Plan which is still in effect. The Board noted that the developer changed his mind on the residential units and is asking to build them across the street now. It was noted that he has the right to ask to move it, but that it is up to the Town to say yes or no. There was discussion.

Sandy Bockes, asked if the language in the ordinance is being changed to 8 feet from 25 feet minimum distance between houses. She noted that 8 feet is not enough room to do any landscaping around the house. It was noted that the developer is proposing 8 feet.

Adrian Knott, 51 Browns Corner Road, noted that one of the reason's he got off the Planning Board is because he didn't like the way the Town Administrator and the Town Council shoved this SMD to help set up a special place for a special person. He noted now the developer wants to expand outside of this area. He went on about special zoning for GTECH and impact to tax payers. He expressed concern about the Centre of New England and asked about the wetlands crossing. It was noted that the application has been pending before RIDEM for 18 months now. Mr. Knott expressed concern that now the developer doesn't want to do the housing there. He stated that he doesn't like the way the Town gave up the sense of partnership with the citizens by doing special zoning. Chairman Boyer pointed out that he doesn't agree and that he thinks the Planning Board has been very protective of the citizens, and noted the Cioe/Shepard/Bates property and the voice of the citizens which was overwhelmingly in favor. Mr. Knott then expressed concern about how the citizens can talk about low to moderate income housing in Town, but then go and buy up a lot of the acreage in Town so that there is less land to build low to moderate income housing on. Chairman Boyer asked Mr. Knott if he had something site specific to say. Mr. Knott noted it has to do with special zoning. Chairman Boyer pointed out that the applicant has every right to make a request, because this is America. Mr. Knott noted that he has a right to say that he doesn't like it.

Someone asked if the Town knew that Mr. Cambio was going to buy the property before he bought it. Chairman Boyer noted that this property has been talked about for years, but he didn't think there was discussion before he bought it about the extension of the SMD.

Sandy Bockes, asked what happens to the low- mod if this project doesn't fly. Chairman Boyer noted that hopefully the low-mod will still be a definite. Mr. Berry asked what the option is to keep the high-rise in Centre of New England. Mr. Pagliarini noted that it is a low-rise, not a high-rise.

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Mr. Pagliarini stated that he has never stood in front of the Board and threatened. He noted that he states facts and tells his client not to come to the meeting. He noted that he relays what happens at the meetings to his client. He noted that he will not go to the people's homes to ask what they want. He noted that he is just here to relay the facts to explain what can go here, and what they want to put here. He stated that it is up to the people to go to the elected and appointed officials. He stated, "deny me, and the commercial comes, there's no threat." He noted it could be a shopping plaza or a car dealership. He asked the audience to understand their location. He pointed out that this is one of the only areas in Town with public water and public sewer. He noted that affordable housing wants public water and public sewer. He noted that residents are under development pressure because there are utilities there, and that the residents are in a desirable area of West Greenwich. Mr. Pagliarini continued on about the area to the audience, and business decisions for his client.

Mr. Berry asked about what the option is to keep the low-mod in the park. There was discussion. Mr. Pagliarini noted he had a joint meeting several months ago with the Board and the Town Council and noted that the rub here is that he doesn't think the Council wants the low-mod.

Chairman Boyer noted that the Board is not in a position for a vote tonight, and noted that Mr. Pagliarini needs to discuss how this meeting went with his client. Mr. Pagliarini asked for a special meeting. There was discussion.

Motion to continue to Wednesday, February 28, 2007 at 6:00 p.m. at the High School, if available. Ward-Berry (5-0).

Traffic Update: Centre of New England Boulevard

-- Presentation by Paul Bannon, PE on status and recommendations for traffic at Centre of New England development.

Mr. Pagliarini introduced Mr. Paul Bannon, PE from RAB Engineering. Mr. Bannon discussed the recent studies and traffic counts in the Centre of New England, now that Grandville apartments and more small businesses were built and the Home Depot and the Wal-Mart have been opened. He noted the progress on the RIDEM Wetlands application for the wetland crossing of the Centre of New England Boulevard.

Mr. Bannon noted that the new components have resulted in a significant increase in traffic, especially with the Wal-Mart. He noted that from the 2005 count to now, they looked at the a.m. peak period, the p.m. peak period, and Saturday. He noted that for the morning peak there was 26% increase, and a 97% increase for the p.m. peak. He noted that traffic has doubled for the peak hour volumes. He noted that during the morning peak hour there are approximately 500 vehicles on Centre of New England Boulevard, and during the p.m. peak hour from 4:30 to 5:30 p.m. there are upwards of 1,700 vehicles per hour, and he noted that the busiest day is Saturday, where for the midday period from 12 to 1 p.m., there are almost 2,500 vehicles per hour near the BJ's section. Mr. Bannon noted that back in 2005, there were approximately 8,000 cars per day on this section, and now there are, on average, 14,000 to 15,000 cars per day on that section of road. He noted that on the westerly side of Centre of New England (west of the wetlands in

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Coventry on the Hopkins Hill Road side) there are about 1,500 cars per day, which has not changed much, and the peak hour volumes have stayed the same.

Mr. Bannon noted that he has recently completed a traffic signal design for Centre of New England Boulevard and Universal Boulevard at the BJ's and Randolph Savings Bank. He noted that it would be installed within the next six months, and that RIDOT is also studying the installation of a traffic signal for the southbound ramp off Route 95 at New London Turnpike for cars taking the right turn off the highway. He noted that there is an extremely high volume there.

Chairman Boyer noted that in the left northbound turn also stacks up in the morning.

Mr. Bannon noted that they have recently re-striped the Boulevard to make it a 6-lane arterial which narrows down to a 4-lane near the residential to address the complaints of trucks parking on the road.

Mr. Bannon noted that in the next 7 to 9 months he will do the counts again, because there will be more development. He noted that prior to opening up the wetlands connection, he wants to establish a baseline of pre-and post-connector. He noted that once the wetland crossing is made, the traffic will change, and the north-bound off-ramp to go into the Centre of New England will not be needed, and people can get off at Hopkins Hill road to make the right turn in, depending on time of day to take the easier route, and he noted that there will be a full redistribution of traffic when that option is open.

There was discussion on the need for a traffic study for the condos. Chairman Boyer noted the trimming needed in Big River for site distance on the westerly corner. Mr. Bannon noted that that is one of his recommendations if the RV center goes in. There was discussion queuing on the ramps, the RIDOT and striping on New London Turnpike. Mrs. Williams, in the audience, noted the impact on the traffic from the volume of traffic from the Park and Ride and the difficulty this causes for making a turn.

There was further discussion on this issue and it was noted that there will be updates.

Motion to continue the remaining items to the February 26, 2007 meeting. Ward-Berry. (5-0).

The following items were continued:

ELECTION OF BOARD OFFICERS

Positions of Chair, Vice Chair, and Secretary

Growth Management Ordinance

-- Number of school-age children per household multiplier

Appoint 2 Members to Review Board for Residential Compound Ordinance

Motion to adjourn. Ward-Regan. (5-0). The meeting ended at 10:45 p.m.

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PLANNING BOARD MEETING

A regular meeting of the West Greenwich Planning Board was held on February 26, 2007. Present were: Chairman Mark Boyer, Brad Ward, David Berry, Tim Regan (7:07 p.m.), and alternates Tom O'Loughlin and Bill Bryan. William Lepak was absent. Town Planner Jennifer Paquet was present. Assistant Town Solicitor Nancy Letendre, Esq. was present.

Chairman Boyer called the meeting to order at 7:00 p.m.

CONSENT AGENDA

Motion to remove the items from the consent agenda. Ward-Berry (5-0)

A. Acceptance of Minutes

January 22, 2007 Regular Meeting

Motion to defer the minutes to the end of the meeting. Ward-Berry (5-0)

B. Minor Subdivisions

Minor Subdivision: Preliminary Plan ("Construction Plan")

"Harrington Plat No. 2" – AP 54, Lot 6-5

--Henry Brown Road; 3 frontage lots proposed

Owner: Donald E. Harrington and Bernard Harrington;

Applicant: AJC Custom Home Dev. (Andrew Catanzaro)

Miss Paquet explained that she received comments from the Fire Chief to assess the Fire Suppression fee, which need to be incorporated into the draft motion. It was added as condition number 11. Miss Paquet noted that today she received supplemental information from the applicant but has not had a chance to review it yet. It was noted to add condition 12 that the approval is subject to review by the consulting engineer and the Planner. She noted that the applicant has also proposed another solution to the rainwater rather than infiltrating. There was discussion.

Motion to approve the proposed Minor subdivision plan, "Construction Plan Harrington Plat No. 2" for AP 54, Lot 6-5, dated January 2007, prepared by Alpha Associates, LTD, prepared for AJC Custom Home Development, with the following conditions:

1. That the Open Space and Recreation Fee be assessed for each lot (currently at \$5,000.00 per lot).
2. That the preliminary approval shall expire 90 days from date of approval, unless the final plan is submitted within that time; and that extensions of approval may be granted by the Administrative Officer if no applicable amendments have been made to the Regulations within one year of Board approval. Any request for extension of approval for longer than one year shall be heard by the Board.
3. That the Planner review the Final Plan administratively
4. That proper erosion controls be used during house construction.
5. Tie all roof runoff into infiltration systems, or other comparable method of containing runoff, to be reviewed and approval required by Town. Applicant will be responsible for reimbursement of outside engineering review payable prior to obtaining Certificate of Occupancy.

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6. That a driveway curb cut bond be posted and that any drainage improvements needed due to the driveway be made, at the discretion of the Highway Department.
7. provide engineer statement on site distance for each driveway
8. Provide information on who, if anyone, has legal rights of access to the existing trails.
9. Consider relocating existing trail away from proposed home on remainder of Lot 6-5 for privacy of homeowner, especially if others have rights to use the access.
10. Provide information on exactly where the cemetery is and how access is obtained.
11. Pay fire suppression fee as noted by Fire Chief dated 2/24/07
12. Final plan and materials subject to review by consulting engineer and Town Planner, and costs are to be reimbursed to the Town.

This approval is based on the 7 findings of fact in the draft motion. Ward-Berry. (5-0).

ELECTION OF BOARD OFFICERS

Positions of Chair, Vice Chair, and Secretary

Motion to nominate and keep the existing positions. Ward-Regan. (5-0) Officers remain as follows: Chair, Mark Boyer; Vice Chair, David Berry; Secretary, Brad Ward.

Raven Gravel License Renewal: AP 14, Lots 5, 7, 8, and 9

- report on Site Visit and advisory opinion to Town Council

Continue to March meeting

Item was continued to next month

Major Residential Subdivision: Pre-application, cont.

“Millstone Farm Estates” – AP 33, Lot 1-1

--off Plain Meeting House Road; 19 lots proposed

Owner: Wayne Regnaire, Executor of Estate; Applicant: Universal Realty

Attorney John Brunero and Tim Behan, PE, approached the Board. Mr. Brunero explained the project as a conventional subdivision of 21 lots on a site over 58 acres, and noted that they are not requesting any variance or waiver from the Zoning Ordinance or the Subdivision Regulations. He noted that there are two cul-de-sacs that conform to the regulations and do not exceed 1,200 feet. He noted that there were concerns on the name of the subdivision and that they would change it. Mr. Brunero noted that Mr. Procaccianti and Mr. Kirk Andrews, PLS are also here this evening.

Mr. Behan passed out 2 full size plans and noted that one has the topography and wetlands and that the other just has the property lines. Miss Paquet noted that she thought the original plan was 19 lots and asked if these plans have changed from last month. Mr. Behan explained that the last plan used the best available information from the RIDEM website, and since then they have had the wetlands verified by Natural Resource Services, and that this application is at RIDEM for verification. He noted that they also had the topography flown, and based on this latest information the subdivision is at 21 lots.

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Mr. Berry asked about suitable area and slope. It was noted that this information will be submitted for Master Plan. Chairman Boyer noted there is a 200 foot setback from water bodies for ISDS. Mr. Behan noted that they have accommodated for this on every lot. He noted that some test holes are old, and they also did some new tests, and that all the holes except for two are 10 feet and dry.

Chairman Boyer noted that one of the big issues is the drainage down at the turn in the road, and that the Board will be looking for some kind of either an easement for drainage, or something needed for the drainage, to relieve the runoff. He noted that something will need to be worked out. Mr. Brunero noted that he has already spoken with Miss Paquet about the drainage and possibly cross-cutting the road to incorporate the drainage.

Chairman Boyer noted also that when the Knight Estates site was developed, that a number of abutters raised concerns of water availability, and noted that the Board may require a study.

There was discussion on off-site improvements, but that feedback will be needed from the Public Works department. It was noted that Dave Andrews will be going out there tomorrow.

Mr. Ward reiterated his concerns about the second cul-de-sac intersection on the curve, and that from his personal experience it is an unsafe condition. He stressed that he lived on a situation like that and noted that when trying to drive out of his plat, he took his life in his hands every time for people who wanted to golf at Quidnessett Country Club. Mr. Brunero noted that they changed the access for that. Mr. Ward said yes, and noted that this is an identical situation and that he doesn't like it, and that he can't see voting for it in this condition. Mr. Brunero noted that for Master Plan a traffic study will be done and the site distances will be looked at.

Mrs. Letendre noted to have the building envelope exclude the wetland edge.

The Board asked about phasing. Mr. Brunero noted that there are 3 distinct portions of the project, being each of the independent cul-de-sacs, and the frontage lots on Plain Meeting House Road.

There was discussion on underground electric. There was discussion on cistern locations.

Request for Reinstatement of Expired Master Plan Approval:

Exit 6 Industrial Park - AP 6, Lot 21-6

Major Commercial Land Development Project

-- Off Route 3, Seth Way ; 9 individual buildings for contractor storage proposed.

Owner/ Applicant: Exit 6 Plaza, LLC; contact: John Assalone

- Master Plan approval received on September 6, 2005
- Schedule Site visit
- Consider Setting Preliminary Plan Public Hearing date

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Attorney John Brunero approached the Board. Miss Paquet explained the draft memo on the Master Plan extension. She noted that of the regulations that have changed, none of them affect the Master Plan for this project.

Mr. Berry noted that this parcel has been completely cleared and graded. Chairman Boyer expressed concern of no sanitary system proposed for this site. Mr. Brunero noted that they will put a toilet facility there. Mr. Berry noted again that the land is cleared right up to the property line and that there will be a need to revegetate and install a buffer there. There was discussion on the location of the emergency gate near the Verizon station and noted it should be beyond the building so the Verizon trucks have a place to park and turn around.

The Board stressed that applicants should not be clearing land without Planning Board approval, and expressed concerns with erosion controls and wetlands. Mr. Brunero noted that he was not aware that the developer did that, and he tell his client to stop.

Motion to re-instate the Master Plan approval for the Exit 6 Industrial Park as granted by the Planning Board on September 9, 2005, with all original conditions of approval and with the conditions that he applicant pay the re-instatement fee of \$280.00, and that the applicant has proceeded at his own risk and that the Board reserves the right to issue a Stop Work Order. This motion is based on the following findings of fact:

1. That the proposed project is consistent with the Comprehensive Plan
2. that the Subdivision Regulations are substantially the same as they were at the time of original approval
3. the zoning of the parcel is substantially the same as it was at the time of original approval
4. the physical condition on the parcel has substantially changed since the time of original approval in that the entire site has been cleared of all trees and graded. This finding has no bearing on the Master Plan however the developer is proceeding at his own risk, without Planning Board permission, and further action of which is independent of this decision.
5. that the applicable State or Federal regulations are substantially the same as they were at the time of original approval, or such approvals have not yet expired.

Ward-Berry (5-0).

A public hearing date for the Preliminary Plan was set for March 19, 2007.

Major Commercial Land Development Project: Master Plan
Hopkins Hill Commerce Park – AP 3, Lot 16

--off Hopkins Hill Road; 5 buildings proposed for offices and 3 buildings proposed for storage
Owner/ Applicant: Gansett Associates, LLC; contact: Jeff Butler

- Schedule Site visit
- Consider Setting Master Plan Public Informational Meeting Date

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Mr. Jeff Butler and Mr. Kirk Pickell, developers, approached the Board. Mr. Pickell discussed the site and noted that the plans have not changed since the pre-application plan. He noted that the proposed use is for a mixed-use retail industrial site. He noted that the configuration of the buildings, the parking, and the landscaping might change. He noted that these conceptual plans show the maximum impervious surface. He noted that further details will be shown for the Preliminary plan. He discussed the storm basin and noted the TRC asked to move it further east. There was discussion.

Chairman Boyer asked what the history of the use on the site was like. Mr. Pickell noted it looked like there was some gravel removed, but it was just a home.

Mr. Berry asked how the traffic is now that the Dunkin' Donuts is there. Mr. Pickell noted that there are no accidents reported from the Dunkin' Donuts owner, and noted that State removed the median strip that was on Hopkins Hill Road there.

The Board set a site visit for Wednesday, March 14, 2007 at 6 p.m. A public hearing was set for March 19, 2007.

Minor Residential Compound Subdivision: Preliminary Plan

“Bald Hill Residential Compound” – AP 28, Lots 21 & 22

--off Plain Meeting House Road; 3 new lots proposed (plus 2 existing for a total of 5 lots)

Owner/Applicant: Timeless Properties Inc. and Brian & Nancy McCoy

- Consider setting site visit
- Consider setting Preliminary Plan Public Hearing date

The public hearing was set for March 19, 2007, and a site visit was set for 8 a.m. on Saturday, March 17, 2007.

Minor Residential Compound Subdivision: Preliminary

“Andrews Residential Compound” – AP 24, Lot 8-2

--off Raccoon Hill Road; 3 lots proposed

Owner/Applicant: David Jr. & Lauren Andrews

- Consider setting site visit
- Consider setting Preliminary Plan Public Hearing date

The public hearing was set for March 19, 2007, and a site visit was set for Saturday, March 17, 2007, after the Bald Hill visit.

Major Residential Subdivision- As-Built (Final) Review

“Deer Run Estates” – AP 2, Lots 16-6, 18, 15, & 13

--Extension of Deer Run Drive off Carrs Pond Road; 23 lots proposed

Owner/ Applicant: DRE Investments, Inc./ G. Johnson Builders/ Gary Johnson

- Consider approval of subdivision for Final Recording
- Set Performance and Maintenance Bond amounts

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Mr. Gary Johnson was present. Miss Paquet explained that the subdivision improvements are substantially complete and that there were some remaining items identified, but that the full estimates on the maintenance bond and performance bond have not been worked out yet. There was discussion on the cul-de-sac at Mr. Belanger's property. The Board noted the rest of the restoration could be bonded, but that a deadline of April 30 was set. They noted that just for this item, Miss Paquet could return the bond based on input from Mr. Belanger. There was discussion on the draft motion.

Mrs. Letendre discussed a legal matter with this subdivision, and noted that it is under appeal by an abutter with the Supreme Court, but that Mr. Johnson understands the risk, and noted it for the record.

Motion to approve the As-Built Final Plans for the Deer Run Estates Major subdivision, AP 2, Lots 13, 15, 16-6, & 18 prepared by K. Andrews Associates, prepared for DRE Investments, LLC., dated 1/16/07, with the following conditions:

1. Continue to replenish Project review account as needed.
2. Address comments on As-builts from consulting engineer, forthcoming, to the satisfaction of the Town.
3. That the applicant reimburse the town for the cost of road signage, as applicable.
4. Open Space and Recreation Fee of \$5,000.00 per lot be paid prior to recording. (23 lots for a total of \$115,000.00)
5. Receive sign-off from Fire Chief on installation of emergency access gate and lock.
6. Record conveyance deeds / easements and descriptions for public improvements along with record plan, after approval by Town.
7. the driveways shall have berms to prevent road runoff from entering driveways
8. the cul-de-sac area at Mr. Belanger's property shall be properly filled, graded, and mulched with wood chips, no later than April 30, 2007. A separate performance bond shall be posted for the cost of such, as determined by the Town's consulting engineer prior to recording, and shall include the cost to plant the cul-de-sac with white pine in the Spring. Mr. Johnson shall appear before the Planning Board at the May meeting for a determination on this bond. The Planning Board will decide if either the bond may be returned for satisfactory performance, or pulled for others to complete. If there are weather related issues, the Planning Board may issue an extension. The Town Planner may decide on this bond only, based on input from Mr. Belanger.
9. that the mailboxes for the homes in the cul-de-sacs be located in the beginning neck of the cul-de-sac, not at each driveway.
10. notation of the stump burial area shall be so noted in the deed for each property that this area is located on.
11. that the "no-cut zone" on each property be noted in the deed along with a restriction that the area is to remain in the natural state, and this shall be shown on the Record Plan.
12. that the drainage easements be noted in the deeds for the properties that they are on along with a restriction that these areas shall not be tampered with.
13. Post cash performance bond to the Town of West Greenwich for the noted outstanding items in an amount to be verified and established by the Town's consulting engineer.

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14. Post cash maintenance bond to the Town of West Greenwich in the amount of 15% of the total cost of all improvements, as verified by the Town's consulting engineer. Mr. Johnson shall submit a letter to the Town of the break-down costs for the entire improvements for the subdivision.
15. That the Town Planner review the Record Plan.
16. that the above items may be handled administratively, and the Town Planner may have the authority to approve the final plan for recording.
17. The comments regarding remaining tasks as noted on the As-builts, and the comments from the Town Planner regarding the record plan, are herein incorporated into these conditions to complete.

This motion is based on the seven findings of fact from the draft motion. Ward-Regan. (5-0).

Major Commercial Land Development Project: Preliminary discussion

"Phase 3A- The Village Shoppes at Centre of New England" – AP 1, Lot 4-4

--Centre of New England Boulevard; Hotel and two commercial retail multi-unit pads proposed

Owner/ Applicant: Commerce Park Realty, LLC (Universal Properties Group, Inc.)

Contact: Nicolas Cambio

- Consider setting Preliminary Plan Public Hearing date

The public hearing was set for a special meeting to be held on Monday, March 26, 2007 at 7 p.m.

A. Acceptance of Minutes

January 22, 2007 Regular Meeting

Chairman Boyer noted a number of typos. Mr. Ward asked to note that he said, in response to Mr. Gormley under the Universal Properties Zone Change Advisory Opinion, that there was no legal counsel present and that the Board was not aware of the Comprehensive Plan amendment requirement.

Growth Management Ordinance

-- Number of school-age children per household multiplier

The Board considered the memo under advisement and had no comments nor held discussion.

PLANNING DISCUSSION/ OTHER BUSINESS:

--requires vote to add to agenda for discussion only

Miss Paquet noted the upcoming workshops for the Board and asked if anyone wanted her to register them, as the Town would pay the registration fee in advance.

Motion to adjourn. Berry-Ward. (5-0). The meeting ended at 8:40 p.m.

WEST GREENWICH
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PLANNING BOARD SPECIAL MEETING

A special meeting of the West Greenwich Planning Board was held on Wednesday, February 28, 2007 at the Exeter/ West Greenwich Regional High School Library, 930 Nooseneck Hill Road West Greenwich, RI. Present were: Chairman Mark Boyer, Brad Ward, David Berry, and William Lepak. Absent were: Tim Regan, and alternates Tom O'Loughlin and Bill Bryan. Town Planner Jennifer Paquet was present. Assistant Town Solicitor Nancy Letendre, Esq. was present.

Chairman Boyer called the meeting to order at 6:07 p.m.

There were approximately 24 residents present in the audience.

Public Hearing: Amendment to Comprehensive Plan, cont.

In conjunction with

Advisory Opinion to Town Council on application for Zone Change regarding

Residential Condominiums/ Major Land Development Project: AP 1 Lot 10-1 and 10-3

--Current Zoning is Highway Business; Proposed Zoning is to extend the Exit 7 Special Management District to encompass these parcels. On corner of Division Street and New London Turnpike; Owner: Universal Properties (Nicolas Cambio)

Attorney John Pagliarini was present with representatives from DiPrete Engineering. Mr. Pagliarini addressed the Board. He gave an overview of the parcel and the abutting sites, as shown on display Exhibit #1. He then noted what was approved by the Exit 7 Special Management District, as shown on display Exhibit #2. He noted that last month, the proposal was for 110 units of multifamily condominiums, as shown on display Exhibit #3.

Chairman Boyer explained to the audience that the application tonight is for the advisory opinion on the amendment to the Zoning Ordinance and on the amendment to the Comprehensive Plan, and that it is not for the specific development plan that the applicant is showing this evening. He noted that if the Zone change is approved, that the plan for the development would have to come back to the Board for approvals. Mrs. Letendre further explained the process to the audience.

Mr. Pagliarini explained that last month the proposal was for 110 units with a club house. He noted that there is give and take and that he went to his client based on comments from last month and noted that the current proposal is for 126 units. He noted that the area where the low-mod mid-rise was going to go was replaced with 16 condo units. He noted that the objection he heard was that the residents don't want a tall building or low income people there. He noted that they will put the low-mod back in the Centre of New England development. He noted that they also got rid of the club house because of the height.

Chairman Boyer reiterated that this proposal is a concept and is not before the Board for review at this time.

Nicole Riley, from DiPrete Engineering referred to Exhibit 3, and explained that they increased the buffer on Division Street, and that it is 90 feet from the edge of the pavement. She noted that the entrance was reconfigured for site distance and removal of the club house. Ms. Riley showed the renderings of the vantage points. Mr. Pagliarini explained Exhibit 4, which is the view

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PLANNING BOARD SPECIAL MEETING

northeast at Division Street. Exhibit 5 shows the view from 21 Carrs Pond Road, and Exhibit shows the view from the intersection of Carrs Pond Road and Division Street. It was noted that the units would be 2 bedroom age-restricted to 55 and older.

Chairman Boyer went over the strikeouts proposed to the SMD Ordinance with the Board for the Comprehensive Plan first. There was discussion on utilities and “public water supply” versus Kent County Water Authority water. The Board went over restriction on access from abutting residential streets. There was discussion on density. Chairman Boyer noted his concern of using this ordinance and that he recommends using a separate ordinance and keeping this parcel separate from the Exit 7 SMD. Mr. Lepak noted that he doesn’t see why this parcel is being included in the Exit 7 SMD. There was discussion and it was explained that the issue is whether it should be a separate zone. Mrs. Letendre discussed the option of an Overlay Zone, which is more restrictive to only allow the residential condos. There was discussion on the Affordable Housing Senior Village Zoning. There was further discussion. Mr. Ward expressed concern about spot zoning. Mrs. Letendre clarified that it is not spot zoning if you amend the Comprehensive Plan. Chairman Boyer proceeded with the strikeouts.

Mr. Pagliarini noted that they are working on a residential concept over the retail within the Centre of New England.

There was discussion on commercial density and the hotel. It was noted that a hotel has nothing to do with this application, but Mr. Pagliarini explained that it is just to fix a current situation of an 81,000 sf hotel which is now before the board on another application for the Centre of New England, which exceeds the 60,000 sf restriction. There was discussion on the separation between buildings and the Fire Code. There was discussion on the parking, not for this application, but for the hotel. There was discussion on Phasing and when the low-mod units will be constructed. Mr. Ward suggested a cash surety. There was discussion on East Greenwich owners and abutters.

Mr. Berry asked what can go there if it stays Highway Business. Mr. Pagliarini stated that it can be completely asphalted and a 60 foot tall building can go there. (Note for the record: HB zoning district has a Maximum Building Height of 40 feet.)

There was discussion on what is already owed for Low and Moderate Income housing due to the residential development within the Centre of New England and what percentages should be considered on this site.

Suzanne Martin, asked if they are changing it to residential, then why not use the same density as the existing neighborhood of 2 acres. Chairman Boyer explained that is what the application before the Board is requesting.

AnnMarie D’Abrosca, 3 Carrs Pond Road, asked what are the special requirements of a Special Management District, and what is stopping anyone from requesting special zoning. Chairman Boyer explained that the SMD has highway access and utilities. Mrs. D’Abrosca asked how a public well would affect all the neighbors and noted that she does not want to connect to Kent County Water. She asked again what assurance is there for their wells and what happens if her

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water table drops. Chairman Boyer noted that the Board can ask for a hydrologic study. Mrs. D'Abrosca expressed concern of the water table and noted that they should be required to have Kent County Water.

Vivean Peasley, 64 Division Street, asked if there would be sewer. It was noted that there would be West Warwick Sewer.

George Joovelegian, 80 Carrs Pond Road, asked what the advantage is to the Planning Board to do the Zone change before they review the plans, and then he asked what is the advantage to the Town to allow the zone change.

Mr. Pagliarini presented the Fiscal Impact Statement (Exhibit #7). There was discussion.

AnnMarie D'Abrosca noted that she was on the school committee and pointed out that Mr. Pagliarini's numbers are underestimated for pupil costs.

Mr. Lepak noted the benefit of Fiscal Impact Analysis for quantifying land use decisions.

Gail Murray, Hopkins Hill Road, noted she doesn't understand why this zone change would be better for the Town and the citizens of West Greenwich than a wildlife refuge. Chairman Boyer noted that the Board can't restrict the land owner from doing something with the property, and noted that the developer bought it to develop it, not to leave it as it is. He noted that it is the landowner's right to come before the Board to ask to do something with the property.

Milton Eastman, 20 Division Road, noted that there are a few residents on the east end and that compared to the west end of Town where the wildlife was purchased for the Town, asked if it was good enough for the west end, why doesn't the Town buy this piece? Mr. Ward pointed out that the Town paid \$8 million for 1,600 acres, and that this parcel is \$4 million for only 30 acres, and noted that it is not economically reasonable.

Mr. Eastman then noted Division Road is on 120 feet and paved on the south side, he noted that the traffic is getting to be bumper to bumper there and it won't be long before the State widens Division Road, so those trees could disappear quickly from the buffer zone.

Paul Kaltschnee, 81 Carrs Pond Road, noted that this is only what could happen on this parcel, and if we expand the Exit 7 SMD, then anything allowed in the SMD could go here. The Board noted that was so. Mr. Kaltschnee noted if the Town went with the Senior Village District, then it would be the only thing allowed.

Mr. Kaltschnee point out the Conservation Commission's January 4, 2007 meeting minutes and noted there would be an \$250,000 Open Space payment. He asked why only \$250,000 when the Deer Run Estates subdivision pays \$5,000 per home, and noted that if the math is done then the Town should get \$650,000.00 for Open Space. He then noted that he is glad to see access on Division stricken, because he doesn't think they need more traffic on Division.

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Stan Peasley, 64 Division Road, noted that the runoff goes to Parcel B and most runoff from Division Street goes onto Parcel B, and asked how this is going to be managed.

Kevin Morin, PE from DiPrete Engineering, noted they've shown conceptual drainage and that they will do a retention and infiltration system of drywells, with potential overflow back towards Big River.

Mr. Peasley noted that there is 4 feet of water sitting there at Parcel B.

Mr. Morin noted that RIDOT will need to review the plan.

Mr. Pagliarini noted the site conditions may change the plan and that they may need to do off-site improvements such as a traffic signal, and other State approvals.

Linda Eastman, 20 Division Road, expressed concern of the water and impact to the wells, and stated that the Town should require a study. She noted that she's lived here for 36 years and her well has been good. She asked that the Exit 7 SMD stay on the other side of the highway. She also noted that this property is valuable, and that something is going to be there.

George Joovelegian, 80 Carrs Pond Road, asked what is the advantage to the Town to expand the Exit 7 SMD, rather than doing a different zoning district. Chairman Boyer noted that that is something for the Board to consider.

Mrs. Letendre discussed "community wells," and noted that the Department of Health would get involved, but not for the individual wells.

Richard Loring, 59 Carrs Pond Road, noted that he came here 35 years ago to be in a rural Town, and asked if this development proposal is just for housing. Mr. Pagliarini explained that this development would not be lots, but would be multifamily single units on one big lot.

Sandy Bockes, Hazard Road, noted that the State of Florida has age-restricted communities that also restrict that no one under 18 can live there year-round. Mrs. Letendre explained that that is not allowed by the Rhode Island Fair Housing act and by the Federal Fair Housing Act.

Milton Eastman, had a question if there would be an association, and noted that he spoke with an attorney who says if 60% of the association votes, than they can get rid of the 55 and over restriction. It was noted that if the development is approved, then they'd have to come back to the Town to amend the approval.

Susan Woloohojian, Seth Brown Road, asked what is being looked at here, residential or commercial. Chairman Boyer explained that the application before the Board tonight is for an amendment to the Comprehensive Plan, and that the commercial application for the hotel in the Centre of New England is something different. Mrs. Woloohojian asked what is not allowed there now that they are asking for. Chairman Boyer noted that they are asking for the density and the residential use, by asking to include this parcel in the Exit 7 SMD, but that they way it is worded would also allow them to come in with commercial here. Mrs. Woloohojian asked if the

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Planning Board can stipulate that it be only this proposed use. There was discussion on any allowed use in the SMD. Mrs. Letendre noted that there could be a text change to limit this parcel to a residential use only.

Mr. Eastman, noted if this is residential, that there are still some lots left there that are business and asked if these would be residential too. The Board noted they would not because they are not part of this application and that they'd stay business.

Mary Kaltschnee, 81 Carrs Pond Road, asked what a hydrologic study is and how accurate it would be and if it is guaranteed. Kevin Morin, PE noted it would be one by a professional and the Town would then review it. Mr. Pagliarini explained that the renderings are expensive and that the hydrologic study is close to \$100,000 to do, and that you don't invest that kind of money unless that you know that the Town is behind you. Mrs. Kaltschnee asked what happens if there is no water, and is there a guarantee that there is water. Mr. Lepak noted that there are no guarantees and that it is an inexact science. There was discussion.

Suzanne Martin, asked what the recourse is and what happens if she runs out of water. Mrs. Letendre explained that there are no rights to the water in the ground and that the only recourse is to drill another well and see what happens.

AnnMarie D'Abrosca, asked if the applicant stated he won't spend the money for a hydrologic study unless they get the zone change. Chairman Boyer noted that if Board requires it, then they have to do it.

Richard Loring, Carrs Pond Road, stated that he thinks that everyone would be happy with this if it was approved with Kent County Water as the sole source of water. Chairman Boyer explained that there is a Town Water district that was prompted by areas in Town with little to no water and noted that the Board will do due diligence to protect the Town.

Mr. Ward wanted the audience to know that the Board is listening to their concerns. Chairman Boyer noted there are things the Board needs to look at before making a decision and asked the Board to consider continuing the meeting to March 26, 2007.

There was discussion on the Town Council notice for the March 14th meeting. Mr. Berry noted that it was a good point on zoning it SMD or an overlay. Mrs. Letendre explained that the Town Council can not finish their hearing until they get the Planning Board's comments.

Chairman Boyer recapped the issues as public water, density, and the use. He noted that he doesn't think anything new in terms of comments will come.

Mr. Martin asked what the Marriott generates for the Town. Mr. Pagliarini noted it would be around \$150,000 a year, plus the additional hotel tax. Mr. Ward asked if the applicant has an objection to a Senior Village. Mr. Pagliarini stated that, as an expert witness in planning, that he doesn't think it is the best thing.

Motion to continue the Public Hearing to March 26, 2007 at Town Hall at 7:00 p.m. Berry-Ward (5-0). Motion to adjourn Ward-Berry (5-0). The meeting ended at 8:00 p.m.

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A regular meeting of the West Greenwich Planning Board was held on March 19, 2007. Present were: Chairman Mark Boyer, Brad Ward, David Berry, Tim Regan, William Lepak, and alternate Tom O'Loughlin (7:20 p.m.). Alternate Bill Bryan was absent. Town Planner Jennifer Paquet was present. Assistant Town Solicitor Nancy Letendre, Esq. was present.

Chairman Boyer called the meeting to order at 7:00 p.m.

CONSENT AGENDA

A. Acceptance of Minutes

February 26, 2007 Regular Meeting

B. Site Plan

Communications Tower: Modification to antenna array; rearrangement and addition of equipment cabinet to existing communications tower site
Sprint/Nextel- AP 50, Lot 3 (West Greenwich #1 Fire Co.)
--Nooseneck Hill Road
Applicant: Sprint

Motion to approve the consent agenda. Ward-Regan (5-0).

Raven Gravel License Renewal: AP 14, Lots 5, 7, 8, and 9
- report on Site Visit and advisory opinion to Town Council
Continue to April meeting
Motion to continue. Ward-Regan (5-0).

Minor Residential Compound Subdivision: Preliminary Plan Public Hearing

“Andrews Residential Compound” – AP 24, Lot 8-2
--off Raccoon Hill Road; 3 lots proposed
Owner/Applicant: David Jr. & Lauren Andrews

Peter Suorsa, PLS from Coventry Survey Co. Inc., was present with Mr. David Andrews, Jr.

Miss Paquet explained the project for the audience and the Board. She noted that two new lots are proposed and that the TRC reviewed this in February. She noted that the TRC comments were addressed and the plans were revised and that the revised plans are in the Board's packets. Chairman Boyer asked if Subdivision Suitability and Wetlands approval have been obtained. Mr. Suorsa noted that they have been obtained. Chairman Boyer noted that a site walk was held this past Saturday and that he walked the site along with the owner. He noted that they are nice properties and that this is what the Residential Compound ordinance was designed for. Mr. Lepak questioned the note on the plan regarding trash pickup. Miss Paquet noted that the note will be removed, along with the note on picking up school children. Motion to open the public hearing. Ward-Regan. (5-0). Chairman Boyer opened the meeting to comments from the audience. There were no comments. Motion to close the public hearing. Berry-Ward (5-0).

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Motion to approve the proposed Residential Compound Minor subdivision plan for AP 24, Lot 8-2, dated January 12, 2007, revised March 6, 2007, prepared by Coventry Survey Co. Inc., for David Andrews, Jr. & Laureen Andrews, with the following conditions:

1. That the Solicitor review the proposed Residential Compound agreement documents and notation on the record plan.
2. That existing AP 24, Lot 8-1 is included as part of this compound.
3. That the fire suppression fee be paid.
4. That a note is added to the plans regarding amount of suitable land for each lot.
5. That the preliminary approval shall expire 90 days from date of approval, unless the final plan is submitted within that time; and that extensions of approval may be granted by the Administrative Officer if no applicable amendments have been made to the Regulations within one year of Board approval. Any request for extension of approval for longer than one year shall be heard by the Board.
6. That the Planner review the Final Plan administratively
7. That the final plans include existing lot 8-1 to notes 1 and 4 under the Andrews Residential Compound Proposed Agreements, as it is hereby included as part of this compound.
8. that the Flood Zone note be double checked to provide the correct Flood zone information.
9. That proper erosion controls be used during house construction, in accordance with the RIDEM permit.
10. that the cul-de-sac loop remain wooded to reduce runoff to the wetland.
11. That a driveway curb cut bond be posted and that any drainage improvements needed due to the driveway and/or gravel road be made, at the discretion of the Highway Department.
12. comply with additional requirements for Final Plan noted in the Residential Compound Ordinance

This approval, with conditions, is based on the 7 findings of fact in the draft motion. Ward-Berry (5-0).

Exit 6 Industrial Park: Preliminary Plan Public Hearing

Major Commercial Land Development Project- AP 6, Lot 21-6

-- Off Route 3, Seth Way ; 9 individual buildings for contractor storage proposed.

Owner/ Applicant: Exit 6 Plaza, LLC; contact: John Assalone

Attorney John Brunero, Jr. approached the Board. Mr. Tony Wisnoski, PE from Commonwealth Engineering and John Assalone, owner, were also present. Mr. Brunero explained the property and the project. He noted that it is a private drive with a cul-de-sac that will be installed and maintained by the owner. He noted that it is for 9 commercial buildings of about 5,000 s.f. each. He noted that they have met with the Technical Review Committee, and that there will be emergency access only off Valerie Drive. He noted that they now have DEM approval for the detention basin and that it has been constructed. Mr. Assalone apologized to the Board about a misunderstanding. He noted that when he received the permit from RIDEM he came to Town Hall and asked the Town Administrator and Town Planner if he could start constructing the

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pond. He noted that in order to do that he had to cut and fill more materials that he took from farther on the site. Chairman Boyer noted that the Board expected to see an untouched site when they went for the site visit.

Mr. Brunero noted that the use is commercial for small companies like landscapers, plasterers, and carpenters, to fill a need where the small business operating from home becomes too big for a residential neighborhood. He noted that the buildings will be constructed one at a time, as they are rented out.

He noted that the concerns from the last meeting and from the TRC are lighting and landscaping. He noted that it will be a thick, heavily dense landscaping buffer with a low-intense lighting where the neighbors will not have intrusive lighting as a buffer zone. He noted that the natural screening will go a long way. He noted that the revised plan shows a restroom facility between buildings 4 and 5.

Chairman Boyer asked if the slope will be 3:1 along the property line with Big River. Mr. Assalone noted that they found they could meet the regulations without putting a wall there.

Chairman Boyer asked about the emergency gate relocation to accommodate utility trucks to turn around. Mr. Brunero noted that they will move the gate up so that trucks have a place to turn around.

Miss Paquet asked if the latest comments from Mr. Martin dated February 6, 2007 have been addressed. Mr. Anthony Wisnoski noted that the comments were the same set of comments that were answered in the previous set of comments. He noted that they were repeated, and that they haven't answered them because they are the same comments and they have the same response.

There was discussion on the landscaping and the plant list.

Mr. Wisnoski handed over the response to comments from the engineer. He noted that Fuss and O'Neill offered four comments. He noted that they are not infiltrating roof runoff because it was designed for the water to go to the detention basin, and it was approved by RIDEM, and that there is a considerable amount of pavement on site. He noted that they are not installing a sediment forebay in the detention basin because the forebay was not required and it was designed and approved by DEM without the forebays. He noted that they are not adding 6 inches of freeboard because the controls are the wetlands and the slopes and that they didn't believe it was a problem and neither did DEM when they reviewed the plans. He noted that the 4th comment pertained to building mounted lights not being cut-off, and that they are going against the wall to light the area for pedestrians and to provide security lighting for the area around the building. He noted that the lighting levels are 15 to 20 feet outside the emergency access road and that it is zero at the residential property line. Mr. Assalone noted they do the same thing in Coventry which are very low impact.

Chairman Boyer discussed the use of the buildings and asked if businesses will be run out of the buildings. Mr. Assalone explained that it is the same use as in Coventry, which is equipment storage, and that nobody will be in and out buying things there. He noted that in Coventry, all

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the other operations are storage, except for one, where they went to the Town to ask to do something. He noted that his understanding is that he would have to apply for each building as he goes.

Chairman Boyer noted that the Board wants to hear from the consulting engineer, Mr. Martin, to find out if he is ok with what was just explained, and if there could be correspondence. Mr. Wisnoski noted that they will return the same responses and that Mr. Martin is just not satisfied with their solution. Mr. Brunero noted that the detention basin is private and is their responsibility to maintain. He noted that they have complied with the requirements of RIDEM and that he doesn't think anyone will be hurt. There was further discussion.

Mr. Ward asked about a traffic study and why it wasn't required. Mr. Wisnoski noted that for the type of businesses of contractor storage, that the peak hour is avoided because the business wants to get in there before work starts. The Board was looking for a reason from the Town's consulting engineer about the traffic.

Mr. Lepak asked if there will be signage. Mr. Assalone noted that he is not asking for any signage, except small directional signage on the property, maximum 2 by 3 point to the numbers on the buildings.

Mr. Berry asked about bathroom facilities and if it is for each building or just one. Mr. Assalone noted that he would like to have discretion on the first two buildings. Chairman Boyer noted that at least one is needed there. There was discussion.

Miss Paquet recommended that the Board consider a fence at the buffer. Mr. Assalone questioned the need for this. There was discussion. Chairman Boyer noted that it is something for the Board to consider.

Motion to open the public hearing. Ward- Berry (5-0). Chairman Boyer opened the meeting to comments from the audience.

Dominic Fiorio, Valerie Drive, asked who maintains the emergency access. There was discussion. It was noted that it will be gated. Chairman Boyer noted that Valerie Drive will be maintained the same as it is today. Mr. Fiorio noted that concerning the fence, he has a young son and that the trees were cut down and that the buffer zone is probably not going to be high trees and will take 30 years to grow. He noted people can go into his yard. He noted his issue is safety.

There were no other comments. Motion to close the hearing. Ward-Berry (5-0).

Mr. Ward noted that there were a lot of issues on this and asked to table this until they have a draft motion for the next meeting. He noted that they would like stipulations relating to directional signage only and no advertisement signage on site, that they are required to resolve the engineering issues, and that the uses be storage and other on-site uses that have public access would require Planning Board approval. He noted they would like to discuss the fence issue and require it perhaps at a certain amount of buildout. There was discussion. The Board decided to

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go with landscaping for now, and if there are issues, the Board can require a fence. It was noted that the phase one will be the detention pond and the first two buildings, and the Board will look at the need for a fence at phases one and two.

Motion to continue to next Monday. Ward-Berry (5-0).

Presentation by Representative Nicholas Gorham

-- proposed legislation on a State Rural Conservation District

Representative Gorham approached the Board. Rep. Gorham explained his proposed legislation regarding a State Rural Conservation District. He presented a map of Rhode Island and showed the area of the western Pawcatuck Borderlands and the area proposed to be exempt from the Low and Moderate Income Housing Law, and where 5 acre zoning can not be increased in density. He noted that even if the Town does not have 5 acre zoning, endorsing this legislation will not hurt the town. He explained his proposed legislation for exemptions in the west, and noted that he is hoping to get a resolution or endorsement on the act from all the Land Trusts, Planning Boards, and Town Councils in the area.

Mrs. Letendre asked if the properties would have to be zoned 5 acres in order to be exempt or if just designating the area as the Borderlands makes it exempt. It was noted that the Town would have to rezone to 5 acres in order to take advantage of the exemption. She noted her concern it that this is incentivizing upzoning and the impact to the existing properties would all become non-conforming. She suggested that all the land within the designated boundary, regardless of zoning, be exempt. There was discussion.

Motion to wholeheartedly endorse the bill 2007-H5990. Ward-Lepak (5-0).

Major Commercial Land Development Project: Master Plan Public Informational Meeting

Hopkins Hill Commerce Park – AP 3, Lot 16

--off Hopkins Hill Road; 5 buildings proposed for offices and 3 buildings proposed for storage
Owner/ Applicant: Gansett Associates, LLC; contact: Jeff Butler

Mr. Kirk Pickell of Gansett Associates, and Mr. Kevin DeMers, PE with DiPrete Engineering, approached the Board. Mr. Pickell noted the detention pond was moved towards the south. He presented the revised plans showing a single building for storage with more paved area for storage with a 20,000 square foot footprint. Mr. Pickell explained they have a tenant and that there will be no weekend hours or activity at night. He noted the lighting would be facing away from the residential area. He noted that there has been different interest in the buildings and there might be some office, retail or industrial contracting. It was noted that this is just the Master Plan and each building will need to be reviewed by the Planning Board.

Chairman Boyer pointed out that most of the impact of this development would be to the residential area, and that the Board will make it that some type of berm be required. Mr. DeMers

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noted that they have started looking at conceptual grading of the area and that they can build an approximately 10 to 15 foot berm. There was discussion on grades.

Chairman Boyer noted that there have been immediate concerns of the drainage and the amount of water coming off this site impacting the properties. He noted that another storm is coming. There was discussion on drainage and the recent storms. Mr. Pickell explained that they put hay bales in and showed pictures of what they've done. Chairman Boyer suggested a series of checkdams instead of one row of haybales. Mr. Ward asked Mr. Pickell if his engineer has reviewed the controls that were put in for the drainage thus far. Mr. Pickell noted that they have not because they reacted to the situation to get it done.

It was noted that septic and Kent County Water utility will service the site.

Miss Paquet noted that the plans that are being shown are different than the plans the Board has tonight. She noted that there is more impervious surface shown now around the self storage, and asked if the calculation for impervious surface included the Dunkin' Donuts site. Mr. DeMers noted that they have not calculated the entire impervious surface yet but noted that the perimeter could be gravel instead of paving the entire area.

Chairman Boyer noted that this is a Public Informational Meeting and opened the meeting to comments from the audience.

Mrs. Bailey, 16 Seminole Trail, noted that she had 5 feet of water in her basement after this storm. She noted that Mr. Butler and his partner were very good about coming and putting in trenches and sand bags after the damage was done. She noted that she has never had a problem with water in her basement in the 43 years that they've lived there. She noted that they explained the plan to her and noted that it is not documented. She asked if these things are really going to be done. She also noted that the volunteers from Lake Misnock Fire were terrific and where right there to pump out their basement. Chairman Boyer explained that obviously the applicant knows about the problem. Mrs. Bailey noted that there is no documentation and that there is sand in her back yard now. She noted that wanted to speak with Mr. Breene to thank him.

The Board noted that they would add a condition that the temporary controls be maintained during construction to avert drainage harm to the abutters, and that they be reviewed and assessed by the applicant's engineer to ensure adequate protection to the abutters.

Sherry Roberts, 22 Seminole Trail, noted that they also had water in their basement, and also wanted to make sure a buffer is incorporated in the plans. She expressed concern about the traffic on Hopkins Hill Road in terms of noise and visual. Chairman Boyer noted that the berm will be for noise and a visual buffer.

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Motion to grant conceptual Master Plan approval for the proposed plan entitled, “Master Plan Submission, Hopkins Hill Commerce Park,” for Assessor’s Plat 3, Lot 16, initially dated November 21, 2006, revised date to be stamped and certified by the engineer, prepared by DiPrete Engineering Associates, Inc., prepared for Gansett Associates, LLC, sheets 1 through 5, based upon the following findings of fact and conditions of approval:

Findings of Fact:

1. This land development project is consistent with the requirements of the Comprehensive Plan, including the future land use map, as amended July 14, 2004, specifically with regard to the Industrial A Zoning District. The Hopkins Hill Commerce Park is considered a Land Development Project, to be developed comprehensively, and to be designed to function and be managed as self-contained site.
2. This land development project is found to conform to the standards and provisions of the West Greenwich Zoning Ordinance relative to the Industrial A Zoning District as proposed and exhibited in the plans.
3. This land development project is not designed or located in such a manner as to require relief from the Zoning Ordinance or the Land Development and Subdivision Regulations.
4. There will be no significant negative environmental impacts from the proposed development as shown on the plans, as conditions of approval to mitigate impacts are applied.
5. This land development project, as proposed, will not result in the creation of lots or parcels of land with such physical constraints to development that building on this site according to pertinent regulations and building standards would be impracticable.
6. This land development project has adequate and permanent physical access to a public street, namely Hopkins Hill Road.
7. This land development project will have privately owned and maintained internal streets and drainage infrastructure, (and will incorporate shared parking?), which will promote and enhance the concept of the planned development.
8. The proposed development shall provide for safe circulation of vehicular traffic, for adequate surface water runoff, and for suitable building sites; and shall design for such on the Preliminary plan.
9. That, with conditions, the design and location of streets, building sites, utilities, drainage improvements, and other improvements in the proposed land development project shall minimize flooding and soil erosion.
10. The proposed Master plan provides for a mixed-use development containing a majority of office and/or light industrial uses, with limited retail uses, and other uses such as storage space.
11. That the proposed design does not exceed the maximum structure coverage nor percent impervious surface for the overall site, as demonstrated by the Development Data Table on sheet 4 of 5.
12. The internal roadway will be privately owned and maintained
13. The existing lot has received a variance from the Zoning Board for relief from the 200 foot frontage Zoning requirement on July 19, 2005.

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Conditions of Approval:

1. Master Plan approval is granted in concept only and approves the basic parameters of the development as set forth in the plans. Approval includes access to the subject site from Hopkins Hill Road, and including an internal private roadway; the location and proximity of industrial and commercial uses; and the general use of the site as indicated by the building designations on sheet 4 of 5. This does not constitute approval of the specific building sites, uses, engineering, or architectural details. These items shall be addressed during the subsequent preliminary and site plan review stages of development. It is understood that specific uses (i.e. office, light manufacturing), building sites (including size, footprint, and scale of buildings) and other project aspects (such as lighting, parking and signage) will change, in conformity with the zoning ordinance, as the project proceeds through subsequent review stages.
2. The Preliminary Plan for the entire site shall be submitted to the Board as the next application for this project, and shall include all pertinent State permits, in order to ensure a comprehensive level of review for overall site issues, including, but not limited to, drainage, traffic, landscaping, and buffers. Individual Site Plans shall be reviewed and approved by the Planning Board for the specific building developments prior to application for a Building Permit.
3. In addition to the required Preliminary Plan submittal, the applicant shall submit comprehensive signage and architectural design plans which shall be subject to the approval of the Town's Zoning Official and the Planning Board. Conceptual signage plans shall include designs for wall mounted, free standing, and all directional signs. Architectural designs shall be presented in the context of the overall development. Specific signage plans shall be reviewed during the individual Site Plan reviews.
4. As part of the Preliminary Plan submittal, the applicant shall submit overall landscaping plans (prepared by a Registered Landscape Architect) and overall lighting plans which shall be subject to Planning Board approval. As part of the individual Site Plans, landscaping and lighting will also be required.
5. That ADA requirements be shown on the Preliminary Plan.
6. That if shared parking is proposed, the applicant shall demonstrate on the Preliminary Plan, that the need can be met, and that the shared parking must be reasonable (timing of operations, distance to walk from lot to building, etc.).
7. That the comments from Lake Mishnock Fire be addressed prior to the engineering for the Preliminary Plan, and be reviewed by the Fire Company with regard hydrant locations and proposed water main sizes.
8. Master Plan approval is contingent upon adequate water supply, sewerage disposal, drainage infrastructure, and traffic infrastructure.
9. That the drainage be designed for zero net increase in volume of water leaving the site, in addition to zero net increase in peak flow rate, in order to minimize flooding. Roof runoff shall be infiltrated separately from the stormwater on an individual building basis. The drainage design shall be submitted to the Town for review prior to application to RIPDES to ensure that these design criteria are met.
10. Roadways and drainage infrastructure within the development shall be privately owned and maintained.

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11. That a Business Park Association or similar entity be created for the responsibility of ownership and maintenance of the infrastructure. The developer shall demonstrate that proper management of the park will be in place, and legal documents for such method of management shall be submitted as part of the Preliminary Plan application.
12. That a comprehensive Traffic Impact Analysis with recommendations be submitted to the Town for review as part of the Preliminary Plan submission. The Town may require RIDOT review and/or PAP application.
13. As a Land Development Project, overall site issues, such as overall drainage, overall traffic, utilities, etc. may be revisited by the Planning Board at any future Site Plan review.
14. The applicant shall reimburse the Town in the amount of \$275.20 for the meeting display advertisement in the Providence Journal.
15. That an earthen berm, height to be determined at Preliminary, be planted with suitable evergreen trees, shall be constructed as an additional buffer to 100 feet of natural vegetation for the residential properties abutting the development to the rear. Location and design of this buffer shall be reviewed and approved by the Town.
16. that the 100 foot buffer zone to the residential zone be shown on the Preliminary Plan, and that any disturbance to this buffer be revegetated.
17. That the location of the proposed detention basin be moved out of the buffer area, and closer to the pavement and structures, in order to maximize the distance of the infiltration from the existing homes.
18. Installation of the drainage infrastructure and buffers is a priority and shall be constructed as soon as possible.
19. the on-site temporary drainage controls shall be maintained during construction to protect the abutters and that these structures be reviewed by the applicant's engineer immediately to determine if they are adequate, and throughout the construction phases.
20. the concerns of the town engineer shall be addressed by the applicant's engineer.
21. Restoration of the Bailey property shall be complete by June 1, 2007, at the developer's expense.

Ward-Regan (5-0).

The Board held recess for 5 minutes.

Minor Residential Compound Subdivision: Preliminary Plan Public Hearing

"Bald Hill Residential Compound" – AP 28, Lots 21 & 22

--off Plain Meeting House Road; 3 new lots proposed (plus 2 existing for a total of 5 lots)

Owner/Applicant: Timeless Properties Inc. and Brian & Nancy McCoy

Tim Behan, PE from American East Engineers, approached the Board. He explained the Preliminary plan and the parcel to be subdivided. He noted that the southern access will be abandoned and the existing driveway with the stone pillars will be improved. He noted that the drainage was designed for the 100 year storm. He noted that there will be no increase in runoff volume or rate and noted that the roof runoff will be in subsurface infiltration systems.

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Chairman Boyer recapped the history on this application, noting that the 9 lot conventional subdivision was denied and appealed to the Zoning Board. He noted that the Zoning Board wanted the applicant to work it out with the Planning Board as a Residential Compound, which at the time would have allowed 4 lots, but this application is for 5 lots as a compromise. He noted that in the meantime, the Town amended the regulation to allow 5 lots.

Mr. Behan noted that there were comments from the TRC meeting including the odd shaped lot and explained that the shape is that way because of the way the owners need to keep a certain amount of land each. Mr. Berry asked if there are any other options to avoid creating a lot shaped like that and noted he considers it poor planning practice. There was discussion and the Board asked the applicant to work on this. There was discussion on the second and third points of frontage and limiting access. Comment 3 regarding drainage design for zero net increase in peak and volume and he noted that this was done. Mr. Behan referred to comment 4 regarding widening of the existing compound driveway to meet the 16 foot ordinance requirement, and noted that this plan has received state approvals on site suitability and that the consulting engineer recommended two turnaround areas that they have drawn. There was discussion on the width of the road and making it conform to the ordinance. Mr. Behan pointed out that there would be an increase in runoff to need a swale and a lot of trees would have to come down. Mr. Behan discussed the drainage design.

Motion to open the public hearing. Ward-Berry (5-0). Chairman Boyer opened the meeting to comment from the audience.

Mr. Ward asked if clearing the road would have an impact on the abutters.

Mr. Nick Gorham, representing Douglas McKeen noted that some of the concerns that he has pending and stated that there was a compromise. He noted that Mr. McKeen is in support of it because the driveway beside his home will essentially be abandoned, because Mr. McCoy will convey that portion of the property to Mr. Carvahlo. He noted it was a compromise rather than taking this to the Superior Court.

Mr. Ward asked again about the impact to abutters. No one in the audience had comment.
Motion to close the public hearing. Ward-Berry (5-0).

It was noted that there is no draft motion available. Mr. Ward noted the issues for the applicant to address are the lot line and the width of the road. There was discussion of the Board and noted that these items need to be addressed. The Board then went over the engineering comments dated February 8, 2007, revised on February 15, 2007. Mr. Behan noted the water tables are 4 to 5 feet and that they will accommodate the groundwater separation. There was discussion on the remaining comments. It was noted that they will be accommodated.

Motion to continue to April meeting. Ward-Berry (5-0).

WEST GREENWICH
March 19, 2007
PLANNING BOARD MEETING

Minor Residential Compound Subdivision: Pre-Application
“The Treistman Residential Compound” – AP 8, Lot 1-8

--off Fish Hill Road; 3 lots proposed
Owner/Applicant: Lewis Treistman

Mr. Peter Suorsa, PLS from Coventry Survey was present, along with Mr. Lewis Treistman, owner. Mr. Suorsa explained the previous subdivision on Fish Hill Road and then explained that this proposal is for a residential compound of 3 lots on 15 acres to the rear that Mr. Treistman also owns. He went over the proposed administrative subdivisions to go along with this compound. The first he noted is to create access to the parcel to have 50 feet of frontage. He noted that the second administrative subdivision is to give land to the neighbor at lot 1-6. Mr. Treistman noted that it is to provide an additional buffer to Mrs. Hudson who is used to being in the woods, and noted that he purchased the land from the estate of her grandfather, and it was always believed that the property line was the trail. Mr. Treistman noted that they are trying to accommodate what she always understood was her property line. Mr. Suorsa noted that the third administrative subdivision is to transfer all of the pond to lot 1-5 so that Mr. Treistman would own all the way around the pond and to add some acreage to his new house parcel. Mr. Suorsa noted that the plans have been revised based on TRC comments. The Board had discussion. There was a question on the lot line angle greater than 200 degrees. The Board asked to try to add the strip to lot 1, not lot 2. There was discussion on straight lines and the trails and the line for Mrs. Hudson’s property. Mrs. Letendre noted that the Administrative Subdivisions should be done on one sheet, and then record the Residential Compound separate.

Mr. Suorsa noted that he spoke with Wayne Andrews from West Greenwich No. 1 Fire and noted that he doesn’t need a cistern, because it is only 3 lots. Mr. Suorsa noted that he doesn’t know if there is anything else that the Fire Company may need.

PLANNING DISCUSSION/ OTHER BUSINESS:

--requires vote to add to agenda for discussion only

Chairman Boyer noted that he is disappointed that the consulting engineer was not present for a public hearing. He noted that he would like the Board to review costs for what engineering review is costing between the different consulting engineers.

There was discussion on engineer comments and it was noted that the need to be more assertive with saying what the town wants and directing the applicant to do it accordingly and to be more decisive, not make recommendations or suggestions. There was discussion.

Mr. Lepak asked about the status of the Subdivision Regulation amendments. It was noted that these are still being worked on.

Motion to adjourn. Ward-Regan. (5-0). The meeting ended at 10: 18 p.m.

WEST GREENWICH
March 26, 2007
PLANNING BOARD SPECIAL MEETING

A special meeting of the West Greenwich Planning Board was held on Monday, March 26, 2007 Present were: Chairman Mark Boyer, Brad Ward, David Berry, William Lepak, Tim Regan (7:21 p.m.) and alternate Tom O'Loughlin. Absent was alternate Bill Bryan. Town Planner Jennifer Paquet was present. Assistant Town Solicitor Nancy Letendre, Esq. was present. Chairman Boyer called the meeting to order at 7:00 p.m.

Exit 6 Industrial Park: Preliminary Plan Public Hearing, cont.

Major Commercial Land Development Project- AP 6, Lot 21-6

-- Off Route 3, Seth Way ; 9 individual buildings for contractor storage proposed.

Owner/ Applicant: Exit 6 Plaza, LLC; contact: John Assalone

No one was present for this application.

Public Hearing: Amendment to Comprehensive Plan, cont.

In conjunction with

Advisory Opinion to Town Council on application for Zone Change regarding

Residential Condominiums/ Major Land Development Project: AP 1 Lot 10-1 and 10-3

--Current Zoning is Highway Business; Proposed Zoning is to extend the Exit 7 Special Management District to encompass these parcels. On corner of Division Street and New London Turnpike; Owner: Universal Properties (Nicolas Cambio)

Mr. John Pagliarini, Jr., Esq. was present.

Motion to close the public hearing. Ward-Berry. Mr. Lepak called for discussion and noted that there may be people present who wish to speak. Mr. Ward withdrew the motion, as did Berry.

Mr. Ward opened the meeting to the public.

Linda Eastman, 20 Division Road, noted that the plans mention access on Division Road and that the exit 7 land is valuable as Highway Business not Residential and noted that it may be something the Town is giving up. Chairman Boyer explained that the Planning Board can prohibit access on Division Road and it was noted that there would be no access to Division. Mrs. Eastman asked if it has been considered to split the zone on the property rather than having it all residential or all commercial.

Milton Eastman, Division Road, if there would be any restrictions in the Exit 7 SMD on how many houses can go in there. Chairman Boyer noted that there will be restrictions.

Chairman Boyer asked if there were any more questions from the audience.

Motion to close the public hearing. Ward-Berry (5-0). The public hearing was closed at 7:07 p.m.

Chairman Boyer asked Mr. Pagliarini if he had anything to add. Mr. Pagliarini asked the Board if there were any questions on the 4 proposed changes. He said they'd be agreeable to the protections.

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PLANNING BOARD SPECIAL MEETING

Chairman Boyer recapped the issues, and noted that the major issue is water. There was discussion on “public water.” Mr. Ward noted that if it is a municipal well, than it should not be on this site and that the source should be somewhere off the property, north of I-95. It was noted that there should be no individual wells on this site. Mr. Berry noted that due to the proposed density, it is important to have some kind of public water source, whether from Kent Count Water or the wells from the other side of the highway.

There was discussion on the advisory opinion and the motions. Mr. Ward suggested calling the zone “Exit 7 South SMD.” Mr. Lepak suggested calling it “Senior Housing Business District.” Mr. Ward explained that the Board was shown one thing, and expressed concern that something else might be sprung on the Town. Mr. Pagliarini noted that there needs to be a Master Plan on this new parcel. Mr. Ward noted that the Board wants to be able to impose restrictions on heights and buildings. There was discussion on if the Exit 7 SMD uses should be limited from this parcel. Chairman Boyer noted that the Board doesn’t know what could happen to this parcel in the future and noted that the Board wants to keep this parcel separate because it is an isolated area from the Exit 7 SMD. Mr. Pagliarini suggested going through the use matrix. Chairman Boyer suggested keeping it straight-forward with only age-restricted residential.

Mr. Pagliarini noted he was concerned with allowing just the residential use because it would foreclose the possibility of commercial. Mr. Lepak suggested again to use “Senior Housing Business District,” which would allow it to coincide with the theoretical intent of the Comprehensive Plan, and would allow all of the use activities in the Exit 7 SMD, but would basically be a different name change allowing the same business uses. There was discussion on height restrictions.

Mr. Ward noted the pictures that the Board was shown depicted certain heights and are not an offensive use. Mr. Lepak asked how many units are allowed if there is 70% impervious surface. Mr. Lepak discussed reconciling economic development with affordable housing. There was discussion on a simple text change versus changing the use matrix, and also adding dimensional requirements.

Chairman Boyer asked if the applicant would be opposed to a restriction of residential use only. Mr. Pagliarini noted that a car dealership wants to go there now.

There was discussion on one-storey affordable housing units. Chairman Boyer asked about the wetlands and soils of the area. Mr. Pagliarini noted that based on maps there are no wetlands but that no testing has been done. There was discussion on the percentage of affordable units. Mr. Pagliarini noted that the latest version shows 110 units with an affordable one-story buildings on parcel B. There was discussion on the number of affordable units owed to the town and where they should be located.

Chairman Boyer noted that the Board was prepared to allow age-restricted residential at about 4 to 5 units per acre density with public water where the supply is not derived from on-site, and some other aspects.. but now it sounds like this is not what the applicant is proposing. Chairman Boyer asked if the Planning Board would consider mixed use on the site. Mr. Ward noted that the applicant showed a residential use and noted that he is for residential restricted use. There

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March 26, 2007

PLANNING BOARD SPECIAL MEETING

was discussion on uses of residential versus the Exit 7 SMD commercial uses versus Highway Business uses. Chairman Boyer polled the Board. Mr. Berry asked what the Solicitor has to say on Highway Business versus Exit 7 SMD. Mr. Lepak noted that Senior Housing Business District would allow mixed use. Mr. O'Loughlin noted that they have been talking about strictly residential and asked if Mr. Cambio is looking to put commercial in there at this point. Mr. Regan noted he would allow restricted mixed use. Chairman Boyer noted that he is for a very restrictive mixed use, or reverting to the existing Highway Business, but with more restrictive set backs and landscape buffers than required by zoning now. Mrs. Letendre asked Mr. Lepak what commercial uses would be allowed in the Senior Housing Business District and if they are compatible uses. Mr. Lepak noted that he has not thought it out that detailed, and noted that he is opposed to removing the business ability of the site. He noted that it should be flexible.

Chairman Boyer asked Mr. Pagliarini what uses they want to propose. There was discussion, not just on uses, but also on dimensions and set backs. Mr. Pagliarini noted that it is not going to be mixed use, but that it will be either residential or commercial. Chairman Boyer noted that they need to show the Board what uses they want to do. There was discussion on whether these changes constitute a new application. Mrs. Letendre noted that the changes are substantial enough to warrant an amended application. Mr. Ward noted that it doesn't look like the applicant wants to do strictly residential. Chairman Boyer noted that the Board doesn't like the language that has been written to expand the SMD over to this parcel, and asked Mr. Pagliarini if he wants the Board to act on what is before the Board. He noted that the Board is not going to wing a recommendation to the Town Council. Chairman Boyer noted that if they move forward with this application as it is right now, that they are flirting with a denial. He noted that if they move forward with addressing the commercial part, that it needs to be re-advertised. He also noted that he thinks that they have gotten a lot out of the way, and understood what the audience is looking for in terms of the residential part, but that they need to address the commercial and what it would look like. He noted that they need to lock into things like the size of the buildings, and the architectural standards, etc., and what the uses would be. He noted that for the Exit 7 SMD they were looking at a Parisian style and it ended up looking like a Dick's Sporting Goods store, and noted that it changes day to day.

Chairman Boyer noted that the applicant proposed residential and that the residents in the area seem to agree with that use, but now the applicant is discussing commercial. He noted that the applicant has not adequately discussed the commercial aspect for the hearing.

The Board allowed Mr. Pagliarini to contact his client regarding the choices during a recess.

The Board took a ten minute recess at 7:55 p.m. to hear about the Exit 6 Industrial Park.

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March 26, 2007
PLANNING BOARD SPECIAL MEETING

Exit 6 Industrial Park: Preliminary Plan Public Hearing, cont.
Major Commercial Land Development Project- AP 6, Lot 21-6

-- Off Route 3, Seth Way ; 9 individual buildings for contractor storage proposed.
Owner/ Applicant: Exit 6 Plaza, LLC; contact: John Assalone

Attorney Ben Gallo from the same law firm as Attorney John Brunero, who represents Mr. Assalone for this project, happened to be present in the audience as an abutter to the above zone change application on AP 1 Lot 10-1 and 10-3. Mr. Gallo noted that he hasn't seen Mr. Brunero and that no one mentioned this project to him, nor is he familiar with the project. Motion to continue the Exit 6 Hearing to the April meeting. Ward-Berry (5-0).

The Board reconvened at 8:07 p.m. and Chairman Boyer called the meeting back to order to continue the zone change application for:

Public Hearing: Amendment to Comprehensive Plan, cont. from earlier this evening

In conjunction with

Advisory Opinion to Town Council on application for Zone Change regarding

Residential Condominiums/ Major Land Development Project: AP 1 Lot 10-1 and 10-3

--Current Zoning is Highway Business; Proposed Zoning is to extend the Exit 7 Special Management District to encompass these parcels. On corner of Division Street and New London Turnpike; Owner: Universal Properties (Nicolas Cambio)

Attorney John Pagliarini noted that he will accept the restricted residential use this evening, and decide later whether to withdraw the application before the Town Council.

Motion to amend the Comprehensive Plan text and Future Land Use Map for the area located at the southeast side of the intersection of Route 95 and New London Turnpike identified as Assessor's Plat 1, Lots 10-1 & 10-3, to change the zoning to Exit 7 Special Management District South. This area, currently zoned Highway Business has been identified for the development of a multifamily, age-restricted residential development due to its proximity to existing and future commercial developments, public water, and public sewer. The total land in this area is approximately 30 acres. The intent of this SMD South is to provide a housing element not currently available in the Town of West Greenwich, as recommended by the Housing Element of the Comprehensive Plan. Several conditions apply to any development in this SMD South:

- a. All uses in the area shall be serviced by public water, where the supply source is not generated on site, and shall be serviced by public sewers
- b. Access shall be from New London Turnpike, not from abutting residential streets located in the Town of West Greenwich or the Town of East Greenwich
- c. The area shall be age-restricted residential, and 13.5 percent of the residential component shall include units which qualify under Rhode Island Low-Moderate Income Housing Act. These units can be accounted for anywhere in the Exit 7 SMD, North or South.
- d. Exit 7 SMD South will follow the same review procedure as the Exit 7 SMD North.

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- e. Because it is age-restricted housing, it will be exempt from the Growth Management Cap.
- f. Development regulation will be formulated to ensure proper phasing of development within the SMD so as to not burden town services all at one time, and ensure public safety is not compromised.
- g. The impact of SMD development on public safety and public service facilities shall be reviewed as part of any application within the SMD.
- h. The West Greenwich Official Zoning Map shall be amended to show that area on the Southeast side at Exit 7 to be Exit 7 Special Management District South (SMD South).
- i. Amend Future Land Use Map to show Exit 7 Special Management District South.

Based on the following findings of fact:

- 1. The SMD South is to provide a housing element not currently available in the Town of West Greenwich, as recommended by the Housing Element of the Comprehensive Plan.
- 2. the proposed ordinance amendment is consistent with Comprehensive Plan Affordable Housing Plan which recommends this area provides housing for age-restricted residents
- 3. Through the development plan process the application will seek to improve traffic conditions that currently exist through betterments to both intersection of Division Street and New London Turnpike, and to the Route 95 ramps, consistent with the Circulation Element of the Comprehensive Plan.
- 4. The Planning Board recognizes that the parcels under consideration for rezoning are currently zoned Highway Business, and that a residential use of the parcels may be a more suitable use for this site than commercial development, and that the residence are not opposed to residential use of the property.
- 5. the proposed development will expand certain infrastructure to the southerly side of Route 95.

Ward-Berry. Mr. Berry questioned the inclusion of affordable housing. Mrs. Letendre noted that this motion provides the option. Motion carries 5-0.

Motion to recommend that the Town Council also amend the Comprehensive Plan text and Future Land Use Map for the area located at the southeast side of the intersection of Route 95 and New London Turnpike identified as Assessor's Plat 1, Lots 10-1 & 10-3, to change the zoning to Exit 7 Special Management District South. This area, currently zoned Highway Business has been identified for the development of a multifamily, age-restricted residential development due to its proximity to existing and future commercial developments, public water, and public sewer. The total land in this area is approximately 30 acres. The intent of this SMD South is to provide a housing element not currently available in the Town of West Greenwich, as recommended by the Housing Element of the Comprehensive Plan. Several conditions apply to any development in this SMD South:

- a. All uses in the area shall be serviced by public water, where the supply source is not generated on site, and shall be serviced by public sewers

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- b. Access shall be from New London Turnpike, not from abutting residential streets located in the Town of West Greenwich or the Town of East Greenwich
- c. The area shall be age-restricted residential, and 13.5 percent of the residential component shall include units which qualify under Rhode Island Low-Moderate Income Housing Act. These units can be accounted for anywhere in the Exit 7 SMD, North or South.
- d. Exit 7 SMD South will follow the same review procedure as the Exit 7 SMD North.
- e. Because it is age-restricted housing, it will be exempt from the Growth Management Cap.
- f. Development regulation will be formulated to ensure proper phasing of development within the SMD so as to not burden town services all at one time, and ensure public safety is not compromised.
- g. The impact of SMD development on public safety and public service facilities shall be reviewed as part of any application within the SMD.
- h. The West Greenwich Official Zoning Map shall be amended to show that area on the Southeast side at Exit 7 to be Exit 7 Special Management District South (SMD South).
- i. Amend Future Land Use Map to show Exit 7 Special Management District South.

Based on the following findings of fact:

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2. the proposed ordinance amendment is consistent with Comprehensive Plan Affordable Housing Plan which recommends this area provides housing for age-restricted residents
3. Through the development plan process the application will seek to improve traffic conditions that currently exist through betterments to both intersection of Division Street and New London Turnpike, and to the Route 95 ramps, consistent with the Circulation Element of the Comprehensive Plan.
4. The Planning Board recognizes that the parcels under consideration for rezoning are currently zoned Highway Business, and that a residential use of the parcels may be a more suitable use for this site than commercial development, and that the residence are not opposed to residential use of the property.
5. the proposed development will expand certain infrastructure to the southerly side of Route 95.

Ward-Berry (5-0)

Motion to recommend that the Town Council amend the Zoning Ordinance Map for Assessor's Plat 1, Lots 10-1 & 10-3, to change the zoning from Highway Business to Exit 7 Special Management District South, to be consistent with the Comprehensive Plan amendment, as previously approved by the Planning Board.

Ward-Berry (5-0)

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PLANNING BOARD SPECIAL MEETING

There was discussion on the 4th motion regarding the zoning ordinance text changes. It was noted that the Board needs to go over the entire proposed and existing text. There was discussion on stipulations and how to proceed with this. It was noted that this will need to be worked on. The Board noted that they will pass the other three motions to the Town Council, but that they will continue this discussion to a special meeting on April 11th at 6 p.m. which is on Wednesday right before the Town Council meeting. It was noted that they need to go over maximum height, density, buffers, parking requirements, maximum impervious surface, signage, and maximum distance between buildings.

Motion to continue to April 11, 2007 at 6 p.m.. Ward-Regan (5-0).

Public Hearing: Preliminary Plan

Major Commercial Land Development Project: Preliminary plan review

“Phase 3A- The Village Shoppes at Centre of New England” – AP 1, Lot 4-4

--Centre of New England Boulevard; Hotel and two commercial retail multi-unit pads proposed

Owner/ Applicant: Commerce Park Realty, LLC (Universal Properties Group, Inc.)

Contact: Nicolas Cambio

Mr. Ward recused himself from this agenda item and left the meeting. Mr. O’Loughlin voting.

Mr. John Pagliarini, Jr., Esq. was present. Mr. John Caito, PE and Mr. Ben Caito, PE of John P. Caito Corporation were present.

Motion to open the Public Hearing. Berry-Lepak (5-0).

Mr. Pagliarini presented the project as the Preliminary submission for Phase 3 of the Centre of New England in the Exit 7 SMD for the commercial component. He noted that it is for 3 structures and a main entrance to the retail shoppes. He noted there are two commercial buildings on Pads C and D which are 13,500 square feet each and are similar to the ones on the Coventry side where the Sprint, Honey Dew Donuts and the Quiznos are. He noted there is also a Residence Inn by Marriott which is for long-term stay hotel, with 4 stories, 81,000 square foot, and 100 rooms. He noted that the TRC has reviewed the plan and that the Fire Chief signed off on the circulatory turning plan for the fire trucks this morning. He noted that they are not seeking any waivers. He asked Chairman Boyer about the parking standard for a Hotel, which is not in the Exit 7 SMD, and asked if it would be the underlying zone by default, which requires 105 spaces. He noted that they are proposing around 117 spaces. He then noted that the Marriott is proposing a pylon sign, and that Mr. LeCesse is sending correspondence to surrender his rights to a pylon sign on the residential side to give it to the hotel. He noted that this is not allowed by the ordinance. There was discussion. Mrs. Letendre clarified the process on this to keep these as text changes in the Exit 7 SMD with conditions that the sign be restricted to 60 feet tall and 300 square feet in area, and that Mr. LeCesse surrender the residential pylon.

Mr. Ben Caito went over the circulation, fire access, fire hydrants, and drainage aspects of the plan. Mr. Berry asked about loading zones, sewers, and landscaping and what the view out the Marriot towards the 2 commercial pads would be, considering they are the backs of the

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PLANNING BOARD SPECIAL MEETING

buildings. There was discussion. Mr. Pagliarini noted that the retaining walls will not be continued and they will meet the standards for the slopes. Mr. Caito went over the proposed traffic signal at the BJ's. Mr. Pagliarini noted that this proposal is consistent with the original approved Master Plan.

There was discussion on the related Administrative Subdivision that goes along with this project. Mr. Caito presented the plan for this.

Miss Paquet noted that the consulting engineer has provided comments on this and that there is correspondence back and forth on it provided in the packages.

Chairman Boyer opened the meeting to public comment.

Sandy Bockes, Hazard Road, asked if the hotel could potentially house families with school children and expressed concern of the extended stay. Mr. Pagliarini noted that he could not say yes or no if people would temporarily put their children in school, but noted that it is not intended for that. It was noted that it would be very expensive to live there. There was discussion.

There was no one else in the audience with comments. Motion to close the public hearing. Lepak-Berry (5-0).

Mr. Berry read the motion as drafted with two additional conditions and allowing final approval to be administrative as follows:

Motion to grant Preliminary Plan approval for the proposed Commercial Phase 3A as depicted on each of two plan sets. The first, entitled: 'Preliminary Plan Set for Phase 3A- The Village Shoppes at Centre of New England, Assessor's Plat 1, Lot 4-4, Centre of New England Boulevard, Centre of New England, West Greenwich, Rhode Island, prepared for Universal Properties Group, Inc.' prepared by John P. Caito, Corporation, 25 Sharpe Drive, Cranston, R.I. 02920, dated January 2007, revised through March 19, 2007, consisting of 12 sheets. The second, entitled: 'Residence Inn, 100-Units, 4-Stories, West Greenwich, Rhode Island, prepared for Club Vista Holdings, Inc., prepared by Lightowler Johnson Associates, Fargo, North Dakota, dated September 18, 2006, revised through 03/08/2007, consisting of 9 sheets, and single Sheet L-1 dated January 19, 2007, revised 03/22/2007.

This action is based upon the following findings of fact and conditions of approval:

Findings of Fact:

1. This land development project is consistent with the requirements of the Comprehensive Plan, including the future land use map, as amended September 22, 2004, specifically with regard to Land Use Element Section II.F.4. "Exit 7 Special Management District".
2. This land development project is found to conform to the standards and provisions of the West Greenwich Zoning Ordinance relative to the Exit 7 Special Management District as

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proposed and exhibited in the plans. It is also consistent with the Planning Board Master Plan Approval of June 6, 2005.

3. This land development project is not designed or located in such a manner as to require relief from the Zoning Ordinance or the Land Development and Subdivision Regulations.
4. There will be no known significant negative environmental impacts from the proposed development as shown on the plans, as public sewers and public water will be provided and conditions of approval to mitigate impacts are applied.
5. This land development project, as proposed, will not result in the creation of lots or parcels of land with such physical constraints to development that building on these lots according to pertinent regulations and building standards would be impracticable.
6. This land development project will have adequate and permanent physical access to a public street, namely New London Turnpike, by way of private Centre of New England Boulevard, and anticipates adequate and permanent physical access through to Hopkins Hill Road.
7. The proposed development provides for safe circulation of vehicular and pedestrian traffic, for adequate surface water runoff, for suitable building sites, and for housing opportunities.

Conditions of Approval:

1. That the Town's consulting engineer review the revised plans to ensure all outstanding issues have been adequately addressed.
2. That the applicant responds to all outstanding Town comments, including memo dated March 13, 2007, and that these responses and/or changes to the plans be reviewed and approved by the Town's staff administratively.
3. That the Town's consulting engineer and Lake Mishnock Fire Company review the emergency vehicle circulation plan to ensure emergency access has been adequately addressed.
4. Preliminary Plan approval is granted for layout, landscaping, architectural design, parking, gated emergency access, signage, and lighting as shown on the preliminary plans.
5. The developer shall secure written acceptance of the plan for the provision of utilities to the site by the respective responsible agencies.
6. The developer shall hire a responsible party, as approved by the Town, to inspect the drainage improvements and erosion controls, and who shall submit status reports to the Town of West Greenwich on the condition of the drainage infrastructure. The developer shall implement erosion controls and other best management practices, not only to protect the wetlands and Lake Tiogue, but also to protect the roadways and drainage infrastructure.
7. Once site construction is complete, and all Certificates of Occupancy have been issued, the developer shall submit Final As-built plans to the Planning Board for review of the constructed project, to ensure compliance with the Preliminary Plan and Preliminary Plan approval. The approved Final As-built plans shall be recorded.
8. The applicant shall reimburse the Town in the amount of \$275.20 for the cost of the public hearing advertisement in the Providence Journal.

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9. The applicant shall replenish the project review fee account as needed throughout the construction of the project.
10. Emergency vehicle access shall be accessible and maintained throughout all construction phases for any and all projects throughout the Centre of New England development.
11. No Certificate of Occupancy shall be issued until site work is complete, on a building by building basis, including landscaping and parking.
12. Lighting shall be pointed downward, and shall not reflect off the site.
13. Applicant shall submit copies of the Certificate of Authorization to Practice in the State of Rhode Island for the project professionals who have not yet submitted this documentation, as applicable.
14. The applicant's engineer shall certify that all drainage improvement have been constructed properly and are functioning as intended by his design (required for Certificate of Occupancy).
15. That the developer stabilizes the slope to the south of the property in the Spring 2007 growing season.
16. That the developer discuss with RIDOT, and report to the Town, on the need for a guardrail along the top of the slope bordering the length of I-95 for the whole Exit 7 SMD.
17. That the proposed Administrative Subdivision between Lots 4-4 and 4-5 be submitted as a separate application, for administrative approval.
18. LeCesse Development shall surrender their residential pylon sign, which shall be transferred to Marriott, as the same size allowed in the SMD.
19. Parking for the Hotel shall be one space per hotel room, plus 5 spaces as per sheet C-1.
20. The Final Plan shall be reviewed and approved administratively.

Berry-Regan. All in favor (5-0).

Motion to adjourn. Berry-Regan (5-0). The meeting ended at 9:35 p.m.

WEST GREENWICH
April 16, 2007
PLANNING BOARD MEETING

A regular meeting of the West Greenwich Planning Board was held on April 16, 2007. Present were: Chairman Mark Boyer, David Berry, William Lepak (7:21 p.m.), and alternate Tom O'Loughlin. Tim Regan, Brad Ward, and alternate Bill Bryan were absent. Town Planner Jennifer Paquet was present. Town Solicitor Michael Ursillo, Esq. was present. Consulting Engineer Shawn Martin, PE from Fuss & O'Neill, Inc. was also present.

Chairman Boyer called the meeting to order at 7:02 p.m.

CONSENT AGENDA

Motion to pull the items off the consent agenda. Berry- O'Loughlin (3-0).

A. Acceptance of Minutes (Consent)

February 28, 2007 Special Meeting
March 19, 2007 Regular Meeting
March 26, 2007 Special Meeting
May 15, 2006 Regular Meeting

It was noted that only the May 15, 2006 minutes were ready, but that the members can not vote on these minutes since Mr. O'Loughlin was not present at that meeting and there is no quorum left to vote on this, so it was moved to the end of the agenda.

B. Request for Extension of Approval (Consent)

Knight Estates Major Subdivision- Preliminary Plan : AP 28 Lot 26
-- off Stubble Brook Road; Preliminary Plan approval granted on May 15, 2006

Chairman Boyer expressed concern of the state and condition of the erosion controls in this project site. The Board called for the erosion controls to be replaced properly and then approved by the Town before the extension is granted. Mr. Robert Woloohojian, owner, was present in the audience and stated that the erosion control replacement is in progress.

Motion to grant a one-year extension for the Preliminary Plan approval for the Knight Estates Major Subdivision as granted by the Planning Board on May 15, 2006, with all original conditions of approval, and adding a condition that the erosion controls be properly replaced and that the Town Engineer review the erosion controls two weeks from this Friday to ensure they are acceptable. This extension shall not become effective until the Town's engineer signs off on erosion controls. This motion is based on the following findings of fact:

1. That the proposed project is consistent with the Comprehensive Plan
2. that the Subdivision Regulations are substantially the same as they were at the time of original approval
3. the zoning of the parcel is substantially the same as it was at the time of original approval
4. the physical condition on the parcel has changed since the time of original approval in that construction has begun, and the project is proceeding. This finding has no bearing on the Preliminary Plan, as construction has been permitted.

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5. that the applicable State or Federal regulations are substantially the same as they were at the time of original approval, or such approvals have not yet expired.
6. That the erosion controls have been damaged and not properly maintained, resulting erosion and sedimentation at the construction site.

Berry-O'Loughlin. (3-0)

Raven Gravel License Renewal: AP 14, Lots 5, 7, 8, and 9
- report on Site Visit and advisory opinion to Town Council

Motion to continue to May meeting. Berry-O'Loughlin (3-0).

Exit 6 Industrial Park: Preliminary Plan Public Hearing, cont.
Major Commercial Land Development Project- AP 6, Lot 21-6
-- Off Route 3, Seth Way ; 9 individual buildings for contractor storage proposed.
Owner/ Applicant: Exit 6 Plaza, LLC; contact: John Assalone

No one was present for the applicant. Chairman Boyer noted that he spoke with Attorney John Brunero, representing the applicant on this project, earlier today and reported that no one would be able to make this meeting. He noted that he asked Mr. Brunero if there were any concerns about the draft motion and that Mr. Brunero said no and asked to have the Board proceed with the motion even though no one could be present.

Motion to approve the Preliminary Plan for Exit Six Industrial Development, AP 6, Lot 21-6, prepared by Commonwealth Engineers & Consultants, Inc., dated October 6, 2006, revised through 3/19//07, with the following conditions:

1. That the Preliminary Plan approval is granted for the proposed use of contractor storage only, and any other proposed use must be approved by the Planning Board as an amendment to this approved preliminary plan. Maintenance or repair of vehicles including oil changes, washing, etc. shall not be permitted on the site. This approval is also granted together with the ability to phase the project as shown on sheet 12 of 18. Each phase shall be approved by the Planning Board as a Final Plan application. This approval also includes the directional signage as proposed on the Preliminary Plan drawings.
2. Roadways and drainage within the development, including Seth Way, shall be privately owned and maintained, and the developer and its assigns shall provide for the provision of utility service and maintenance of such facilities.
3. The applicant shall reimburse the Town in the amount of \$483.92 for the Master Plan and Preliminary Plan Display ads in the Providence Journal.
4. The applicant shall replenish the project review fee account with \$1,000.00, and as needed throughout the construction of the project.
5. Water service shall be provided by Kent County Water Authority.
6. That an approved ISDS be provided as needed for required restroom facilities.
7. Only cut-off type wall-mounted lighting shall be permitted.

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8. The developer shall submit as-built drawings of the drainage pond to the Town prior to the Final Approval on Phase I and shall submit, on a phase by phase basis for each previously approved phase, written certification to the Town of West Greenwich from a registered land surveyor or registered professional engineer that the stormwater drainage system, including any and all basins, piping systems, catch basins, culverts, swales and any other stormwater management control features, have been constructed/installed in accordance with the site plans approved by the RIDEM Wetlands Insignificant Alteration Permit Application No. 06-0032,. For the last phase, this certification shall be required prior to issuance of the last Building Permit.
9. The Planning Board reserves the ability to ask for the developer to submit a letter from RIDOT on whether a Physical Alteration Permit is needed for this project during future phases of development approval.
10. The Planning Board reserves the ability to reconsider the need for a fence for a buffer along the residences, as a supplement to the landscaping, during future phases of development approval.
11. The applicant shall add a statement to Preliminary Plan noting the percent impervious coverage and percent building coverage.
12. Any future signage proposed for this project and meeting the Zoning criteria, be reviewed and approved administratively by the Zoning Officer and Building Official.
13. Water mains servicing the site shall be at least 8-inches for proper pressure for fire hydrants.
14. Hydrants shall be in service before any structures are built
15. An emergency access gate (with Knox Lock) shall be located beyond the telephone utility building in order to provide an area for emergency vehicles to turn around.
16. The applicant shall modify the plans to show 20 foot wide emergency access road, and any adjustments to grading made for the emergency access shall maintain a minimum 3:1 slope along back slope of property.
17. The Town recommends adding 6 inches of freeboard to the detention pond for reasons noted in Mr. Martin's memo dated March 20, 2007, attached, and also adding a sediment forebay for ease of maintenance to the pond.

This approval is based on the following findings of fact:

1. That the proposed project is consistent with the requirements of the West Greenwich Comprehensive Community Plan, including the future land use map.
2. That there will be no known significant negative environmental impacts from the proposed development as shown on the master plan, with all required conditions for approval;
3. That the proposed development has adequate and permanent legal access to a public street, via private Seth Way;
4. That the project, with conditions, provides for safe circulation of vehicular traffic, for surface water run-off control; and,
5. That, with conditions, the design of the building, utilities, drainage improvements and other improvements in the proposed project shall minimize flooding and soil erosion.

Berry-O'Loughlin. (3-0).

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Minor Residential Compound Subdivision: Preliminary Plan Public Hearing, cont.
“Bald Hill Residential Compound” – AP 28, Lots 21 & 22

--off Plain Meeting House Road; 3 new lots proposed (plus 2 existing for a total of 5 lots)
Owner/Applicant: Timeless Properties Inc. and Brian & Nancy McCoy

Mr. Kirk Andrews, PLS and Mr. Brian McCoy, owner, were present in the audience. Mr. Shawn Martin, PE, consulting engineer for the Town was present. Miss Paquet handed out Mr. Martin's comments on the revised plans to the Board members and the applicants. A moment was taken to read the memo. Mr. Martin explained that he spoke with Tim Behan, the applicant's engineer, earlier today about the comments and that Mr. Behan was ok with the comments and said they could be addressed. Mr. Martin noted it had to do with demonstrating with calculations the drainage capacity for the swale and zero net increase in runoff.

Chairman Boyer asked the applicant if they have any questions about the draft motion. Mr. Andrews asked about the condition of approval for driveway bonds on a private driveway. Miss Paquet explained that it is the access driveway curb-cut, not the individual driveways.

Motion to approve the proposed Residential Compound Minor subdivision plan for AP 28, Lots 21 and 22, entitled, “Bald Hill Compound” dated November, 2006, revised through 04/02/07, prepared by K. Andrews Associates and TJB Engineering, for Timeless Properties Inc. and Brian & Nancy McCoy, sheets 1 through 6, with the following conditions:

1. the revised plans shall be reviewed by the consulting engineer and any outstanding comments shall be addressed by the applicant
2. the applicant shall reimburse the Town in the amount of \$275.20 for the cost of the Public Hearing advertisement in the Providence Journal West Bay section.
3. access for the compound shall be prohibited at the driveway between AP 28, lots 9 and 10, except in the event of emergency access.
4. no access shall be derived from Stubble Brook Road for any purpose, due to slope and drainage concerns.
5. Hianloland Fire and the Town's consulting engineer shall comment on the accessibility of the proposed cul-de-sac.
6. the fire suppression fee of \$1,500 per lot shall be paid for the 3 new lots prior to recording.
7. the Open Space and Recreation fee of \$5,000.00 per lot shall be paid for the 3 new lots prior to recording.
8. prior to Final approval, all site distance clearing shall be performed and signage shall be installed, and approved by the Town. MUTCD Standard W1-10 (Combination Horizontal Alignment/Intersection sign) shall be installed in advance of the curve, along with a supplemental speed plaque. The applicant's traffic engineer shall provide certification that these items have been completed in accordance with his recommendations.
9. the road and drainage infrastructure shall be constructed prior to the Final approval.

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10. the applicant shall submit all legal documents as part of Final Review
11. the "Drainage System- Inspection, Maintenance, and Repair" program as noted on the Preliminary Plan shall be adhered to by the residents of the compound, and shall be incorporated into the Homeowners' Association Documents.
12. the Preliminary approval shall expire 90 days from date of approval, unless the final plan is submitted within that time. Extensions of approval may be granted by the Administrative Officer if no applicable amendments have been made to the Regulations within one year of Board approval. Any request for extension of approval for longer than one year shall be heard by the Board.
13. the Planning Board shall review the Final Plan to ensure that the improvements have been completed properly.
14. as part of the Final Plan application, the applicant's engineer shall certify whether the drainage has been installed and constructed properly and will function according to his design
15. proper erosion controls shall be used during all stages of construction, including house construction.
16. the Project Review Fee account shall be replenished by the applicants as needed, when requested by the Town.
17. a driveway curb cut bond shall be posted, and any drainage improvements needed due to the driveway and/or gravel road shall be made, at the discretion of the Highway Department.
18. each house site's roof drainage infiltration system shall be inspected by the Building Official as a special inspection prior to covering, in order to ensure that the roof drainage has been installed.
19. the Final Plan submission shall comply with the additional requirements as noted in the Residential Compound Ordinance

This approval, with conditions, is based on the following findings of fact:

6. That the proposed subdivision is consistent with the requirements of the West Greenwich Comprehensive Community Plan, including the future land use map.
7. That each lot in the subdivision conforms to the standards and provision of the West Greenwich Zoning Ordinance.
8. That there will be no known significant negative environmental impacts from the proposed development as shown on the preliminary plan, with all required conditions for approval;
9. That the 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 regulations and building standards would be impracticable.
10. That the proposed subdivision lots have adequate and permanent legal access to a public street;
11. That the subdivision provides for suitable building sites.
12. That the design and location of building lots, utilities, and other improvements in the proposed subdivision shall minimize flooding and soil erosion.

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Berry-O'Loughlin. Mr. Berry called for discussion and noted as just a comment that perhaps the Board should have considered requiring that the strip of land going out to Stubble Brook Road be merged with the abutting lots in order to ensure that it is not used as an access. Motion carries (3-0).

Community Development Block Grant (CDBG) : 2006 Grant Round

-- CDBG Community Development Consortium consultant, Jeff Gofton, to introduce the CDBG applications for this year.

- Provide Advisory Opinion to Town Council

Mr. Jeff Gofton, consultant for the Community Development Consortium working with Geoff Marchant, approached the Board. Mr. Gofton explained this year's CDGB requests. The Board had questions and there was discussion. Mr. Gofton explained that there are two actions for the Planning Board to make this evening, 1) determine that the application requests are not inconsistent with the community's Comprehensive Plan, and 2) that West Greenwich Planning Board traditionally recommends a priority ranking. There was discussion. Mr. O'Loughlin pointed out a typo in the total amount requested, noting that the total should be \$70,150.

Motion to make a finding that the following proposed projects in the 2007 CDBG request are consistent with the Comprehensive Plan and that the Planning Board recommends to the Town Council the following priority order:

1. Housing Rehabilitation
2. Housing Information Program
3. Washington County Community Development Corporation
4. Community Housing Land Trust
5. South County Community Action

O'Loughlin-Berry (3-0)

Mr. Martin left the meeting at 7:21 p.m.

Mr. Lepak arrived at 7:21 p.m.

Minor Residential Compound Subdivision: Pre-Application Plan

"Crompton Residential Compound" – AP 19, Lot 28

--off Sharpe Street; 1 new lot proposed off existing private right-of-way

Owner/Applicant: Richard D. Crompton

Attorney John Pagliarini was present for the applicant. Mr. Pagliarini approached the Board and discussed the situation of the existing right-of-way and the ordinance threshold of no more than 5 lots allowed to use the access. It was noted that there are currently 9 homes deriving access from the right-of-way. There was discussion. There were concerns raised about the required homeowner's association that needs to be created for the Compound, and what to do with all the existing users; what to do with all the lots in the back in the event that they all want to come in to subdivide; what are the existing rights that go along with the right-of-way and who has these

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rights; and it was noted that there is currently a subdivision being platted just north of the Town boundary in Coventry that abuts these properties, and the possibility of a road going through as a Town Road.

The Board asked for information pertaining to the existing right-of-way. There was further discussion. Solicitor Ursillo noted there are three options, 1) request a frontage variance, 2) request a variance from the compound ordinance, or 3) a conventional subdivision.

It was noted that more thought is needed about this.

Advisory Opinion to Town Council on application for Zoning Ordinance Amendment to Exit 7 Special Management District regarding signage

--Hotel Marriott, pylon sign request

Attorney John Pagliarini was present. Miss Paquet explained that at the last meeting the Board allowed in their decision that the LeCesse sign at 60 feet tall with 300 square feet of content area could be transferred to the hotel. She noted that when the application was presented to the Town Council that the request was changed to a 100 foot tall sign with 400 square feet of content area, and that the Town Council asked that the Planning Board provide an opinion on this new request. There was lengthy discussion. Chairman Boyer noted that it is tough to visualize what the sign would look like with the grades. Mr. O'Loughlin asked if Mr. Cambio would be willing to have both signs only 100 feet high. Miss Paquet pointed out that there may be breaks in the tree-line that could provide a good view of a wall-mounted sign. She suggested that the Board ask for a perspective where a balloon is anchored in the location where the sign would be at the desired height, and a photo is made showing the view from the highway. There was discussion about a trade-off in height between the two signs. There was further lengthy discussion. Mr. Berry discussed the color of the pole noting the BJ's sign pole sticks out with the red color.

Motion to recommend approval for a 100 foot tall sign with 400 square feet of content area in the location as indicated on the plan dated 4/10/2007, and also that the second sign shall be reduced in height from 175 feet to 135 feet, and reduced in content area from 4,000 square feet to 3,500 square feet, and that the color of the pole shall be as presented, which appears a grayish-bluish color as shown on the 1/23/07 printout. Also that the height of the sign shall not exceed an elevation of 415.5 feet based on the 315.5 base elevation at lobby level and the existing treeline at the top of the berm at Route 95 shall be designated a no-cut buffer. Berry-O'Loughlin. Mr. Lepak called for discussion. He noted that they should also recommend to the Town Council that it would be in their best interest to get more detailed schematics so that they can see what it would look like.

Motion so amended. Motion carries (4-0).

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Acceptance of Minutes

May 15, 2006 Regular Meeting

It was noted that Mr. Lepak was also absent from this meeting and there was still no quorum to vote on this, and that it would be moved to next month's agenda.

PLANNING DISCUSSION/ OTHER BUSINESS:

--requires vote to add to agenda for discussion only

Motion to discuss the LeCesse response letter dated March 27, 2007. Berry-O'Loughlin. (4-0).

LeCesse Response Letter dated March 27, 2007

Chairman Boyer expressed concern of the changes that have been made in the field that the Planning Board did not approve and also expressed concern over some of the responses that are not at all responses. Chairman Boyer noted that it is the applicant's responsibility to provide the Planning Department with the proper documentation from the Fire Department to satisfy some of the original comments from the consulting engineer, and that Miss Paquet should not be contacting the Fire Department to find out the answers.

The Board directed Miss Paquet to send a letter to LeCesse stating that the Planning Board is not satisfied with their responses, and to require that they appear before the Board at the May meeting with their stamped As-Built plans. The Planning Board will then schedule a site visit.

There was discussion on the budget and the Exit 5 Cloverleaf study. It was noted to add to next months agenda to look at the parcels around the Cloverleaf. There was discussion on adding the RFP for proposing zone map changes for that area and determining what is the best use of the area.

Motion to adjourn. Berry-O'Loughlin (4-0). The meeting ended at 9:10 p.m.

WEST GREENWICH
May 21, 2007
PLANNING BOARD MEETING

A regular meeting of the West Greenwich Planning Board was held on May 21, 2007. Present were: Chairman Mark Boyer, Tim Regan, Brad Ward, and alternate Bill Bryan. Absent were David Berry, William Lepak, and alternate Tom O'Loughlin. Town Planner Jennifer Paquet was present. Town Solicitor Michael Ursillo, Esq. was present. Chairman Boyer called the meeting to order at 7:00 p.m.

CONSENT AGENDA

Motion to pull the items from the consent agenda. Ward- Regan (4-0).

A. Acceptance of Minutes

February 28, 2007 Special Meeting
March 19, 2007 Regular Meeting
April 16, 2007 Regular Meeting
May 15, 2006 Regular Meeting

Mr. Ward asked to include his response to the May 15, 2006 minutes to Mr. Eastman's question. Chairman Boyer pointed out typos in the February 28, 2007 minutes. Motion to approve as amended. Ward-Regan (4-0)

B. Bond Requests

Fry River Farms (Maguire Lane off Fry Pond Road):
--request for maintenance bond release and acceptance of roads and drainage by Town

Motion to approve the Bond Request for Fry River Farms. Ward-Regan (4-0).

Raven Gravel License Renewal: AP 14, Lots 5, 7, 8, and 9
- report on Site Visit and advisory opinion to Town Council
Motion to continue to next month. **Ward-Regan (4-0).**

Request for Extension of Approval: Minor Subdivision AP 6, Lot 13-1

--on Mishnock Road; in conjunction with Zoning Board approval

Owner: Thayden B. and Linda J. Waltonen

*Condition of approval: That the new road be fully constructed by June 1, 2007.

Chairman Boyer recused himself. Mr. John Pagliarini, Jr. Esq. was present. It was noted that the submission to RIDEM has been reclassified as a Significant Alteration which will take longer to review. Motion to grant a six month extension. Ward-Regan (3-0).

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Minor Residential Compound Subdivision: Pre-Application Plan, cont.

“Crompton Residential Compound” – AP 19, Lot 28

--off Sharpe Street; 1 new lot proposed off existing private right-of-way

Owner/Applicant: Richard D. Crompton

Mr. John Pagliarini, Jr. Esq. was present. Mr. Pagliarini presented a plat map highlighting the lots that utilize the access and included the Book and Page numbers for the deed references. There was discussion. Solicitor Ursillo advised that the applicant should apply for a variance on frontage rather than a determination on a Residential Compound. The Board advised the applicant to apply to the Zoning Board for a variance for zero frontage on a town road.

Major Commercial Subdivision: Pre-Application plan

“Phase 1” AP 49, Lot 4-1

-- on Arnold Farm Road; 2 new lots proposed; Highway Business Zone

Owner/Applicant: Arnold Farm Partners LLP

Mr. John Pagliarini, Jr. Esq. was present. Mr. Pagliarini noted that the proposal is to cut two new lots on an existing road out of the 50 acres. Miss Paquet noted that the requirements of both checklists need to be met if the review stages are being combined, including the wetlands verification. Motion to combine the Master and Preliminary plan review stages and to set a public hearing for the June 18, 2007 meeting. Ward-Regan (4-0).

Grandeville at Greenwich Apartments: As-Builts

Major Land Development Project: AP 1, Lot 3-1

-- Centre of New England Boulevard ; 300 apartments constructed; Exit 7 SMD

Owner: LeCesse Development Corp.

Mr. John Pagliarini, Jr. Esq. was present. Mr. Tom Hayden of LeCesse Development was also present. Mr. Pagliarini submitted a letter dated 5-4-07 from Lake Mishnock Fire Company Deputy Chief Hitchcock noting that the changes are acceptable. Chairman Boyer read the letter for the record. Mr. Hayden provided a response to each item in his March 27, 2007 letter. He noted that the items noted to be completed in the letter had been completed. He noted that building 14 was moved about 3 or 4 feet away from the toe of the slope, and that this was not approved by the Planning Board. The Board asked to have this identified on the as-built and to show the approved location and the as-built location. The Board questioned if the emergency access at the north end of Constitution Drive was a Planning Board condition and asked Miss Paquet to look into this. The Planning Board called for the need for a guardrail at I-95 and the need for a UIC permit from RIDEM to be verified by town consulting engineer, Shawn Martin, PE, in conference with Mr. John Caito, PE, the applicant's engineer. The Board required that the as-builts show approved and existing location of building 14, the extent of the approved ornamental fence in relation to the length of the constructed stone wall, and the as-built photometrics. The Board also required that a Landscape Plan be submitted to show a suitable alternative evergreen plant to replace the 120 Leland Cypress from the approved plan, at the

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same density and extent of coverage as the cypress; and plans to stabilize and have aesthetic value on the south boundary where the 207 climbing hydrangea, etc. were supposed to be, and that there be a mix of 3 or 4 different types of plants. The Board noted that this development is supposed to be luxury apartments and that the aesthetic value to the residents is still needed.

Mr. Pagliarini asked the Board to consider releasing the last Certificates of Occupancy, since there are no safety issues with the outstanding items. There was discussion. Motion to release the Certificate's of Occupancy contingent upon the applicant posting a cash surety in an amount to be determined by the Town Solicitor and the Town Administrator. Ward-Regan (4-0).

Advisory Recommendation: Inclusionary Zoning Ordinance

--review draft ordinance and provide advisory recommendation to Town Council

Solicitor Ursillo noted that he still needed to double check on the legality of a local preference pool. Motion to continue to next month. Ward-Regan (4-0).

Exit 5 Cloverleaf Study/ RFP

There was discussion on the need for design regulations for this area.
Motion to continue to next month. Ward-Regan (4-0).

Amgen: Traffic Study Update

Major Land Development Project: AP 3, Lot 1-2
--on Technology Way; traffic report and Town review (no presentation)

Miss Paquet noted that the consulting engineer has reviewed the traffic analysis and concurs with the findings. She also noted that the GTECH site will be coming in for development which will impact the area.

Engineering Bills- Discussion

The Board requested to issue a Request for Qualifications (RFQ) to get prices and a list of consultants to work with. Solicitor Ursillo noted he can find some examples for an RFQ from other towns.

Motion to adjourn. Ward-Regan (4-0).
The meeting ended at 8:20 p.m.

WEST GREENWICH
June 18, 2007
PLANNING BOARD MEETING

A regular meeting of the West Greenwich Planning Board was held on June 18, 2007. Present were: Vice Chairman David Berry, Tim Regan, Tom O'Loughlin, and alternates William Lepak and Bill Bryan (7:06 p.m.). Absent were Chairman Mark Boyer and Brad Ward. Town Planner Jennifer Paquet was present. Town Solicitor Michael Ursillo, Esq. was present. Vice Chairman Berry called the meeting to order at 7:00 p.m.

A. Acceptance of Minutes

Motion to approve the minutes of the April 17, 2006 Regular Meeting .
O'Loughlin-Regan (3-0, Berry abstained).

Motion to approve the minutes of the March 26, 2007 Special Meeting.
Lepak-Regan (4-0)

The minutes of the May 21, 2007 Regular Meeting were tabled to next month.

Motion to move Old Business to the end of the meeting. Regan-Lepak (4-0).

Major Commercial Subdivision: combined Master and Preliminary Plan Public Hearing

"Phase 1" AP 49, Lot 4-1

-- on Arnold Farm Road; 2 new lots proposed; Highway Business Zone

Owner/Applicant: Arnold Farm Partners LLP

Attorney John A. Pagliarini, Jr. Esq. approached the Board. Mr. Pagliarini explained the project as two frontage lots on an existing street and noted that there are no uses proposed at this time. He noted that the development would not be visible from Route 102. He noted that the wetlands have been verified by RIDEM and that the property is a total of 55 acres.

Motion to open the public hearing. O'Loughlin-Regan (4-0)

Mr. David M. Garrigan, PLS, presented the plan. He noted that the nearest residential cul-de-sac is Catherine Wright Court which is at a higher elevation by 27 feet to this property and that it is about a half mile away.

Planning Board member Bill Bryan arrived at 7:06 p.m.

Mr. Lepak asked to extend the property lines of the proposed lots to the rear property line rather than leaving a small wedge of land in back. There was discussion. It was decided to require this. Mr. Garrigan noted that the soil evaluations were done and the wetlands have been verified. He noted that they have also applied to RIDEM for a determination on the wetlands for a permit and that he expects it will be a non-jurisdiction. Mr. Garrigan noted that the FEMA Flood maps are being updated and that current information is not available on the flood zone.

Mr. Pagliarini noted that a portion of the property may be designated for open space.

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Vice Chairman Berry opened the meeting to the public.

Larry Rathbun, Exeter address, home in West Greenwich, noted that his house is actually closer to this development than Catherine Wright Court and Mr. Garrigan pointed out where the location was.

Motion to close the public hearing. O'Loughlin-Regan (5-0)

Mr. Pagliarini submitted the green card return receipts for the file.

Motion to approve the combined Master and Preliminary Plan for the Arnold Farms Partners LLP subdivision with the following conditions of approval:

1. Reimburse town for cost of legal notification
2. each lot must have Site Plan Review at which time the individual lots will be reviewed for drainage, pre- and post- erosion control, and zoning requirements
3. Submit checklist requirements: Wetland Edge Verification, Subdivision Suitability for 3 lots, class 2 survey and proposed lot angles, address steep slopes and note buildable area for each lot, note base flood elevation is Zone C,
4. Submit green card receipts for the file
5. Extend the lot lines to the rear property line
6. Final approval may be administrative

This motion is based on the 7 findings of fact pertaining to consistency with the Comprehensive Plan, Zoning Ordinance, and Subdivision Regulations.

Lepak-Bryan (5-0)

West Greenwich Business Park Signage Plan- AP 3, Lots 1-1 and 1-7

- At Hopkins Hill Road, Technology Way, visibility on I-95; applicant: Condyne, LLC

Mr. Michael McCarthy from Condyne approached the Board. He noted that they are looking to place 2 signs now, one on I-95 and the other at the entrance to Technology Way. Mr. McCarthy discussed the highway sign and noted it would be internally illuminated. He noted that the third sign would be the same as the Technology Way sign with the brick base, but that they are not looking for a permit on that one right now.

Miss Paquet explained that the signs exceed the size dimensions allowed and that the applicant will need to apply to the Zoning Board for a Special Use Permit. There was discussion on the size of the signs. Mr. McCarthy noted that they can change the size of the sign to conform. Mr. Lepak suggested negotiating down the size of the pylon sign in return for size on the ground monument signs. There was discussion. The Board discussed approving just one sign tonight and Mr. McCarthy will resubmit an application with revised sign size.

Motion to approve the location and design for the sign on I-95 as depicted to replace the GTECH sign. Bryan-Regan (5-0).

Motion to recommend approval for a Special Use Permit for the sign on I-95 as proposed. Bryan-Regan (5-0).

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Major Industrial Land Development Project: Pre-Application AP 13 and 14 (many parcels) in conjunction with Comprehensive Plan Amendment and advisory opinion to Town Council on Zone Change

-- off Victory Highway; Ritchie Bros. Auctioneers, heavy equipment auction grounds

Applicant: Ritchie Bros. Properties Limited

- Schedule Public Hearing Date for Comprehensive Plan Amendment
- Begin pre-application review

Attorney Greg Benik from Nixon Peabody approached the Board along with Robert Smedberg, PE from VHB. Mr. Benik addressed the Board about Ritchie Bros. as a company, then went over the typical site activities and buildings. He noted that the auction operations are from 7 am to dusk and the day to day operations are from 8 am to 6 p.m. He noted that the auctions are open to the public and that the parking is on-site.

Mr. Smedberg gave an overall synopsis of the site boundary and the abutting area. He noted that assemblage of parcels comes to 260 acres and that the proposed use is non-intensive for utilities. He discussed the ownership history of the parcel as a gravel source by Cardi for the construction of I-95 prior to ownership by Norman Marsocci. He noted that the soils provide flexibility for the septic and well locations. He noted the water resources on the site including significant wetlands and the stream that varies in width from under 10 feet to over 10 feet wide. He noted that the project will need State approvals from RIDOT, RIDOH, and RIDEM. Mr. Smedberg went over the proposed building layout and the uses of the buildings and how the site would operate. He noted that there would be a closed loop system for the car wash/ refurbishing station and that the display of the equipment would be out the back. There was discussion on what this surface would be. Mr. Smedberg noted separate accesses for equipment and the event. He then explained the proposed zoning and the difference from the existing zoning. He noted that the utilities would come off of Route 102, not Robin Hollow Road.

Mr. Bryan asked about the areas that won't be developed and asked what happens to the rest of the site they are not using. He noted that the Town wants to see the areas not being used to be revegetated.

Mr. Lepak asked how much total industrial land they are looking to have and what is the motivation behind it. He asked if there is a plan to come back with more development. Mr. Benik noted that this is the project and they won't expand.

Mr. Lepak asked if they've looked at other sites. Mr. Benik noted that they did look at other sites in other states and that the West Greenwich site was the best. He noted that there was a 2 to 3 year site search in the northeast.

Mr. Bryan asked the consultants to talk to Ritchie Bros. to consider donating the RFR-2 land to the Town as Open Space.

There was discussion on the Highway Business parcel.

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PLANNING BOARD MEETING

Mr. Smedberg noted that they are also looking at the traffic impacts with RIDOT and noted they will coordinate with the state.

The Board held discussion on the zone change. A public hearing date for the amendment to the Comprehensive Plan was set for July 16, 2007 at 7 p.m. Motion by Bryan, second by Regan, all in favor (5-0).

Site Plan- Pre-application plan: AP 14, Lot 12-1

--on Victory Highway; proposed Dunkin' Donuts to remodel existing out building with addition and drive-through window; zoned Highway Business

Applicant: Frank Realejo

Attorney John A. Pagliarini, Jr. Esq. was present. He noted that they have a purchase and sales agreement on the Earl Adams building, which used to be a bank, to develop a Dunkin' Donuts. He noted that the original approval of the plaza allowed this building to be expanded. He noted that there would be no baking on site. He explained that due to differences in how the site needs to be maintained, the Dunkin' Donuts would be its own entity within the condominium association and that they would have their own septic. There was discussion on parking. It was noted that this needs to be worked on. He noted that Richard Greene is verifying if a Physical Alteration Permit is needed. There was discussion on the sign. The Board noted that they want to see signage options and are looking for something other than the pink and orange. There was discussion on the existing sign. Mr. Pagliarini noted that they are going to change the existing plaza sign but not the size of the sign. He noted that they are working on the engineering now and discussed the proposed layout.

Advisory Opinion to the Town Council

--Proposed Amendment to the Zoning Ordinance for Temporary Signage

Miss Paquet went over the proposed changes to the entire Sign Ordinance, not just pertaining to temporary signage. The Board held discussion. Comments noted were the following:

1. Administrative Officer shall review all sign applications, if they are not otherwise reviewed by the Planning Board prior to obtaining a permit.
2. Add penalty fees, which the Solicitor will look into. It was noted to update the Zoning Ordinance to apply penalties.
3. Define the sign, clarify the content face in length and width when giving maximum square footage dimensions, and allow the opposite side to be exactly the same sign, otherwise it shall be considered a separate sign.
4. Recommend prohibiting portable signs, including but not limited to sandwich boards.
5. how to allow the Field of Screams signs and the like which would be advertising off-site? Are these considered farm signs?

Motion to recommend to the Town Council the approval of the proposed amendments to Article IV Sign Regulations of the Zoning Ordinance based on the following findings of fact:

1. The proposed changes as presented are consistent with the Comprehensive Plan, specifically Land Use Policy 2, "The preservation of the rural character of West

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Greenwich demands careful consideration of visual factors. The visual diversity of West Greenwich is an important component of the scenic rural quality of the community.”

2. The proposed changes are consistent with the purposes of Zoning, specifically, “Promoting a high level of quality in design in the development of private and public facilities.”

Bryan-Regan (5-0)

Advisory Recommendation: Inclusionary Zoning Ordinance

--review draft ordinance and provide advisory recommendation to Town Council

Moved to next month

Exit 5 Cloverleaf Study/ RFP/ Parcels

There brief discussion on design regulations and rezoning. Solicitor Ursillo noted that he will have design regulations and architectural standards that the Town can apply across the board.

Motion to adjourn. Bryan-Regan. (5-0). The meeting ended at 9:49 p.m.

WEST GREENWICH
July 16, 2007
PLANNING BOARD MEETING

A regular meeting of the West Greenwich Planning Board was held on July 16, 2007. Present were: Chairman Mark Boyer, Vice Chairman David Berry, Tim Regan, and alternates William Lepak and Bill Bryan. Absent were Tom O’Loughlin and Brad Ward. Town Planner Jennifer Paquet was present. Town Solicitor Michael Ursillo, Esq. was present. Consulting Engineer Shawn Martin, PE, from Fuss & O’Neill was present. Vice Chairman Berry called the meeting to order at 7:02 p.m.

CONSENT AGENDA

A. Acceptance of Minutes

- May 21, 2007 Regular Meeting
- June 18, 2007 Regular Meeting

Motion to approve the consent agenda. Berry-Bryan. (3-0) (Lepak and Boyer abstaining)

Major Commercial Land Development Project: Preliminary Plan

Hopkins Hill Commerce Park – AP 3, Lot 16

--off Hopkins Hill Road; 5 buildings proposed for offices and 3 buildings proposed for storage
Owner/ Applicant: Gansett Associates, LLC; contact: Jeff Butler

- Set Public Hearing Date

Motion to set a public hearing for Monday, August 20, 2007 at 6:30 p.m. Berry-Regan. (5-0).

Major Residential Subdivision: Master Plan

“Stonebridge Estates” (formerly Millstone Farm Estates) – AP 33, Lot 1-1

--off Plain Meeting House Road; 21 lots proposed

Owner: Wayne Regnaire, Executor of Estate; Applicant: Universal Realty

- Set Master Plan Public Informational Meeting date

Motion to set a public informational meeting for Monday, August 20, 2007 at 6:30 p.m. Berry-Regan. (5-0).

Minor Residential Compound Subdivision: Preliminary Plan

“The Treistman Residential Compound” – AP 8, Lot 1-8

--off Fish Hill Road; 3 lots proposed

Owner/Applicant: Lewis Treistman

- Set Public Hearing Date

Motion to set a public hearing for Monday, August 20, 2007 at 6:30 p.m. Berry-Bryan. (5-0).

WEST GREENWICH
July 16, 2007
PLANNING BOARD MEETING

Amendment to Comprehensive Plan

In conjunction with

Advisory Opinion to Town Council on application for Zoning Amendment and Zone Change regarding Village Special Management District: AP 1 Lot 10-1 and 10-3

--Current Zoning is Highway Business; Proposed Zoning is to create a new Special Management Zoning District for these parcels. On corner of Division Street and New London Turnpike;

Owner: Universal Properties (Nicolas Cambio)

- Set Public Hearing Date to consider Amendment to Comprehensive Plan and to review proposal and provide Advisory Opinion to Town Council

Motion to set a public hearing for Monday, September 17, 2007 at 7:00 p.m. Berry-Bryan. (5-0).

Advisory Recommendation to the Zoning Board

Re: Minor Residential Compound Subdivision: AP 19, Lot 28

--off Sharpe Street; 1 new lot proposed off existing private right-of-way

Owner/Applicant: Richard D. Crompton

Attorney John A. Pagliarini, Jr. was present. Mr. Pagliarini noted that there were objectors at the Zoning Board meeting and that he also received the Planner's recommendation to deny the variance over the weekend. He noted that they could not meet the standards for a Zoning variance. He noted that Mr. Crompton has 51 feet of frontage on Sharpe Street. There was discussion on a Residential Compound. Chairman Boyer noted that, in his opinion, they should exceed the standards of the Residential Compound gravel road, and pave the road, given the potential build out, for wear and tear, as one of the provisions that should be met if the Board allows a Residential Compound. Mr. Pagliarini presented a plan for a Town road and requested a public hearing for the September meeting for a traditional subdivision with 3 lots. There was discussion on doing a traditional subdivision with a Town road, which would not require any variances or waivers. Mr. Lepak noted he was opposed to future subdivision given the subdivision history of this site. There was discussion. Mr. Lepak asked for an opinion from Town Solicitor Ursillo regarding whether further subdivision is allowed, or if there was a restriction based on the previous subdivision approval. Mr. Ursillo will review the previous minutes to find out if there were any restrictions.

There was discussion on the possibility of the other back lots coming in for subdivisions. Mr. Pagliarini noted that the road will never be extended because they will keep the terminus short of the property line so that the abutters won't have frontage. Mr. Pagliarini noted he would withdraw the application to the Zoning Board for the frontage variance, and would withdraw the Residential Compound application. It was noted that this meeting does not constitute a Pre-application meeting.

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July 16, 2007
PLANNING BOARD MEETING

Owl Ridge Major Subdivision– construction status

--Off Henry Brown Road on Orion View Drive; guardrail and sink holes
Developer: DOSCO, Inc., David Annese

Mr. David Annese was present, along with Mr. Jeff Lewis, PE from Garofalo. Mr. Martin was present for the Town. Miss Paquet explained that this item is on the agenda to make the Board aware of the issues that in this subdivision that have been around for a while, but are not resolved yet, and pointed out that people are now seeking Certificates of Occupancy on this road. She explained that the correspondence has been provided in the Planning Boards packets, and noted that the last letter sent is dated July 2, 2007 explaining why the guardrails are not acceptable and reiterating to have them installed according to the plan, and also noting the sink holes in the detention basin are increasing. Chairman Boyer asked Mr. Annese if he had anything he wishes to address the Board on. Mr. Annese noted that Mr. Lewis's recommendation is to keep the existing guardrails, and make some provisions so that they meet the State code. Chairman Boyer noted that what was approved was not installed. He noted that if the plan is going to differ, it has to go back to the Board. Miss Paquet noted that Mr. Andrews has to be happy with it, and that she doubts that he will ok any retrofit to what is out there. Mr. Bryan asked if Mr. Lewis has witnessed what has been installed. Mr. Lewis said he has, and noted that the deficiencies that were noted are valid. He noted that he thinks it can be modified to be retrofitted. Chairman Boyer noted that the concern is safety and that the Town doesn't want to be left with a product that is defective. He noted that Mr. Andrews, Mr. Martin, and Miss Paquet have to be the ones to sign off on it, and if they are not comfortable, it has to come back to the Board. Mr. Lewis discussed what could be done. Miss Paquet noted the posts are not even 2 feet deep into the ground. There was discussion. It was noted that the applicant needs to submit a new engineering detail, certified to perform in the conditions at the site. Miss Paquet noted that this is what her letter stated. Miss Paquet noted this is not just attaching things to the existing construction, and noted this is removing what is there. Mr. Regan noted it needs to be a brand new design sheet, and stamped. Miss Paquet noted it needs to be submitted for Town review and approval, as a modification to the approved plan, and that it needs to be properly installed and inspected. Mr. Bryan asked about what was installed and if it differs from what was approved. Miss Paquet noted that what was installed in the field does not conform in size to what was approved for the posts, the beams, and the depth of the posts in the ground. He asked if the original design was a RIDOT standard. She noted that it was RIDOT standard for a timber guardrail. Mr. Bryan asked if the RIDOT design was rough sawn lumber. Mr. Martin noted that the RIDOT detail shows actual dimensions. It was noted that the RIDOT standard needs to met. Miss Paquet noted that the approved plan had a RIDOT standard. Mr. Boyer recapped that we need a new sheet with a detail to be approved by the Town and inspected.

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July 16, 2007

PLANNING BOARD MEETING

**Amendment to the Comprehensive Plan- Public Hearing
and advisory opinion to Town Council on Zoning District Change-
Major Industrial Land Development Project: Pre-Application AP 13 and 14 (many parcels)
-- off Victory Highway; Ritchie Bros. Auctioneers, heavy equipment auction grounds
Applicant: Ritchie Bros. Properties Limited**

No one was present for the applicant. Miss Paquet noted that on Friday afternoon she received a phone call from Rob Smedberg, PE, from VHB, consultant for the applicant, to tell her that Ritchie Bros. is going to hold off for a while because they were looking for some State sales tax relief but since it wasn't granted, they were having second thoughts. She noted that she was expecting a letter of withdrawal from the applicant but that she has not received anything or heard from Ritchie Bros. directly. She noted that there was supposed to be a presentation by the applicant this evening. Solicitor Ursillo advised that until we get an official letter, to just continue the meeting. He noted that nothing would be lost by doing this.

Motion to continue the Public Hearing to the August 20, 2007 meeting. Regan-Bryan. (5-0).

Major Residential Subdivision: Final As-Built Review

Knight Estates: AP 28, Lot 26 -

--on Stubble Brook Road; Owner/ Applicant: Harow LLC, Robert Woloohojian

- Set Performance and Maintenance Bond amounts

Mr. Robert Woloohojian was present. Miss Paquet passed out a memo with a draft motion along with the inspection comments from Fuss & O'Neill. There was a recess to read the memo. Chairman Boyer noted that it is not proper or fair to be handed materials the night of the meeting and asked the Board if anyone would be willing to meet next week to go over this. Mr. Woloohojian noted he was not expecting this this evening and noted that he does not have representation here. There was discussion. The Board went over the list. It was noted to check with Dave Andrews on the mailbox locations, and to remove the restriction of no further subdivision because these can't be subdivide anyway as they are. Mr. Woloohojian asked about the Open Space and Recreation fee and the Stubble Brook Road fee. There was discussion on open space land versus the fee. The Board noted that the Open Space fee is standard on all subdivisions based on the value of the lots, and that the Stubble Brook Road fee is the Town Council. The Board continued to go over the conditions from the Preliminary Plan approval and which have been completed. There was discussion on the restriction for no further subdivision unless approved by the Board. It was decided to remove this condition because it would have to go to the Board anyway. Mr. Woloohojian noted that no stumps were buried on site. It was noted that there needs to be follow up on the expansion of the easements and the mailboxes. Next the Board went over the memo from Mr. Martin.

The Board asked Mr. Woloohojian to call Miss Paquet when he is ready for a meeting, and in the meantime, to get as many items completed as possible.

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July 16, 2007

PLANNING BOARD MEETING

Advisory Recommendation to the Town Council: Inclusionary Zoning Ordinance

--review draft ordinance and provide advisory recommendation to Town Council

There was discussion on the recommendations. The Planning Board wishes to keep the provision to allow units to be constructed off-site, but not all of them. It was decided to recommend to the Town Council that for D 4, they remove the words "or whole," and "or all." The Planning Board discussed the option for a density bonus and noted that they do not like the 1.5 minimum lot size across the lots. The Board recommends to the Town Council that they only allow the affordable lots to be reduced in size, and to keep all the market rate units at the traditional minimum zoning requirements. There was discussion on density bonus lots versus units. Miss Paquet recommended that if the Town goes with a density bonus, that the bonus also has to be affordable, as opposed to a market rate unit. The Board also recommends requiring all duplexes to have a minimum of 2 acres. They also expressed concern about a shared septic system for a duplex. Chairman Boyer will find out if it would be a shared system or if RIDEM would allow two separate systems.

Miss Paquet invited the Board to the Affordable Housing meeting next week and handed out the agenda and the draft documents for that meeting, including the mixed use village ordinances.

Mr. Bryan asked how we know what percentage of types of affordable housing is needed in Town and how to impose that on the developer. Miss Paquet noted that the Affordable Housing Plan gives this breakdown of need, and noted that there are different ordinances that help provide this mix. It was noted we should earmark the lots in the subdivision ahead of time during the planning process. The Board asked Miss Paquet to make the changes and to give the draft back to the Board for further contemplation. The Board will discuss density bonuses and work on the recommendation to the Town Council at the next meeting.

Exit 5 Cloverleaf Study/ RFP/ Parcels

No discussion.

Proposed Amendments to the Subdivision Regulations and Design Regulations

Changes to the Subdivision Regulations will be printed out and sent to the Board, along with examples of Design Regulations.

Set Workshop date

-- Current Planning Topics/ Projects: Village centers; Affordable Housing ordinances; Borderlands Project; RIH KeepSpace Communities Initiative; Design Regulations; Exit 5 Cloverleaf;

The Board noted that they are interested in the Borderlands project. Motion to send a letter from the Planning Board to the Town Council expressing interest in the project, and a recommendation to participate in the Borderlands project. Berry-Regan. (5-0).

No special meeting was set.

There was discussion on policy for plan submission and review time in order to be prepared for the meeting. Motion to adjourn. Berry-Lepak (5-0). The meeting ended at 9:35 p.m.

WEST GREENWICH
August 1, 2007
PLANNING BOARD MEETING

A special meeting of the West Greenwich Planning Board was held on August 1, 2007. Present were: Chairman Mark Boyer, Brad Ward, and Tom O'Loughlin. Absent were Vice Chairman David Berry, Tim Regan, and alternates William Lepak and Bill Bryan. Town Planner Jennifer Paquet was present.

Chairman Boyer called the meeting to order at 6:30 p.m.

Major Residential Subdivision: Final As-Built Review, cont.

Knight Estates: AP 28, Lot 26 -

--on Stubble Brook Road; Owner/ Applicant: Harow LLC, Robert Woloohojian

- Set Performance and Maintenance Bond amounts

Mr. Robert Woloohojian was present. The Planning Board went over the memo from Mr. Martin dated July 16, 2007 to see what had been completed since the last meeting. The following were noted:

Item 1. has been fixed.

Item 2. is acceptable to be replaced with ADS flared ends, based on Highway Superintendent's approval.

Item 3 and 4 will be addressed by the applicant.

Item 5 will be addressed at final pavement.

Item 6 the applicant's engineer will address with calculations to see if impact, and if so, it will be corrected. If no impact, documentation will be provided.

Items 7 and 8 have been completed.

Item 9 is not an issue

Item 10 the applicant's engineer will address with calculations to see if impact, and if so, it will be corrected. If no impact, documentation will be provided.

Item 11 will be addressed.

Items 12, 13, and 14 will be covered by the maintenance bond

Item 15 is ok. Mr. Woloohojian explained that he has already identified where the driveways are going to go and has placed the landscaping so that it does not conflict. It was noted that the landscaping needs to be shown on the site plans for the lots.

Item 16 the applicant will install as soon as possible, and will provide a dollar value from the Landscape Architect for this item to include in the bond, or it will be completed prior to recording.

Item 17 three more trees will be installed prior to recording

Item 18 and 19 are not applicable to approval of the subdivision.

Mr. Woloohojian noted that he intends to build all the homes.

The Board then went over the draft motion. There was discussion on the road bounds. Mr. Woloohojian noted he will get a quote from his surveyor to have them installed with a price. It was noted that they need to be installed within one year, and then there needs to be measures to ensure they don't get touched if all the houses aren't constructed. This needs to be included in the bond. It was noted to remove items 12 on the mailbox locations and 13 on the note on the record plan, and replace them with new conditions which were discussed. There was discussion

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on the bonds. There was discussion on the final coat of pavement and ways to ensure that developers don't rush to pave the final coat when all the lots haven't been built on, which can damage the pavement.

Motion to approve the Final Plans for the Knight View Major subdivision, AP 28, Lot 26 prepared by Alpha Associates, LTD, prepared for Harow, LLC, dated June, 2007, with the following conditions:

1. Pay Final Plan filing fee of \$650
2. Replenish Project review account with \$1,500.00
3. Post \$28,000.00 Performance Bond, cash or collateralize 2 lots in lieu of cash, pending Solicitor's approval
4. Post \$37,500.00 Cash Maintenance Bond
5. That road bounds be installed in the field according to the recorded plan, prior to release of bond, within one year of recording.
6. Open Space and Recreation Fee of \$4,500.00 per lot be assessed. (Total of \$45,000.00)
7. Pay the Stubble Brook Road off-site improvement fund fee of \$1,800 per lot (\$18,000.00 total).
8. Show cistern location on Record Plan.
9. Signed conveyance road warranty deed and easements for public improvements are to be submitted to the Town for review and recording.
10. Outstanding construction issues may be handled administratively through Town Staff, and shall be completed to the satisfaction of the Highway Superintendent prior to Final Plat recording.
11. Site Plans are required for all lots in this subdivision for review and approval by the Town, which shall address these stormwater drainage concerns, and also shall address driveway slopes, and the grading of the lots. These site plan approvals are required in order to receive a building permit. The applicant will be responsible for all costs for the Town to review and approve these site plans by the Town's consulting engineer.
12. The Record Plan shall be reviewed by the Administrative Officer.
13. Each lot shall be designed to maximize stormwater infiltration (including roof runoff) and each lot shall not pose a drainage problem for any other lot. Refer to April 13, 2006 memo from Shawn Martin, PE.
14. the contractor shall address the items in the memo from Fuss & O'Neill dated July 16, 2007, as discussed at Planning Board meeting on August 1, 2007
15. Verify that the Town is indemnified on the easement over the driveway

This approval, with conditions, is based on the 7 findings of fact.

Ward-O'Loughlin. (3-0).

Motion to adjourn Ward-O'Loughlin (3-0). The meeting ended at 7:19 p.m.

WEST GREENWICH

August 20, 2007

PLANNING BOARD MEETING

A regular meeting of the West Greenwich Planning Board was held on August 20, 2007. Present were: Vice Chairman David Berry, Tom O'Loughlin, and Brad Ward. Absent were Chairman Mark Boyer, Tim Regan, and alternates William Lepak and Bill Bryan. Town Planner Jennifer Paquet was present. Town Solicitor Michael Ursillo, Esq. was present (6:49 p.m.). Consulting Engineer Michael Zavalia, PE, of Z Engineering was present. Vice Chairman Berry called the meeting to order at 6:35 p.m.

CONSENT AGENDA

Motion to remove the items from the consent agenda. Ward-O'Loughlin (3-0).

A. Acceptance of Minutes

July 16, 2007 Regular Meeting

As Mr. O'Loughlin and Mr. Ward were not present at the July meeting, no action was taken.

B. Minor Subdivision

Minor Residential Subdivision: Preliminary

"Big River Inn" – AP 12, Lot 19-1

--on Robin Hollow Road; one new frontage lot

Owner: Big River Inn, LLC

Motion to approve read by Mr. Ward, seconded by Mr. O'Loughlin. (3-0)

Minor Residential Subdivision: Preliminary

"The Bates Plat" – AP 34, Lot 3-1

--on Plain Meeting House Road; 1 new lot proposed

Owner/Applicant: Alexander Peck Bates, Jr. Trust

Motion to approve read by Mr. Ward, seconded by Mr. O'Loughlin. (3-0)

Advisory Recommendation to the Town Council: Inclusionary Zoning Ordinance

--review draft ordinance and provide advisory recommendation to Town Council

Motion to table to next month. Ward- O'Loughlin. (3-0)

Owl Ridge Major Subdivision-- construction status

--Off Henry Brown Road on Orion View Drive; guardrail and sink holes

Developer: DOSCO, Inc., David Annese

--assess progress or consider calling the bond

No one was present to represent the developer. Miss Paquet explained that a new detail was submitted and reviewed by the Town's consulting engineer, but that no work has been done in the field yet. She recommended that the Board allow until next meeting for the work to be completed. The Board directed the Town Planner to send a letter to the developer informing him that the Board requires his presence at the September meeting, and that all items must be completed, if not the Board will consider calling his bond.

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August 20, 2007

PLANNING BOARD MEETING

Amendment to the Comprehensive Plan- Public Hearing

and advisory opinion to Town Council on Zoning District Change-

Major Industrial Land Development Project: Pre-Application AP 13 and 14 (many parcels)

-- off Victory Highway; Ritchie Bros. Auctioneers, heavy equipment auction grounds

Applicant: Ritchie Bros. Properties Limited

--continued from last month

No one was present for the applicant.

Motion to continue to September meeting. Ward- O'Loughlin. (3-0)

Major Commercial Land Development Project: Preliminary Plan Public Hearing

Hopkins Hill Commerce Park – AP 3, Lot 16

--off Hopkins Hill Road; 5 buildings proposed for offices and 3 buildings proposed for storage

Owner/ Applicant: Gansett Associates, LLC; contact: Jeff Butler

Motion to open the Public Hearing. Ward- O'Loughlin. (3-0)

Mr. Ward noted that the Board received correspondence from Mrs. Bailey dated August 11, 2007 and asked the applicant if they received a copy. Mr. Butler indicated he had.

Mr. Jeff Butler and Mr. Kirk Pickell of Gansett Associates were present with Mr. Kevin Morin, PE from DiPrete Engineering and Mr. Mike Desmond, traffic engineer from Bryant Associates, Inc.

Mr. Butler gave an overview of the proposed project, totaling about 60,000 square feet of warehouse with about 20 percent office within the buildings. He explained that they don't have domestic water, only water for fire sprinklers and hydrants. It was noted that each building will have its own well and individual septic. Mr. Morin clarified that RIDEM has reviewed the septs and included consideration that there will be individual wells for each site.

Mr. Berry noted that the Board walked the site in the early spring, right after all the water problems. Mr. Ward asked Mr. Morin to report on how they have addressed the problems to protect the neighbor's interest and what they have done to ensure the problems won't occur. Mr. Morin went over the drainage pattern. He noted that the drainage is a critical point for the design of the site, and noted that the pond has been designed intentionally to be very conservative. He noted that there is no outlet. He discussed the aspects of the drainage pond design.

Town Solicitor Michael Ursillo arrived at 6:49 p.m.

Mr. Ward asked if the abutting homes were serviced by public water. Mr. Morin indicated that was correct. Mr. Ward noted he wouldn't want to solve one problem with the drainage and then have salt and nutrients contaminate the wells.

Mr. Berry asked about the buffer. Mr. Morin noted it is required to be 100 feet and that the buffer is 100 feet from the property line to the top of the pond slope. He noted that they had a 14 foot water table, and that they are raising the grade and putting landscaping on the western side, but not on the berm. Mr. Berry asked if this design is for zero net runoff into the neighbor's

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PLANNING BOARD MEETING

property. Mr. Morin noted that it is zero net runoff and zero net volume increase and that there are reductions for some of the storm events.

Mr. Ward asked Mr. Morin if he was aware of the letter from the Baileys. Mr. Morin noted he was aware of it last week. Mr. Ward asked if during construction they will ensure that adequate check dams are installed and that in the event of a significant rainstorm that the neighbors won't be inundated again. Mr. Morin noted that he did walk the site and that the temporary measures that were put in in the Spring did do what they were supposed to do. Mr. Ward noted that many of those are going to come out in order to construct the site and that he would hate to see a reoccurrence of such an event and that he would like to see some parameters installed to ensure that the drainage concerns are addressed. Mr. Morin noted that they are creating a reservoir that doesn't exist today. Mr. Ward clarified that during the construction of the berm that it may take a week or more to construct and during that time, that a reoccurrence of the event does not occur. Mr. Morin noted that they will have temporary construction erosion controls. Mr. Ward asked for significant controls, not just the standard haybales.

Miss Paquet asked about the UIC requirement in the Subdivision Suitability approval. Mr. Morin noted that it is not for the septic systems, but that DEM is aware that the individual sites will be infiltrating the storm drainage, and acknowledge that a UIC permit will be needed for those. Mr. Morin noted that RIDEM is still reviewing the RIPDES submission and he is expecting comments at any time. He noted that they are also awaiting comments from RIDOT for the modification to the curb cut permit. Miss Paquet noted that Lake Mishnock signed off on the hydrant locations.

Mr. Berry asked about traffic volumes. The Board noted that they just received the revised traffic analysis this evening, which they have not had a chance to review. Mr. Desmond noted that they expanded the analysis and responded to the comments from Fuss & O'Neill. He noted that data that they incorporated in to the revised report and noted that his conclusions remained the same. He noted that they redid the traffic counts from the Dunkin' Donuts to include the actual traffic generated by the Dunkin' Donuts. He noted that the 2010 build/ no build scenario that the morning peak Level of Service (LOS) for traffic exiting the site drops from LOS D to LOS E. He noted that it is important to determine the impact to the adjacent roadway, and he noted that the movements on Hopkins Hill Road are critical going into the site, which changes from a Level of Service A to a Level of Service B in the morning. He noted that there is no change at all in the p.m. peak. Mr. Desmond presented the other aspects of the traffic analysis and noted that his conclusions is that the traffic will continue to operate at an acceptable Level of Service at this location, and that there will be no reduction in safety. Mr. Ward asked questions about the levels of service. Mr. Berry asked about the uses. Mr. Butler noted they have nothing concrete at this point but that it is mostly going to be sales service warehouse with small office, and they are considering mini-storage. Mr. Berry asked about if there is danger coming off the highway and trying to make the left into the site. Mr. Desmond explained that the site distance is really good, based on a radar speed study and measurements. He noted that there is plenty of site distance both for traffic turning out of the site and traffic approaching. Miss Paquet noted that Fuss and O'Neill reviewed the initial traffic study and provided comments, but that this revised report has not been reviewed yet. Mr. Berry asked about what sort of traffic signage is there now. Mr. Desmond explained the existing and proposed traffic signals on the site. Mr. Ward

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PLANNING BOARD MEETING

noted that Fuss and O'Neill needs to review the revised traffic study to ensure the Level of Service is acceptable and that there will be no safety concerns. Mr. O'Loughlin asked what the response was to Fuss and O'Neill's original comment about the road width. Mr. Desmond noted that the road is 24 feet wide and that the 12 foot lanes are sufficient for vehicles to negotiate. It was noted that the response from Bryant Associates is attached to the back of the response from DiPrete Engineering's letter. The Board took a minute to look at the responses from DiPrete Engineering and Bryant Associates to the Town's consulting engineer's comments.

The meeting was opened to comment from the audience.

Peter Suorsa, Coventry, asked if there was a comparison of the Dunkin' Donuts traffic between the projected traffic and the actual counts. Mr. Desmond noted that they did not look at that, but that they actually have the Dunkin' Donut's number but just didn't compare them.

Mr. Ward noted that the consulting engineer needs to review the data and make sure everything has been addressed.

Mr. Ward asked about hours of operation and expressed concern for noise. Solicitor Ursillo noted that they need to be compliant with the Zoning Ordinance's Industrial Performance Standards and decibel levels.

Mr. Berry asked about where the outflow to the detention basin is incase it ever fills up. Mr. Morin noted that there is no outflow and there was not one designed. He went over the design considerations of the basin and noted it is for storage and infiltration. It was noted that a stormwater maintenance plan will be needed for the association and to add this as a condition of approval.

Mr. Berry asked about landscaping. Mr. Morin went over the landscaping plan and noted that the street trees will be installed as the sites are developed so they don't get damaged during construction. Mr. Ward noted the sides of the site need to be stabilized, considering the slopes. Mr. Berry noted that the priority is to have the landscaping for the back line done right away. Mr. Butler noted that the berm and the detention basin will be all done, then the individual sites won't be disturbed on the slopes until they are ready to be built on.

Mr. Berry opened the meeting to comment from the audience. No one had any comments. Motion to close the Public Hearing. Ward-O'Loughlin (3-0).

Motion to grant Preliminary Plan approval for the proposed plan entitled, "Hopkins Hill Commerce Park, Phase II" for Assessor's Plat 3, Lot 16, dated May, 2007, revised 6-19-07, prepared by DiPrete Engineering Associates, Inc., prepared for Gansett Associates, LLC, sheets 1 through 10, based upon the following findings of fact and conditions of approval:

Findings of Fact:

1. This land development project is consistent with the requirements of the Comprehensive Plan, including the future land use map, as amended July 14, 2004, specifically with

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regard to the Industrial A Zoning District. The Hopkins Hill Commerce Park is considered a Land Development Project, to be developed comprehensively, and to be designed to function and be managed as self-contained site.

2. This land development project is found to conform to the standards and provisions of the West Greenwich Zoning Ordinance relative to the Industrial A Zoning District as proposed and exhibited in the plans.
3. This land development project is not designed or located in such a manner as to require relief from the Zoning Ordinance or the Land Development and Subdivision Regulations.
4. There will be no significant negative environmental impacts from the proposed development as shown on the plans, as conditions of approval to mitigate impacts are applied.
5. This land development project, as proposed, will not result in the creation of lots or parcels of land with such physical constraints to development that building on this site according to pertinent regulations and building standards would be impracticable.
6. This land development project has adequate and permanent physical access to a public street, namely Hopkins Hill Road.
7. This land development project will have privately owned and maintained internal streets and drainage infrastructure, which will promote and enhance the concept of the planned development.
8. The proposed development shall provide for safe circulation of vehicular traffic, for adequate surface water runoff, and for suitable building sites
9. That, with conditions, the design and location of streets, building sites, utilities, drainage improvements, and other improvements in the proposed land development project shall minimize flooding and soil erosion.
10. That the proposed design does not exceed the maximum structure coverage nor percent impervious surface for the overall site, as demonstrated by the Development Data (Phase 1 & 2) Table on sheet 4 of 10.
11. The internal roadway will be privately owned and maintained

Conditions of Approval:

1. The applicant shall reimburse the Town in the amount of \$609.20 (\$275.20 + \$334.00) for the meeting display advertisements in the Providence Journal.
2. Preliminary Plan approval is granted for the overall site infrastructure only as set forth in the plans. Approval includes the internal private roadway and associated engineering and drainage; the location and proximity of industrial and commercial buildings; the buffer and the right-of-way landscaping and lighting. This does not constitute approval of the specific building sites, uses, engineering, architectural details, signage, or site landscaping. These items shall be addressed during the subsequent site plan review stages of development. It is understood that specific uses (i.e. office, light manufacturing), building sites (including size, footprint, and scale of buildings) and other project aspects (such as lighting, parking and signage) will change, in conformity with the zoning ordinance, as the project proceeds through subsequent review stages.
3. Individual Site Plans shall be reviewed and approved by the Planning Board for the specific building developments prior to application for a Building Permit.

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4. Final As-Built plans shall be reviewed by the Planning Board to ensure that the infrastructure approved on the Preliminary Plan has been constructed and stabilized properly, including, but not limited to, landscaping, slope stabilization, and establishment of vegetative cover. As-Built approval shall be required prior to the issuance of any building permit.
5. Roof runoff for each site shall be infiltrated separately from the stormwater on an individual building basis.
6. The comments from Lake Mishnock Fire shall be addressed and reviewed by the Fire Company with regard hydrant locations and proposed water main sizes.
7. Roadways and drainage infrastructure within the development shall be privately owned and maintained.
8. As a Land Development Project, overall site issues, such as overall drainage, overall traffic, utilities, etc. may be revisited by the Planning Board at any future Site Plan review.
9. The Planning Board shall assess the adequacy of the earthen berm and vegetated buffer after it is constructed and vegetated as proposed on the Preliminary Plan, and shall determine whether additional measures are needed. .
10. Preliminary Plan approval is contingent upon adequate water supply and sewerage disposal.
11. Installation of the drainage infrastructure and buffers is a priority and shall be constructed as soon as possible, and the Condominium Association shall be required to submit and implement a maintenance plan for the drainage system.
12. The Board shall assess the measures taken to ensure drainage and erosion is controlled on site and that no further damage is experienced by the neighbors due to this site. Satisfactory restoration of the abutting sites shall be a condition of this approval.
13. Show the widened area for future access on the record plan.
14. The Board may require closure of the curb cut to Hopkins Hill Road when Lot 18 is developed, if it is found that closing this access will be in the interest of the health safety and welfare of the Town, and will provide better circulation for Hopkins Hill Road.
15. Obtain a RIPDES permit from RIDEM.
16. obtain Preliminary Subdivision Suitability approval from RIDEM
17. address the comments from the consulting engineer (responses and submissions need further review and approval by the Town, which may be administrative, however some comments pertain to individual site plans, not this preliminary review stage.)
18. in order to preserve the Bailey property, temporary measures during the construction of the drainage system shall be implemented to protect against significant storms that may occur while the check dams are down.
19. That noise operations for all the buildings shall be in accordance with the Zoning Ordinance levels.
20. the Traffic study shall be approved administratively and shall address the Level of Service from D to E in the 2010 build-out and that the Town's consulting engineer shall note whether or not these changes will produce any traffic safety issues.
21. the side boundary slopes shall be stabilized
22. submit State approvals to the Administrative Officer
Ward-O'Loughlin (3-0).

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Major Residential Subdivision: Master Plan Public Informational Meeting

“Stonebridge Estates” (formerly Millstone Farm Estates) – AP 33, Lot 1-1

--off Plain Meeting House Road; 21 lots proposed

Owner: Wayne Regnaire, Executor of Estate; Applicant: Universal Realty

Attorney John Brunero; Tim Behan, PE; Kirk Andrews, PLS; and Rudy Procaccianti, developer, were present.

Michael Zavalía, PE, consulting engineer for the Town was present.

Mr. Brunero presented the speakers and went of the aspects of the existing parcel. He then explained the subdivision proposal for 21 lots with 2 cul-de-sacs and noted that both roads are less than the Town’s 1,200 foot limit. He noted that they have already received water verification on every lot, and noted that every lot is in compliance with RIDEM regulations. He noted that the existing historic home is beyond repair, and it will have to be demolished. He noted that wetlands are present and have been verified by RIDEM. He noted that there were some concerns about site distances, especially for the southerly cul-de-sac. He then passed out the Driveway Sites Distance Evaluation by Gordon Archibald, Inc. dated August 16, 2007. He noted that the report indicates that given the 85th percentile speed study, that they can comply with the safety standards as long as there is some clearing along the access for the cul-de-sac. He noted that in the future, these areas are going to have to be prohibited from being landscaped or trees planted, and that there should be an easement for the Town to come and cut the area for site distance. He noted that they are proposing shared driveways off Plain Meeting House Road, then discussed the plans to tie in the Town drainage. He noted that the parties will be working together to come up with a design to help solve some water issues coming down the hill. There was discussion on the Plain Meeting House Road driveways.

Mr. Ward noted he is pleased to see the bottom cul-de-sac relocated.

Mr. Ward asked to have the driveways across the street located on the plans, and that they want to see the proposed shared driveways also.

Mr. Behan explained that a conservation easement was added along the northern cul-de-sac for the existing house 320. He noted that there are two proposed locations for detention ponds, and noted the drainage from Plain Meeting House Road would come down to the first cul-de-sac, and the rest of the road would go down to the second cul-de-sac. Mr. Ward asked any calculations have been done to pick up the drainage. Mr. Behan noted that they have not, but that they will do this after the Master Plan is approved, and sit down the Town Planner and Town Engineer to go over the concept of what needs to be addressed.

Mr. Berry asked about the corner lots and where the driveways will be. Mr. Behan noted they would come off the cul-de-sac. Mr. Brunero noted that there could be a restriction on the plan and in the Land Evidence Records to that effect. It was noted that the Board wants to see this.

Mr. O’Loughlin asked what the difference is in the location of the southern cul-de-sac from the pre-application plan. Mr. Behan noted that it was relocated 60 feet. Mr. O’Loughlin noted he

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still has concerns for people making a left off of Plain Meeting House into that cul-de-sac where the sharp curve is. Mr. Behan noted that this was looked at by Gordon Archibald, Inc.

Mr. Brunero noted that the Town Planner had some concerns about lot number 1 and if it could be realigned. Mr. Brunero noted that they can take the line between lot 1 and 2 and shift it down. Miss Paquet asked if the conservation easement was included in the calculation for lot 1. Mr. Behan noted that it was not.

There was discussion on the driveways. Mr. Berry noted that any driveways that could come off the cul-de-sac should come off the cul-de-sac. Miss Paquet noted that there might be an opportunity to eliminate more of the curb cuts on Plain Meeting House Road and pointed out the existing path that goes along the rear of the lots that could be used as a shared driveway coming off the new road. She encouraged the Board to take a look at this during their site walk. She pointed out the location of the path for the Board on the plan. Mr. Behan noted that it is inside the wetland buffer and that it would need to be upgraded. He noted that they would need to demonstrate to DEM that there is no alternative, but that there is access on the main road.

Mr. Berry went over the cistern locations. It was noted that the Fire Chief approved these locations.

Mr. Ward asked to show the locations of the driveways across the street on the plan.

Mr. Zavalia noted that his primary concern with the initial review was with the traffic report by Gordon Archibald in terms of the methodology for assuming the average speed on the roadway. He noted that he suggested that the applicant have Gordon Archibald perform a speed survey and also to assess the effect of the gradient of the roadway on the stopping site distance. He noted that he received the letter dated August 16, 2007 from Gordon Archibald this evening and noted that a brief reading indicated that the speed study had been performed, but that he hasn't had a chance to read the report and verify the calculations yet.

Mr. Zavalia noted that he also has concerns about the drainage and the watertable, which may be a limiting factor with how deep they can go to create the extra capacity. Mr. Behan noted that they have done testing on all 21 lots for soil evaluation during the peak of the water table. He noted that all the lots have approvals, and they all had decent water tables, the highest at 6 or 7 feet. Mr. Zavalia noted that there will be a cooperative effort between the developer and the Town to try to correct the drainage problem in the area, but he noted that the Town should understand that there may be physical limitations on site for how much can be achieved to handle what the developer is responsible for, and then add on top of that what the Town is looking to correct. It was noted that the professionals still need to sit down to go over the details.

Mr. Berry opened the meeting to the public.

Barry Duncan, 359 Plain Meeting House Road, noted he was interested in the water problem going down the hill and asked if the catchbasins are going to be on both sides of the street. Mr. Behan noted that the intent is that both sides would have catch basins.

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Ben Burdic, 353 Plain Meeting House Road, asked if a catch basin is on his side of the road, will it affect the berm and stonewall in front of his property, and will they rebuild it. It was noted that construction would be in the legal right of way, not on private property. Mr. Brunero explained the right-of-way width and the pavement.

Mr. Burdic asked if variances are needed to have the house closer than 100 feet from the road, considering there is a wetland on the site. It was noted that the setback is only 50 feet.

Mr. Burdic noted he lost a well due to his neighbor building next to him. He then asked about frontage on the cul-de-sac. It was noted that only 150 feet of frontage is needed on the cul-de-sac.

There was discussion on pounded wells versus driven wells. There was discussion on the off-site drainage improvement and the impacts to people across the street.

Robert Butler, 410 Plain Meeting House Road, noted he moved here in 1989 and that he and his wife have lived at the bottom of the hill and that since then, he has seen some accidents, one where someone lost breaks and couldn't negotiate the curve and died, and recently a drunk could not negotiate the curve and ran into the woods. He noted that there have been a number of accidents between these two incidents, and noted he thinks the road is only 30 feet wide, with pavement about 24 feet. He noted that the speed is in excess of 45 miles per hour, even going around the corner. He noted he's had people pass him numerous times going up the hill. He noted that there is going to be a problem and that the Planning Board should eliminate the driveways on Plain Meeting House Road. He requested to maybe reduce some of the lots to get the driveways off of Plain Meeting House Road. He stated this is a very serious problem. He noted that as far as traffic goes, adding 21 more lots to this side of the road is not ideal and is a very dangerous situation. He noted that further exacerbating the problem is the drainage that comes off of Stubble Brook Road. He noted the drainage easement on the north end and that his understanding is that this does not work.

Mr. Burdick noted that a lot of water comes down in front of his property when it rains, coming from Stubble Brook road. Mr. Butler noted that it ends up in his back yard. He noted that there is a pond back there, where the water eventually works it's way to Acid Factory Brook. He noted it sheet flows across the old Loutitt property and goes down his driveway. Mr. Behan noted that in early March there was a significant rainfall event when the ground was frozen and that he went out to the site to observe the problems. He noted the drainage easement between lots 1-6 and 1-5, whereas the low spot is between 1-5 and 1-2 where the water is actually going. He noted that this is an issue that they will be working on. He noted that the other issue is that there is no drainage on Plain Meeting House Road, and the water just keeps going down to the curve, and pours into the properties. He noted that his is educated on this and can sit down with everybody to correct the problem. Mr. Brunero noted that they will work with the Town engineer and Highway Department to try to lessen this problem.

A site visit was set for 5:30 p.m. on Tuesday, August 28, 2007, to meet at the bottom of the hill. Motion to continue the Public Informational Meeting to the September 17, 2007 meeting. Ward-O'Loughlin (3-0).

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Minor Residential Compound Subdivision: Preliminary Plan Public Hearing
“The Treistman Residential Compound” – AP 8, Lot 1-8

--off Fish Hill Road; 3 lots proposed
Owner/Applicant: Lewis Treistman

Mr. Peter Suorsa, PLS from Coventry Survey Co., Inc. was present along with Mr. Treistman. Michael Zavalia, PE from Z Engineering was present as consultant for the Town.

Mr. Suorsa passed out a revised road profile with a cross cut section. He explained the 3 proposed lots for the Residential Compound. Mr. Suorsa went over the site conditions including the wetlands, stream, and pond and noted that they are not proposing any improvements near the wetland areas. He noted that they have approved soil evaluations for the 3 sites. He then noted the buildable area for lot A is 4 acres, for lot B is 3.5 acres, and for Lot C. is 2.6 acres. He then noted that they have made some adjustments since the pre-application plan.

Mr. Suorsa noted the parcel is 15 acres to begin with, and that they are going to do 3 Administrative Subdivisions, one to give the parcel 50 feet of frontage to get access. The second is to give land to the abutter and the third to give Mr. Treistman some land for his new home site. He noted that 3 new dwellings are proposed and that no variances are requested.

Mr. Berry asked how much frontage existing lot 1-2 will have. Mr. Suorsa noted it is 250 feet now, and will have 200 feet after the 50 feet is given for the road.

Mr. Suorsa explained the reason for giving land by administrative subdivision to Mrs. Hudson and the way the line mostly follows the trail. Mr. Suorsa noted that they will record the Administrative Subdivisions first, then this subdivision. He then went over the proposed drainage, and noted that the first 25 feet will pitch towards Fish Hill Road, then after that it will have swales carrying the water away from Fish Hill Road to a natural drainage area about 400 to 500 feet from the road, and noted that there will be a 12 inch diameter PVC pipe, similar to the one further up the driveway. He noted that the next 200 to 300 feet will also drain back to that pipe.

There was discussion on the lot lines and the maintenance agreements.

Mr. Zavalia questioned the 12 inch culvert and asked if they have been able to assess how functional the other culvert is. Mr. Suorsa noted that Mr. Treistman says that the existing culvert functions well. Mr. Zavalia asked about the drainage and anecdotal evidence, and suggested that the PVC should instead be SDR-21, so that it is rated to take vehicle forces. He also suggested flared ends at each end of the pipe. He asked the Board if they will accept anecdotal evidence about the sizing of the culvert in the area in lieu of an engineering analysis of the watershed.

Mr. Zavalia asked how the galleys for the houses were sized and asked to have the calculations submitted, along with the soil information for the septic. Mr. Zavalia noted that clearing the house sites changes the runoff characteristics. He suggested that the Board ask for a check to

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make sure that infiltrating the roof does indeed mitigate the increase in runoff from the additional cleared area. He noted this specifically because this site sits upgradient of adjacent properties.

There was discussion on the culvert and construction trucks. Mr. Ward discussed the culvert strengths and noted it should be ductile iron or a pipe significant to meet H-20 rear load standards, and noted that this will be a condition. Mr. Ward discussed the engineering analysis and noted that there should be one, but that it could be handled administratively, and approval should be contingent on this to make sure that anybody downgradient is not adversely affected.

Mr. Suorsa noted that there was an issue with the roadway width at the TRC and asked if this should be discussed. Miss Paquet explained to the Board that the Residential Compound Ordinance states that the road is to be a minimum 16 foot roadway width, but at the TRC the Fire Chief indicated that 16 feet is not enough for two trucks to pass in the event of a fire, and that he requested that the road be increased to 20 feet. Mr. Zavalia suggested bumped widths of 20 feet at certain locations along the driveway so that two vehicles approaching at the same time will have the ability to pull off temporarily to let the other one go through. There was discussion. It was decided to have this accommodated.

Mr. Ward made additions to the draft motion in accordance with the discussions. Miss Paquet explained to Mr. Treistman that the road and drainage will need to be constructed before the plans are recorded.

Motion to open the public hearing. Ward-O'Loughlin. (3-0)

Arthur LaBrunn, adjacent to the new road, noted that he would like the road to be only 16 feet wide. The Board decided to make the bump-out on the eastern side. It was noted that there will also be buffer planting.

Bob Packer, 506 Fish Hill Road, asked about acreage on lot 1-9. It was noted that this is a two-acre parcel. He asked if this lot is new as part of this application. It was noted that it was subdivided earlier. He noted that he moved here in September 2003. He wanted to know if he should have been notified. Miss Paquet explained that it was a minor subdivision and that no notification was required. He asked if there is a restriction on how much land can be cleared, particularly for Parcel C, which is very hilly. He expressed concern for someone clearing all the land and altering the drainage. Mr. Suorsa noted that the Subdivision Suitability Plan and the Wetland plan show limits of disturbance. He noted that it gives a reasonable back yard. There was discussion.

Motion to close the Public Hearing. Ward-O'Loughlin. (3-0)

Motion to approve the proposed Residential Compound Minor subdivision plan for AP 8, Lot 8-1, dated July 2, 2007, prepared by Coventry Survey Co., Inc., prepared for Lewis Treistman, with the following conditions:

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1. At midpoint of each straight-away, on east side, install a minimum 20 feet wide bump-out to accommodate large vehicle two-way passage, design to be reviewed by the consulting engineer.
2. submit drainage analysis by an engineer and proposed drainage mitigation, incorporating roof runoff infiltration where possible, for review by the Town consulting engineer.
3. the fire suppression fee be paid on the 3 lots
4. Open Space and Recreation fee be assessed on the 3 lots at time of recording.
5. That a note is added to the plans regarding amount of suitable land for each lot.
6. That the preliminary approval shall expire 90 days from date of approval, unless the final plan is submitted within that time; and that extensions of approval may be granted by the Administrative Officer if no applicable amendments have been made to the Regulations within one year of Board approval. Any request for extension of approval for longer than one year shall be heard by the Board.
7. That proper erosion controls be used during house construction.
8. That a driveway curb cut bond be posted and that any drainage improvements needed due to the driveway and/or gravel road be made, at the discretion of the Highway Department.
9. show Town 200 foot ISDS setback on Record Plan
10. comply with additional requirements for Final Plan noted in the Residential Compound Ordinance
11. cost of Town consulting review shall be reimbursed by the applicant
12. the Pipe under the road shall be ductile iron or suitable material to meet H-20 wheel loading, and pipe to have a flared end on both sides.
13. the administrative subdivisions shall be approved and recorded prior to the compound.

This approval is based on the 7 Findings of Fact in the draft motion.

Ward-O'Loughlin (3-0).

Development Plan Review: Pre-application

“Centrex”- AP 3, Lot 14

--off Hopkins Hill Road; addition to existing warehouse proposed;

Zoning dimensional variances requested

Owner: Centrex Distributors, Inc.

Mark Davies, PE from Stahlman Group Engineering; Paul Duarte, PE from Garofalo, and Mr. Frank Parella, from Centrex, were present.

Michael Zavalía, PE from Z Engineering was present as consultant for the Town.

Mr. Davies gave an overview of the project. He noted there is an existing beverage distribution facility of over 300,000 square feet, and they are proposing a 93,000 square feet warehouse addition. He noted that the site will be modified to relocate roads, water mains, lighting, landscaping, etc. to accommodate the new construction. He noted that there is also a proposed 20,000 square foot annexation of the DOT land from the park and ride. He noted that they are going through the process with DOT now. He noted that Centrex is looking to acquire that land in order to make the expansion possible. It was noted that the addition will be higher elevation than the rest of the building. Mr. Berry asked if it will be visible from the road. Mr. Davies noted that there is a park and ride lot in front which is 10 to 15 feet lower than the road. He noted that there is a berm and that it is thickly wooded with pines. He noted that it is possible

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that you can see the top of the building. He noted that they will add native landscaping to provide screening. It was noted that the proposed height of the building is 40 feet.

Mr. Berry asked about exterior lighting. Mr. Davies explained that some poles will be relocated, but that basically the shoebox type fixtures seen in the parking area will be repeated and be complimentary to what is existing. He noted that there are flood lights out there now which they may mount on the wall, which will be angled so they don't spill over the property line.

There was discussion on drainage. Mr. Duarte explained the drainage and noted that they are increasing the impervious area and thus the runoff, which needs to be attenuated. Mr. Duarte explained the existing drainage and his evaluation. Mr. Zavalia explained that he has initially reviewed the drainage and had questions on the number of employees and impact to the septic system. There was discussion on the septic capacity. Mr. Zavalia asked for a narrative on the number of employees and the septic capacity. Mr. Ward noted that the Building Official may require an SSD.

Mr. Zavalia asked if the proposed footprint is subject to change which a note states on the plan, and posed this in the event it affects the variance request. The applicant's consultants noted that the note on this has been removed from the plans and the footprint is known at this point.

Mr. Zavalia noted that they will need to handle the drainage for the increased impervious surface. It was noted that the Preliminary Plan meeting will need the drainage to be reviewed and the septic analysis.

Minor Residential Compound Subdivision: Pre-Application

"Berry Residential Compound" – AP 56, Lot 11

--off Bates Trail; 1 new lot proposed

Owner/Applicant: David S. & Michele E. Berry

Mr. Berry recused himself for this item, however there was no quorum present so it was not discussed.

Motion to continue the following agenda items to next month:

Proposed Amendments to the Subdivision Regulations

Design Regulations

Set Workshop date

Ward-O'Loughlin (3-0).

Miss Paquet went over the September agenda items. It was decided to start the September meeting at 6:30 p.m.

Motion to adjourn. Ward-O'Loughlin (3-0). The meeting ended at 9:50 p.m

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August 28, 2007

PLANNING BOARD SITE WALK

A site visit by the West Greenwich Planning Board was held on August 28, 2007. Present were: Chairman Mark Boyer, David Berry, Tim Regan, and Brad Ward. Absent were Tom O'Loughlin, and alternates William Lepak and Bill Bryan. Town Planner Jennifer Paquet was present. The meeting time was 5:30 p.m.

“Stonebridge Estates” (formerly Millstone Farm Estates) – AP 33, Lot 1-1

Major Residential Subdivision: Master Plan review stage

--off Plain Meeting House Road; 21 lots proposed

Owner: Wayne Regnaire, Executor of Estate; Applicant: Universal Realty

Tim Behan, PE and Kirk Andrews, PLS, consultants for the applicant were present. Mr. Rudy Procaccianti was also present along with his attorney, John Brunero.

A number of residents were also present. Chairman Boyer explained that this is not a public hearing and encouraged comments from the residents to be made at the September 17, 2007 continuation of the public hearing.

It was noted that neither the center line of the road nor the driveway curb locations had been marked. It was decided to hold off the site walk until after these locations have been marked in the field. Mr. Behan will notify the Town once this has been completed and the Board members will be called to walk the site. No other business was considered.

The visit ended at 6:15 p.m.

WEST GREENWICH
September 17, 2007
PLANNING BOARD MEETING

A regular meeting of the West Greenwich Planning Board was held on September 17, 2007. Present were: Chairman Mark Boyer, David Berry, Brad Ward, Tim Regan (6:55 p.m.), Tom O'Loughlin, and alternate William Lepak. Absent was alternate Bill Bryan. Town Planner Jennifer Paquet was present. Town Solicitor Michael Ursillo, Esq. was present (7:00 p.m.). No consulting engineers were present.

Chairman Boyer called the meeting to order at 6:30 p.m.

CONSENT AGENDA

Motion to remove the items from the consent agenda. Ward-O'Loughlin (5-0).

A. Acceptance of Minutes

- July 16, 2007 Regular Meeting
- August 1, 2007 Special Meeting
- August 20, 2007 Regular Meeting
- August 28, 2007 Site Visit

Motion to approve the July 16, 2007 minutes. Berry-Lepak (3-0) with O'Loughlin and Ward abstaining.

Motion to approve the August 1, 2007 minutes. Ward - O'Loughlin (3-0) with Lepak and Berry abstaining.

Motion to approve the August 20, 2007 minutes. Ward-Berry (3-0) with Lepak and Boyer abstaining.

Motion to approve the August 28, 2007 minutes. Ward-Berry (3-0) with Lepak and O'Loughlin abstaining.

B. Minor Subdivisions

- Minor Residential Subdivision: Preliminary
- "The Wheatley Plat" – AP 38, Lot 10-1
- on Plain Road; 1 new lot proposed
- Owner/Applicant: George and Muriel Wheatley

Motion to approve as drafted, read by Ward, seconded by Berry. Motion carries (5-0)

Owl Ridge Major Subdivision– construction status, bond

--Off Henry Brown Road on Orion View Drive; guardrail and sink holes
Developer: DOSCO, Inc., David Annese

Mr. David Annese was present. Mr. Annese explained to the Board that he is going to install the guardrail from the original plan, which will probably be installed within the next week. He noted that he met with Jen, Dave Andrews, and Dave Tacey to go over the landscaping plan, which will also be done by the next two weeks. He submitted a copy of the contract with Cosco to install the guardrail. Chairman Boyer asked Mr. Annese if he thinks everything, items 1 though 7, will be complete by the next meeting. Mr. Annese said yes. Chairman Boyer asked Mr. Annese to forward a letter to Miss Paquet to report at the next meeting, to put on the October agenda. Mr. Annese asked if he can get a bond release. Miss Paquet noted that request should be put in the letter, and that she will check on the status of the bonds.

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September 17, 2007
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Marriott Signage- Revised

-- In Exit 7 SMD, Centre of New England; proposed relocation of pylon sign and addition of ground monument sign

Mr. Ward recused himself. Mr. Tom Flemmer, construction superintendent on the Marriott hotel, was present. He passed out renderings of the pylon sign and the ground mounted logo sign dimensions. It was noted that the renderings do not show how the signs will look within the context of the development or from the highway. Miss Paquet explained what the original approval was and the change when the permit application was submitted. There was discussion.

Motion to approve the signs and the relocation of the pylon sign with the same conditions as the April 17, 2007 approval. Berry-O'Loughlin (4-0).

Chairman Boyer told Mr. Flemmer that if the sign location moves again, that it has to come back to the Planning Board for approval. Mr. Flemmer said he understands that. Mr. Ward rejoined the Board.

**Development Plan Review: Preliminary Plan
and Advisory Recommendation to Zoning Board for Variances**

"Centrex"- AP 3, Lot 14

--off Hopkins Hill Road; addition to existing warehouse proposed;

Zoning dimensional variances requested

Owner: Centrex Distributors, Inc

Mark Davies, PE from Stahlman Engineering was present, along with Mr. Sam Hemenway, PE of Garofalo Associates, and Mr. Frank Parella of Centrex. Mr. Regan arrived at 6:55 p.m. There was discussion on the follow-up regarding the septic system and the drainage. Miss Paquet noted that the correspondence has been included in the Planning Board's packets and that the recommendation for the schedule to clean the basins has been incorporated into the decision.

Motion to approve the Preliminary Site Plans dated July 17, 2007 for the proposed Centrex Warehouse Expansion, prepared for Centrex Distributors, Inc., prepared by Stahlman Group and Garofalo & Associates, Inc., with the following conditions:

1. pay the pre-application and preliminary application fee of \$650
2. the proposed land acquisition as proposed shall be completed prior to final development plan approval
3. this approval shall be subject to requested Zoning Board relief
4. inspect the drainage basins annually and clean at least once every fourth year
5. continue to work with Lake Mishnock Fire Company to address concerns of access
6. Final plan may be reviewed and approved administratively
7. site work, infrastructure construction, and landscaping shall be fully completed, and inspected by the Town's consulting engineer, prior to issuance of a Certificate of Occupancy.

This approval is based on the following 5 findings of fact in the draft motion.

Ward-O'Loughlin (5-0)

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Motion to recommend approval to the Zoning Board for the requested variances for the application of Centrex Distributors, Inc. at AP 3, Lot 14 pertaining to percent building coverage and percent impervious coverage, dated 7/13/07, based on the following findings of fact:

1. That denial of the proposed increase is more than a mere inconvenience with regard to the long range business plans for the ability of Centrex to expand as a business within Town.
2. That the proposed project is consistent with the Comprehensive Plan of the Town of West Greenwich, particularly with regard to the Future Land Use Map designating this area as future Industrial A uses, and with Economic Development Goal #6, "Encourage expansion of Industrial activities at or near the Technology Park, "
3. That granting the requested variances will not alter the general character of the surrounding area or impair the intent or purpose of the Zoning Ordinance or the Comprehensive Plan
4. That the applicant has made progress in obtaining additional land to accommodate the proposed expansion, and to seek the least relief necessary.
5. That additional stormwater runoff will be adequately attenuated.

Ward-O'Loughlin (5-0)

Major Residential Subdivision: Master Plan Public Informational Meeting, cont.

"Stonebridge Estates" (formerly Millstone Farm Estates) – AP 33, Lot 1-1

--off Plain Meeting House Road; 21 lots proposed

Owner: Wayne Regnaire, Executor of Estate; Applicant: Universal Realty

Attorney John Brunero was present, along with Mr. Tim Behan, PE and Kirk Andrews, PLS Mr. Brunero recapped from last month. He noted that there was a request to have a site visit, at which there was a request to have the street and driveways marked. He noted that there were some requests after the submission, to restrict lots 14 and 8 to no driveway access to Plain Meeting House Road. He noted that on lot 1, there is a strip of land that is going to either become part of the street or go to the neighbor. He noted that there be a stipulation on the driveway that there be no fences between them. He noted that the surveyor and engineer are present for any questions.

Chairman Boyer noted that Mr. Zavalia, consulting engineer, is not here. He noted that the surveyor has marked the site, but that the consulting engineer did not have an opportunity to go out to go out there yet. He noted that there will be a site walk scheduled. Chairman Boyer entertained questions from the Board. Miss Paquet went to call Mr. Zavalia to see if he can come to the meeting. Chairman Boyer noted that Mr. Zavalia's concerns were what the slope would be on the northerly road, and how the drainage would be handled. He noted that there was a lot of concern with the driveways into Plain Meeting House Road. Mr. Brunero noted that there are 5 road frontage lots and that four of them will have shared driveways, for a total of an additional 3 driveways onto Plain Meeting House Road. He noted that they have no answers on the drainage now, until they design it at Preliminary. He noted that they did indicate that that they would design some cures to the problem that exists on Plain Meeting House Road to bring

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the water onto their property into the detention basins, and this will be coordinated between the engineers and DEM. Chairman Boyer noted that the agreement to date is that the applicant would do the design, and the Town would install it as the site is being developed. Mr. Brunero went over the concerns of the stonewalls across the street and noted that they will not be putting any piping on that side, but the laterals will come across Plain Meeting House Road. It was noted that the work will be within Town property.

Mr. Berry noted his concern of the slopes where the existing farm house is. [There was a break here to hear Centrex, which was inadvertently skipped.]

There was discussion on the slope of the road and concerns for engineering. Mr. Behan noted that they are comfortable that they can meet the 8% Town requirement, and showed the proposed slope. He noted an area for a four foot cut and an area for a two foot fill. There was discussion on cut and fills. Mr. Boyer noted that the Board would not be inclined to make a waiver. Mr. Behan noted that the alignment of the road was selected to go with the topography.

Mr. Berry expressed concern on the slopes on the lots. There was discussion. Chairman Boyer referred to the Owl Ridge subdivision with similar cuts and fills, where the lots look good on paper, but the slopes make it so that the lot can't be developed without bucking the grade on the driveway and building terraced walls. It was noted that the Board needs to see the site. Chairman Boyer confirmed with Mr. Kirk Andrews what has been marked in the field. The Board also wants to see where the cutting would be for the site distance on the opposite side of the road.

Chairman Boyer entertained comments from the public, after he explained the Master Plan review stage.

Robert Butler, 410 Plain Meeting House Road, expressed concern of problems he has heard from his neighbors regarding marginal wells and asked the Board to explain to the audience the process regarding the testing of the lots, and why they can't guarantee anybody who lives there now what will happen to their well. Chairman Boyer explained that the Board can ask for studies to demonstrate that there will be adequate water availability for the site, without any impact to the abutting properties, and each lot will have to dig a well to prove they meet the State standards prior to pulling a Building Permit. He noted that if the Board asks for a study, it would take into consideration this property and the impact it would have on the surrounding properties. It was noted that this does not guarantee that the existing wells will not be affected.

Mr. Butler noted the drop in grade across the lots and expressed concern of the shared driveways being steep. He asked what kind of a problem this is for people buying these lots. It was noted that the applicant will have to address this. Mr. Butler noted that the grades in the northern cul-de-sac get pretty steep, and that though it may be within the regulations, it is steep. Chairman Boyer noted the board will take a look at it in the field. Mr. Butler noted that he was on the Planning Board back when Lillian Regnaire sold off 5 lots here, and noted that the drainage was allowed to sheetflow, but didn't know what ever became of it. Mr. Berry noted he was going to ask Jen to find this information in the old file. Mr. Brunero noted that the problem on Stubble Brook Road is that the drainage easement is at the highpoint, but that the drainage goes to the

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low point at the next property line. He noted that they are looking to correct the problem with a redesign. He noted that Mr. Behan and he took a look at this. Mr. Behan explained that part of the design for Plain Meeting House is to design the improvement for Stubble Brook Road. Mr. Butler asked that the grates be exchanged for high capacity grates.

Kevin Darcy, 401 Plain Meeting House Road, noted that he lives around the corner on Plain Meeting House Road, and that his concerns are traffic issues and drainage issues. He noted that speed is an issue and Chairman Boyer noted that the Police Department is responsible for enforcing the speed limit. Mr. Darcy noted he saw some red flagging on the trees. It was noted that these mark the center of the lots, not the driveways. Mr. Darcy expressed concern for the accident potential for cars coming out of the lots. Chairman Boyer noted that the burden is on the applicant to present engineering studies, which the Town will review. The Board explained the Master Plan requirements, versus the Preliminary Plan requirements. Mr. Darcy asked if there will be an increase in water coming down the hill. Chairman Boyer explained that the applicant will be coming up with a plan to reduce some of the water sheeting down Plain Meeting House Road and puddling at the corner. Mr. Darcy noted concerns for making the problem worse and that he is tired of getting wet mail. He noted that he wants the Board to help him not make this a worse problem. Chairman Boyer noted that the Board is aiming to have the development pick up some of the drainage. Mr. Darcy noted his other concern is the accident potential in the winter when it turns to ice. He noted that it won't affect him because he is aware of it, but the new people won't know. Mr. O'Loughlin explained that earlier it was discussed that there won't be any piping along the side with the stonewalls but there will be drainage installed along the road to pick up the drainage to bring it into this detention pond, to address his concern. Mr. Brunero explained the program to help alleviate the water off Plain Meeting House Road, and bring it into the new drainage to store it. He stressed that they can not put a gallon more of water onto Plain Meeting House Road. He noted it will need to be designed between the Town engineer and the applicant's engineer. He further explained the plans to do this.

Chairman Boyer asked Mr. Brunero if the applicant would be willing to go to November if something happens between now and then. Mr. Brunero noted that if there is something that there is an emergency, he would be willing to grant a continuance. Mr. Brunero expressed concern over liability with the site visit if the public is there. It was noted that if people come, it is at their own risk. The Planning Board set a site visit for Monday, September 24, 2007 at 5:00 p.m., meet at the house. Ward-Berry (5-0). Motion to continue the hearing to October 15, 2007 meeting. Ward-O'Loughlin (5-0). Mr. Lepak asked about if the Town needs any repaving of a small section of Plain Meeting House Road as an off-site improvement. It was noted that this will be looking into in the meantime.

**Amendment to the Comprehensive Plan- Public Hearing
and advisory opinion to Town Council on Zoning District Change-
Major Industrial Land Development Project: Pre-Application AP 13 and 14 (many parcels)
-- off Victory Highway; Ritchie Bros. Auctioneers, heavy equipment auction grounds
Applicant: Ritchie Bros. Properties Limited
--continued from last month**

Motion to continue to October 15, 2007. Ward-Berry (5-0)

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Amendment to Comprehensive Plan Public Hearing

and Advisory Opinion to Town Council on application for Zoning Amendment and Zone Change proposing Village Special Management District: AP 1 Lot 10-1 and 10-3, 13, & 15

--Current Zoning is Highway Business; Proposed Zoning is to create a new Special Management Zoning District for these parcels. On corner of Division Street and New London Turnpike; Owner: Universal Properties (Nicolas Cambio)

Attorney John A. Pagliarini, Jr. was present, along with Mr. Kevin Morin, PE from DiPrete Engineering. Mr. Pagliarini noted that they have a Purchase and Sales Agreement on lots 13 & 15 as of today. He noted that they withdrew their previous approvals, and noted that the new concept is generally the same. He pointed out the issues from last time as being city water. He noted that they understand that they need public water and public sewer. Chairman Boyer inquired what is the definition of public water—it is Kent County Water, or water from a public source where they create their own public water. Mr. Pagliarini stated his understanding is Kent County Water, but that his client may differ. There was discussion. Chairman Boyer asked if the plans submitted with the application is just a concept, or it is what the intent is. Mr. Pagliarini stated that this is the intent. Mr. Lepak asked if the purchase and sales agreement alters the plan. Mr. Pagliarini noted that they don't and that the two single family dwellings will be brought in as units in the SMD, because they need the one acre of land.

Mr. Pagliarini noted that his client wants the Village SMD to be an overlay district, to reserve the right, based on the economy, to do Highway Business, and he discussed anxiety in the market place and noted that they are trying to be as flexible as they can. He discussed the residential market downturn and the commercial market waiting to see what happens, and gave examples of what is happening with commitments in Centre of New England. He noted that they will be looking to amend the Exit 7 SMD for an interested party that does want to come into the park, and explained that hit has an impact on this proposed project. He noted they will have to amend the Master Plan on the Centre of New England Boulevard, to eliminate all the housing there and send it to this parcel.

Mr. Pagliarini explained the proposed Village Special Management District, which is designed to allow age-restricted housing. He noted that they are looking for a total of 204 units, of which 70 are Low to Moderate Income Housing. He noted that they are trying to create a village-affect, and of the 70 low-mod units, 28 would be located on top, second-story, of 25,000 square feet of light commercial, such as professional office space and/or some light retail. The other 42 units would be in a 3-story structure, located on the lowest elevation of the parcel, behind the Lepre dwellings.

Mr. Pagliarini went over a typo in the draft to clarify that it is supposed to be 7 (seven) units per acre for the density. There was discussion on the proposed plan.

Mr. Ward asked if since the Board is going to be asked to amend the Exit 7 SMD to allow car sales in the area where the age-restricted housing was going, which is going to move the affordable housing to this parcel, yet the applicant is asking for an overlay district to leave the option of doing all commercial, where is the affordable housing going to go? Mr. Pagliarini noted that he didn't anticipate this question, and noted the Board could not allow the overlay, or

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there is the possibility that the affordable housing is relocated elsewhere in the Town of West Greenwich. Chairman Boyer expressed concern about the affordable housing that keeps getting bumped from site to site and there is still nothing concrete. Mr. Pagliarini noted that the Town is in deficit by 40 units by the Exit 7 SMD. Mr. Ward noted that this is a troublesome aspect. He noted that there need to be restrictions that prior to any development that the affordable housing is in.

Chairman Boyer asked questions about the ordinance. He asked if the ordinance is passed, which portion of the development would come first. Mr. Pagliarini noted that it would be the 42 units with affordable housing. Chairman Boyer asked about the limit impact on educational services. Mr. Pagliarini noted that the age-restricted development in the Exit 7 SMD was exempt from the Growth Management ordinance, which should be the same for this.

Chairman Boyer asked about the proposed uses and what the matrix would be. Mr. Pagliarini noted that he did not provide this, but for next time, they will see multi-family residential, age-restricted, and light commercial such as professional office. He noted that he will go through the uses, and have it for the next meeting.

Chairman Boyer asked about parking garages. Mr. Pagliarini noted that there would be no parking garage. Chairman Boyer asked the Board if they have any comments.

Mr. Berry asked about the density of 40 low-mod units per acre and the maximum of 80 eligible units, and if that means the whole thing could be 40 units an acre. Mr. Pagliarini pointed out that is why there is a maximum of 80 units, so that there can't be 1,200 units on the site (40 per acre at 30 acres). Mr. Berry noted that there were 168 total units last time, and asked what the proposal is this time. Mr. Pagliarini noted it is 204 units. Mr. O'Loughlin asked how many affordable units were supposed to be in the Centre of New England. Mr. Pagliarini noted that it was a percentage of 13.5 percent, and that if the age-restricted units were built it was supposed to be 70 affordable units.

Mr. Berry asked about a pylon sign. Mr. Pagliarini noted that there none proposed here and that the commercial uses won't need it.

There was discussion on public water.

Miss Paquet added that the language regarding the restriction for age-restricted to 55 and older needs to be more explicit in the ordinance, with a specific section in the document addressing this, and that it should also be addressed as one of the conditions noted in the Comprehensive Plan amendment that is proposed. Miss Paquet asked about the language for the buffer zone being from the pavement rather than from the property line. Mr. Pagliarini showed on the plan where the Division Street right-of-way distance varies, and noted they are proposing a vegetated line of trees in addition to what is already there. Mr. Lepak asked if they would be required to have a buffer zone if it stayed Highway Business. Mr. Pagliarini noted the requirement is that no building be constructed within 100 feet of a residentially zoned parcel.

Motion to open the public hearing. Berry-O'Loughlin (5-0).

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Ed Overton, 2 Carrs Pond Road, pointed out where his house is. He noted the right-of-way adjacent to the Lepre property, and asked that there be a stipulation that there is absolutely no access from Division Street onto this property, including the right-of-way. The Board noted that they noted this last time. Mr. Overton noted that this suggested plan is not a dedicated plan, and that there are too many versions. He noted that the applicant is asking for a change in residential density, which is in essence, in excess of 200 entities on this property, which is extremely high-density, and that he does not find it acceptable. He noted that leaving an option for the developer to put commercial is not permissible, and noted it should be a specific plan. He noted that the residents need something absolute to look at and to agree to. He noted his other concern of sewage. He noted that there is no sewer on this side of I-95, and doesn't think it is feasible. He pointed out the issue with Kent County water is that there is no pressure, even with the tank on Carrs Pond Road.

The Board discussed the restriction for no curb cut on Division, with the exception if the Fire Chief needs it. Mr. Pagliarini agreed to this restriction. Mr. Pagliarini then explained the right-of-way Mr. Overton referred to is Graves Lane, which is no longer in effect, according to First American Title Company.

Mr. Pagliarini pointed out that the ordinance says there will be no curb cuts but that they will come in for the utilities, and possibly a break-away gate if the Fire Chief requests one. He noted that this is the specific plan and that this version hasn't changed in 60 to 90 days, which is a tremendous feat for his business. He noted that the sewer will come over I-95 and noted that the Town of West Greenwich gave them 90,000 gallons of their capacity, so they already have a reservation at the West Warwick regional facility.

William W. Williams IV, 75 Division Road, noted that he lives at the point. Mr. Williams expressed concern that this development is extremely high density, and noted that there is nothing else like this in Town that is this dense. He noted that the Town received a conservation award, which enhances the State, and now we want to go and stick this in a corner of Town that is inappropriate. He noted that across I-95, in the Centre of New England that the picture changes, and it is a more commercial environment. He showed the Board a cartoon from the newspaper about sprawl. He noted that this would be an extreme eyesore for the Town.

Annemarie D'Abrosca, 3 Carrs Pond Road, expressed concerns of water availability and high density. She referred to the last Town Council meeting on this issues, where there was discussion on the proposal for no access on Division Road and the off-site water. She noted that Town Administrator Kevin Breene mentioned that there had been a discussion between the meeting and the original proposal that there was a meeting where Mr. Cambio promised that they would put in the water mains and pipes for Kent County so that the ability and capacity would be there to hook-up to Kent County, but that they were still talking in terms of digging the wells. She relayed that Mr. Cambio promised that once Kent County Water approved it that he would hook-up. She asked the Planning Board not to go with promises, and that she hopes the Board puts in the recommendation that the approval and everything else that needs to be done with Kent County Water Authority is done, before any zone change is approved. She expressed concern that every time she opens the newspaper, it seems that Mr. Cambio is being discussed as

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not keeping his promises. She stated that Mr. Breene stated at the meeting that Mr. Cambio promised if the zoning change goes through and he is allowed to build the houses, that he would make the water mains available, but, it would take time, it may take years, to get Kent County Water to actually get the water into the development. She requested that before the Board grants approval, that they get it in writing from the Kent County Water Authority that they will provide water for this development. She said that it could take years or maybe might not happen and our wells could go dry. There was discussion on water. Mr. Ward noted that the source of the water has to be from off-site. Mrs. D'Abrosca pointed out that earlier in the meeting Mr. Pagliarini indicated that his thoughts on public water differed from that of Mr. Cambio. Mr. Pagliarini pointed out that Kent County Water Authority does not allow you to reserve water, and that it would have to be prior to the issuance of a building permit.

Ray Dauplaise, 12 Carrs Pond Road, expressed concern that this is being called a village when in he sees it as a ghetto, and it reminds him of Chad Brown housing and Olneyville, not West Greenwich. He agreed that this is extreme density. He expressed concern about at least 1 occupant for each of the 204 units, which will all have a vehicles, so there will be an increase in the traffic just for the residential alone of 200 to 400 cars. He noted that he doesn't want an entrance on Division Road either. He noted that none of the residents want to see this, yet he knows that tomorrow, Mr. Cambio can build a hotel or a car dealership without much hassle, and noted that he would much rather see residential, but not this much.

Paul Kaltschnee, 81 Carrs Pond Road, noted his concerns that the concept has changed over time. He spoke about the affordable housing, where 13% was promised for Centre of New England, and we have yet to see any of that affordable housing, and now we are being told we may never see it. He stated that he agrees that no access to Division Street has to be built in. He noted that the retention pond is in the place that floods all the time, and goes over onto the road. He questioned whether the site will support another 200 houses. He expressed interest in seeing renditions of the duplexes and triplexes to see what we are really looking at before we approve it. He read an excerpt from the Conservation Commission's previous recommendation on this project, about the affordable housing units' location and timing, and separating them from the market units, which seems like segregation, even ghettoization, a term which he noted he has heard earlier tonight. He further noted from the Conservation Commission's recommendation that the height and character of the buildings should be consistent with those in the surrounding community. Mr. Kaltschnee then pointed out that on page 6e of the document, there is reference to having wells, plus the infrastructure, and noted that this does not reflect the discussion tonight and that it should be stricken from the document.

Mr. Pagliarini went over the proposed affordable percentage, and noted it is a total of 204 units, of which 40 are low-mod, and there are 132 market rate units, of which 30 of those will be low-mod, which is close to 20 to 25%. He noted that it is not 25% of 204, it is 20 to 25% of 132. In addressing the ghettoization, he pointed out that the commercial section will be it's own phase, and there will be separate owners. He noted that they plan on selling all the units that will be condominiumized, and rent the units on the other side. He proposed that there is low to moderate income age-restricted housing in the 42-unit building, and the units on top of the commercial are one-bedroom, which could be opened up to market rate low-mod so that a young professional person could rent in there. He noted that age-restricted probably doesn't work on

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the second storey from a marketing perspective, so more than likely they would not be classified as age-restricted, and he doesn't know if there will be an elevator there. He noted that he'll have a rendering at the next meeting, but that they are more concerned that the existing homes will bring down his values, and that they are only going to enhance the neighborhood. He noted that they will be of good quality and design. It was noted that the drainage will be worked out at the appropriate time, at Preliminary.

Linda Eastman, 20 Division Road, note that this area is not the Centre of New England, which might as well be 10 miles away, and pointed out that it borders Big River, and that she and her neighbors live in a nice quiet area, that is very rural, and that this is her home and it does not meet what she expects from West Greenwich. She noted that she recognizes that this property is zoned Highway Business, and that this may be suited for the Town to be a business there. She suggested a 100 foot buffer zone with maybe some nice trees and grass and a hotel. She noted that businesses close at night and it is not going to bother her too much. She stated that there should be some give and take, but all she sees is take. She noted that the entire piece of property is taken, and the only thing there is is detention ponds, and they are taking every tree, and what goes back is going to be a planted tree. She noted that the buffer zone that is shown is part of the State land, and if the State decides to widen Division Road, there goes the buffer zone. She noted that all this taking is upsetting her very much and maybe they could plan for a little park, or buffer zone, and give something back to the Town. She stated that she doesn't think this is a well thought out plan for this type of an area and noted that this plan would serve fine on the other side of I-95, in the Centre of New England where it belongs. She noted that this was a great big gravel pit and anybody who moved into it, moved into it, and there was nobody affected. She stated that they knew they were moving across the street from the Wal-Mart, and that is not what she and her neighbors did. She stated that she sees a lot of taking here from someone who does a lot of planning and plans in his best interest. She stated that she hopes the Town remembers that there are a lot of citizens here that show a lot of interest and that when they consider this application that they consider the residents' interest. Mrs. Eastman then asked about the lighting and noted that these developments are generally lit like Christmas Trees, and noted that she and her neighbors look down on this and don't want to see a big glow coming up from the earth at night, and asked what is planned for the lights. Mr. Pagliarini noted that they will submit a lighting plan at Preliminary stage for the commercial and noted Mr. Cambio will be looking for some decorative type of gas street lamp throughout the project. He noted that they will give concern for the lights not flooding over, and noted his concern is that the commercial might be lighting up the residential. He noted that they will not want it to glow like a Christmas Tree because they are going to have their residents living there also. Mrs. Eastman noted that she was referring to what it looks like at the other condo development on Hopkins Hill Road, which to her, looks like a Christmas Tree. She pointed out that we don't have street lights in West Greenwich and they are not used to that light. Mrs. Eastman reiterated that this is not the same as Centre of New England.

Paul Lussier, 104 Carrs Pond Road, asked about the Lepre lots begin cut down to half an acre. Mr. Pagliarini noted that they will be part of the Village SMD and that there is two acres of land there. He noted that under the Village SMD they will sell them as two condominiums and preserve the half acre parcels of land as open space as part of the whole project. He noted that they are not creating any illegal or non-conforming parcels. It was noted that these structures are

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going to remain as-is, but just turn them into condos. Miss Paquet pointed out that the entire parcel is not shown as being proposed for the Village SMD. Mr. Pagliarini stated that they will be shown in green next month (to encompass the whole parcel).

Justin Howman, 23 Deer Run Drive, asked what percentage is anticipated to be age-restricted. Mr. Pagliarini stated the whole development, then explained the fair housing. He noted that it will be what the Town wants for the 23 second storey units. It was noted that there can't be any guarantee that no children will live there. Mr. Howman stated that he was a resident of Coventry and has been a teacher there for the past 9 years. He noted that the ordinance states this is to be a planned development as opposed to a piecemeal development and that because of all the vague details regarding the commercial and residential, he sees this as a piecemeal development. He stated that the Coventry tax base is suffering a huge hit, and noted that as a participant in the school department they have instituted several large age-restricted developments such as this and they have had an impact on the school, because you can't guarantee the children won't live there. He noted that his wife and he moved here with their 11-month old baby under the ideology of West Greenwich and the conservation. He noted that they didn't choose Coventry for the reasons they chose West Greenwich. He noted that the total area of the two towns are similarly, but the Coventry population exceeds 35,000 people, and West Greenwich just over 6,000, which is a huge difference. He seconded Mrs. Eastman's point that this is miles from I-95, and that when you cross I-95, West Greenwich has so many advantages for it being a rural community, but having the highway access. Mr. Howman noted that for the mistakes Coventry has made, that he thinks that this is bleeding over the boarder into the Town, which he hoped was going to be separated from it. He noted that this is the precise reason why they chose not to buy in Coventry, and that they were trying to get away from this type of development. He noted that this is extremely high density, unlike anywhere else in West Greenwich. He noted that Coventry has this type of development, and they are suffering from it, and the schools are maxed. He noted that ordinance says limited impact and burden to the schools, but this is just opening the door, and they will feel burden to the schools.

Mr. Pagliarini noted that when they proposed the LeCesse development at the Centre of New England they provided an estimate of the school children for the 300 market rent apartments. He noted that their projections were 27 children based on their research, and that his understanding is that over 200 units are rented out and there is a total of 8 or 9 children in the development. He noted that they expect this project with is age-restricted, to be even less than that.

Bill Williams, 75 Division Road, asked about the Lepre property becoming condominiums, and noted that he didn't hear anything about preventing them from tearing that property down and building something that looks like the rest of the development. Mr. Pagliarini stated that he is willing to stipulate that if those houses come down, that it will remain green space. Mr. Williams expressed concern that these two houses will have access off of division road. There was discussion and it was noted that these two homes are existing and there was further discussion.

Annemarie D'Abrosca asked how many units in Centre of New England are unoccupied. Mr. Pagliarini noted that there are 300 units, and that the last he heard, there were 200 occupied. Mrs. D'Abrosca asked who wrote the amendments to the Comprehensive Plan. It was noted that

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it came from the applicant, and that is what they are proposing. Mrs. D'Abrosca noted that it is very confusing because it doesn't say "proposed" amendments, and that she didn't know if had already been done, and asked if it could say "proposed" next time.

Mr. Ward asked Mr. Morin if he has evaluated the flooding conditions out there. Mr. Morin noted that Nicole Riley from his office went out there during a storm event, but that it is something they will need to monitor before they get into any detailed design. Mr. Ward asked if there has been any water table analysis. Mr. Morin stated that they have done quite a bit of testing on the whole property, and that there are very good water tables, particularly in the lower area. Mr. Pagliarini noted that they had Mr. Rabideau determined that the area where they thought was an ASSF was not.

Mr. Ward noted that he remembers from last time that there were substantial concerns relative to the traffic and queuing on the exit ramp, and noted that they will have to make provisions to accommodate that and the additional loading as a result of this, and site distance, numbers of impact, and maybe a reconfiguration. Mr. Pagliarini noted that Mr. Bannon, who is the traffic engineer on the Centre of New England, will study it.

Milton Eastman, 20 Division Road, stated that the traffic for Centre of New England is a nightmare, and expressed concern if it will be the same engineer for this project. He asked about the 55 and older restriction, and if grandchildren could live there. It was noted that they can. He noted he is trying to look at this as a resident of West Greenwich and what is better for the Town as a whole, rather than for himself as an abutter, and asked how this is going to affect the schools and the taxes, and what will give us more bang for the buck. He noted that it doesn't seem like this is going to do that. He noted he would rather see this be all business. He noted that it feels like the applicant is holding this over us, that if we don't go for residential, they'll make it all business, and noted that business doesn't scare him.

Mary Kaltschnee, 81 Carrs Pond Road, asked about the density and what size lots these would be. Mr. Pagliarini explained that it is a 32-acre multi-family development project with 204 units on it, and that there is no individual acre per unit. Mrs. Kaltschnee asked if there is any area, other than this, in West Greenwich that has this much density. It was noted that the LeCesse Grandeville project in the Centre of New England has 300 units on 20 acres.

Vivian Peasley, 64 Division Road, made a comment that there aren't wetlands there, it is a floodplain.

Michael Gormley, 51 Carrs Pond Road, asked why the 40 low to moderate income homes are going on this side of I-95, when they were originally were supposed to go over in the Centre of New England.

Motion to continue to October 15, 2007. Ward-Regan (5-0)

WEST GREENWICH
September 17, 2007
PLANNING BOARD MEETING

Major Residential Subdivision: Master Plan

“Breakheart Estates” – AP 48, Lot 8-1

--on Breakheart Hill Road; 8 lots proposed with new road

Owner: Breakheart Properties, LLC (Norman Marsocci)

- Set Master Plan Public Informational Meeting Date

Motion to set a public hearing for October 15, 2007. Berry-O’Loughlin (5-0).

Minor Residential Compound Subdivision: Pre-Application /Preliminary Public Hearing

“Berry Residential Compound” – AP 56, Lot 11

--off Bates Trail; 1 new lot proposed

Owner/Applicant: David S. & Michele E. Berry

Chairman Boyer and Mr. Berry both recused themselves. Secretary Ward conducted the meeting. Motion to open the public hearing O’Loughlin-Regan (4-0). Board members present were Ward, Lepak, Regan, and O’Loughlin.

Mr. Ken Boyer, from Boyer Associates was present. Mr. Boyer explained the project. The Board asked questions on site distance and access to the rear of the property.

Motion to approve the proposed Minor subdivision entitled, “Berry Residential Compound,” for AP 56, Lot 11, dated July 17, 2007, prepared by Boyer Associates, prepared for David S. & Michele Berry, with the following conditions:

1. reimburse Town for cost of Public Hearing Advertisement (\$275.20)
2. submit letter confirming no presence of wetlands by wetlands biologist
3. pay pre-application fee of \$150
4. Get comments from Fire Chief on fire suppression fee
5. Open Space and Recreation fee shall be assessed on the new lot at time of recording (\$4,500).
6. That a note is added to the plans regarding amount of suitable land for each lot.
7. That the preliminary approval shall expire 90 days from date of approval, unless the final plan is submitted within that time; and that extensions of approval may be granted by the Administrative Officer if no applicable amendments have been made to the Regulations within one year of Board approval. Any request for extension of approval for longer than one year shall be heard by the Board.
8. That proper erosion controls be used during house construction.
9. That a driveway curb cut bond be posted and that any drainage improvements needed due to the driveway be made, at the discretion of the Highway Department.
10. comply with additional requirements for Final Plan noted in the Residential Compound Ordinance
11. both lots shall be bound by the Residential Compound ordinance restrictions and requirements.

This motion is based on the 7 standard findings of fact in the draft motion. O’Loughlin-Regan (4-0)
Motion to have the Final plan handled administratively. O’Loughlin-Regan (4-0)

WEST GREENWICH
September 17, 2007
PLANNING BOARD MEETING

Advisory Recommendation to the Town Council: Inclusionary Zoning Ordinance

--review draft ordinance and provide advisory recommendation to Town Council

Miss Paquet went over the changes to the ordinance from last time, and noted that the ordinance has also been changed, in track-changes, to incorporate the comments from the Solicitor's office.

Motion to recommend to the Town Council, the approval of the Inclusionary Zoning amendment to the West Greenwich Zoning Ordinance, dated September 7, 2007, based on the following findings of fact:

1. The proposed ordinance amendment is consistent with the Comprehensive Plan, specifically the Affordable Housing Plan recommendation presented in Section 3.1.3.1.
2. The proposed ordinance amendment is consistent with the general purposes of zoning, specifically the purpose of "promoting a balance of housing choices, for all income levels and groups, to assure the health, safety and welfare of all citizens and their rights to affordable, accessible, safe, and sanitary housing;" and "promoting opportunities for the establishment of low and moderate income housing."

Set Workshop date

-- Current Planning Topics/ Projects: Proposed Amendments to the Subdivision Regulations, Village centers; Affordable Housing ordinances; Design Regulations; Exit 5 Cloverleaf;

Workshop was set for Monday, September 24, 2007 at 6 p.m., after the site walk, to go over the Subdivision Regulations first.

Miss Paquet noted that the Town Council has scheduled a joint meeting with the Planning Board for Wednesday, October 17, 2007. She then passed out pamphlets for the 2007 New England Private Well Water Symposium.

Motion to adjourn. Ward-O'Loughlin (5-0). The meeting ended at 9:37 p.m.

WEST GREENWICH

September 24, 2007

PLANNING BOARD SITE WALK

A site visit by the West Greenwich Planning Board was held on September 24, 2007. Present were: Chairman Mark Boyer, David Berry, Tim Regan, Brad Ward, and Tom O'Loughlin. Absent were alternates William Lepak and Bill Bryan. Town Planner Jennifer Paquet was present. The meeting time was 5:00 p.m.

“Stonebridge Estates” (formerly Millstone Farm Estates) – AP 33, Lot 1-1

Major Residential Subdivision: Master Plan review stage

--off Plain Meeting House Road; 21 lots proposed

Owner: Wayne Regnaire, Executor of Estate; Applicant: Universal Realty

Tim Behan, PE and Kirk Andrews, PLS, consultants for the applicant were present. Mr. Rudy Procaccianti was also present along with his attorney, John Brunero.

A few residents were also present. This time, there were markings in the field, indicating the center of the proposed lots on Plain Meeting House Road, and the centerline of the roads. The Board met at the house site, and walked through the woods to the center of the northern cul-de-sac. The Board then walked along an existing path, through the wetland area, to the other road location, out in a big field. The Board then walked up Plain Meeting House Road along the edge of the property back to the house.

The visit ended at 6:15 p.m.

No quorum was present for the workshop back at Town Hall. Town Planner Jennifer Paquet sat with David Berry and Tom O'Loughlin to review the proposed changes to the Land Development and Subdivision Regulations, which will be placed on the October 15, 2007 Planning Board Regular Meeting agenda.

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October 15, 2007

PLANNING BOARD MEETING

A regular meeting of the West Greenwich Planning Board was held on October 15, 2007. Present were: Chairman Mark Boyer, Vice Chair David Berry, Tom O'Loughlin, and alternate William Lepak. Absent were: Brad Ward, Tim Regan, and alternate Bill Bryan. Town Planner Jennifer Paquet was present. Assistant Town Solicitor Nancy Letendre, Esq. was present. Consulting engineer Michael Zavalia was present. Chairman Boyer called the meeting to order at 7:00 p.m.

CONSENT AGENDA

A. Acceptance of Minutes

September 17, 2007 Regular Meeting
September 24, 2007 Site Visit

B. Minor Subdivisions

Minor Residential Subdivision- Preliminary and Final Plan
"Shepard Property Homestead"- AP 39, Portion of Lots 1 & 2
--Plain Road; two lots proposed for one homestead flanking the road
Owner/Applicant: The Nature Conservancy

C. Request for Maintenance Bond Release-

Major Residential Subdivision: North Country Farms- AP 30
--Donald Davis Drive
Owner/Applicant: Smiley Development (Andrew Smiley)

Motion to approve the consent agenda. Berry-O'Loughlin (3-0) with Lepak abstaining.

Owl Ridge Major Subdivision- construction status, bond

--Off Henry Brown Road on Orion View Drive and Fox Run; completion of improvements and request for bond release on Fox Run
Developer: DOSCO, Inc., David Annese

Mr. David Annese was present. Mr. Berry asked about the items in Mr. Martin's memo dated regarding the Fox Run guardrails. Miss Paquet noted that Fox Run is already in maintenance bond and that all the items had already been completed and there are no outstanding issues on the Fox run side. She noted that on the Orion View Drive side the outstanding items are that the final pavement has yet to be installed, the guardrail that was supposed to go up at the slope at Lot 11, versus if there is going to be a 13 foot shoulder. Miss Paquet asked Mr. Annese what the intentions are with the boulder fill going on lot 11. Mr. Annese stated that the builder keeps dumping it there as fill. Mr. Annese noted that when the Board did the walk-through on this that they recommended to wait on the guardrail here until we know the location of the driveway. Miss Paquet asked if the boulders are going to be removed. Mr. Annese said they are going to be used for the lot, and they are not going to stay there. It was noted that this is a stockpile on the slope.

Mr. Berry asked about the signage. Miss Paquet noted that she confirmed with the DPW that the sign was installed by them.

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PLANNING BOARD MEETING

Motion to release the maintenance bond in full for the Fox Run road Phase I of the Owl Ridge Major Residential Subdivision, and to recommend to the Town Council the acceptance of the extension of Fox Run and the associated drainage easements, with the condition that the infrastructure is properly cleaned beforehand to the satisfaction of the Highway Superintendent. Berry-O'Loughlin (4-0)

Motion to reduce the combined Performance and Maintenance bond for the Orion View Drive (Phase 2) portion of the Owl Ridge Subdivision to \$42,020.00 based on the information and memos presented at the meeting. Berry-O'Loughlin (4-0)

Major Residential Subdivision: Master Plan Public Informational Meeting, cont.

"Stonebridge Estates" (formerly Millstone Farm Estates) – AP 33, Lot 1-1

--off Plain Meeting House Road; 21 lots proposed

Owner: Wayne Regnaire, Executor of Estate; Applicant: Universal Realty

Presenting for the applicant were Attorney John Brunero and Tim Behan, PE. Mr. Rudy Procaccianti, developer/owner, and Mr. Kirk Andrews, PLS were also present in the audience. Mr. Michael Zavalia of Z-Engineering was present as consultant for the Town.

Miss Paquet had previously handed out a packet of information with a letter from the West Greenwich Historical Society. Chairman Boyer handed a copy of Mr. Zavalia's comments dated October 1, 2007 to Mr. Behan.

Mr. Brunero gave a summary of what has transpired over the past month, including the site walk.

Chairman Boyer noted some concerns he noticed at the site walk. He noted that the biggest concern the Board had was with the lot to the easternmost part abutting the Knight Estates subdivision. He noted so far there are other concerns with the slope off of Plain Meeting House Road. He noted that what the applicant has explained so far about the drainage and how to incorporate the drainage and to work with the Town to reduce some the problems that exist on Plain Meeting House Road and it sounds like we have come to an agreement. He noted that after walking the site there are still issues, like with lot number 4, which is one of the biggest problems. He noted that at the meeting out there he thinks it looks like a tough site to develop and noted that the Board has seen similar lots proposed and the Board has denied them due to the characteristics of the proposed lots. He suggested merging the lot with the others, and that then they would be able to reduce the length of the road, and that he thinks this would be a better layout for the subdivision. Mr. Berry agreed with this and noted it was something he was going to bring up. Mr. Brunero noted that they did talk about this at the site walk, and that he has spoken with his client previously about this and that they would agree to merge lot 4 with lot 5.

Chairman Boyer noted that they also discussed at the site walk that each of the frontage lots would need a site plan for the building permit to address the steep drop from Plain Meeting House Road where the lots would be developed, and the driveways, and to eliminate the problem with bucking the grade, and to ensure the shared driveways. Mr. Brunero noted that he doesn't

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PLANNING BOARD MEETING

have any problem with that, and noted that there would be two shared driveways, and one single one, and noted that they have previously stipulated that lots 14 and 8 would not be accessed from Plain Meeting House Road.

Chairman Boyer asked about the strip of land and asked if anyone has determined if it is going to be merged with the abutting lot owner. Mr. Brunero noted that he talked to the owner at the site walk and it was agreed that if the neighbor wants it they can deed it to him so that he has control over it.

Chairman Boyer asked if there are any plans to phase this subdivision. There was discussion. It was noted that there would be 3 phases, one for the frontage lots, two for the southerly cul-de-sac considering the drainage, and third for the northerly cul-de-sac.

Mr. Lepak asked about his previous inquiry regarding an off-site improvement for repaving a section of Plain Meeting House Road. Chairman Boyer noted that the applicant is designing the drainage to pick up the stormwater, but that he didn't think it's been gone over as far as any new pavement, or at who's expense. Miss Paquet explained that she thought the Public Works Department has intentions of resurfacing the road, but that they won't do it until after the drainage goes in. She noted that after Mr. Lepak posed the question last month, she asked Dave Andrews, Highway Superintendent, and that he said if the applicant paved near the bottom in front of the subdivision that he wouldn't be opposed to it. Mr. Brunero noted that this is a first to him but if it is a little repaving no one is going to jump up and down. He noted that his agreement was that they were going to do all the design for the drainage and pay his engineer to work with the Town's engineer to come up with a design that is going to work, and the Town would do the infrastructure. Mr. Lepak asked Chairman Boyer if there is any reason why the developer can't do the infrastructure. Chairman Boyer explained that the Town may have offered to do it. Mr. Lepak noted that he asked back in November at the High School about the possibility of repaving this section due to the safety issues in the area. Mr. Lepak asked if there is any accident data from the Police Department regarding this stretch of roadway. Mr. Brunero noted that they have this and noted that there is a problem with speeding. Mr. Lepak asked what the accident reports show. Mr. Brunero noted there was a drunk driver that went off the road and hit a tree. Mr. Lepak asked how many accidents there have been over 10 years. There was discussion on the plan for what is being done on the off-site improvement. It was noted that a knoll needs to be removed at the recommendation of the engineers. There was further discussion on off-site improvement to Plain Meeting House Road. Mr. Lepak noted that this project is exacerbating the problem. Mr. Brunero noted that not one gallon of water will be added to Plain Meeting House Road. Mr. Lepak noted he is not addressing the issue of drainage, but of roadway surface, with the addition of 20-odd lots. He noted that a lot of it should be contingent on any accident data and in trying to remedy the situation to improve the safety, which could possibly entail repaving a stretch of the roadway, from the Darcy house heading north. There was discussion. Mr. Lepak noted that with the ripple effect there now, that the workers have a tendency not to drop the plow all the way when it snows, creating more of a hazard, and if the road was resurfaced, then the Town could drop the plow all the way down for cleaner snow plowing. There was further discussion.

Chairman Boyer asked Mr. Zavalia for his comments.

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Mr. Zavalia noted a question for the Town in terms of what is the Town looking for, and pointed out that resurfacing the roadway and reconstructing the roadway are two vastly different things, and explained the difference, and noted that it needs to be clear what the expectations are. There was discussion. Miss Paquet noted that this is a good point and that she will find out from the Highway Department what is needed. It was noted that this needs to be discussed between the parties. Chairman Boyer noted that one of the stipulations for the Master Plan should be that there are on-going negotiations regarding the type of design for Plain Meeting House Road.

Mr. Zavalia noted that his comments were addressed from the memo. He explained that he is not as concerned with the corner so much because it helps control the speeds of the vehicles, but noted that once they make the corner, they speed up heading north. He noted his comments regarding site distance and tree cutting. There was discussion on the common driveways. Mr. Zavalia noted that the driveway locations can be known for the Preliminary Plan, and that signage will need to be known and he suggested a sign to warn of the driveways and roads, and to refresh the speed limit signs in this area. He noted that there are no problems with the configuration of the roads as they have been presented from a traffic standpoint.

Chairman Boyer asked to see the driveways across the street on Plain Meeting House Road to make sure headlights aren't shining into picture windows. It was noted that this can be done for the Preliminary Plan.

Chairman Boyer opened the meeting to public comment.

Charlotte Jolls, representing the West Greenwich Historical Society, noted that she submitted a letter and some information and read the letter for the record, regarding Lillian Regnaire's home, the Wilko Koivisto home, which was given a plaque by the Town in the 1980's or early 1990's. She noted that they are requesting that something be done to preserve this house. She noted that this house is able to be restored, and noted that we should be able to work with these developers to do something to save this house. She noted that she had a contractor look at the house. Chairman Boyer noted that this project has been going on for about 4 months and that the Board considered this issue before, but were told by the Town Council to demolish it. Ms. Jolls noted that it is worth a try and that we can talk about it. Chairman Boyer noted that it seems that now they are on the verge of making a decision and being thrown this information is completely opposite of what they had been told to this point. Ms. Jolls urged the Board to take a look at this, and that maybe it could be used as an office.

Mr. Brunero noted that the Town Administrator took a look at it and that he said it needs a bulldozer. Mr. Brunero submitted a list of homes on the Historic Register to the Board and noted that this property is not on the list. He noted that some of the Board members went through the house and stated it is deplorable how those people lived there. He offered that if it is that important to the Town, that they will donate it to the Historical Society who can move it. He noted that to make it part of the subdivision would be a disaster and that it will never fit in, and stated that it is beyond any type of rehabilitation. Mr. Brunero was upset that they were trespassing. Ms. Jolls noted that it needs to be addressed. Mr. Brunero reiterated that Kevin Breene said it needs a bulldozer, and that the house in his opinion is beyond historic. There was continuing discussion between Mr. Brunero about how the home is beyond restoration, and Ms.

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Jolls urging everyone to consider saving the historic home. Ms. Jolls introduced Mr. Chris Hensley, a local contractor, who also looked at the home.

Mr. Chris Hensley, explained that Ms. Jolls asked him to look at the property and that he noted the main structure could be rehabilitated, but that it is a huge project, and noted that it has historic tendencies that could be charming if it was redone properly, and noted that the main part of the house is structurally sound. He noted that the house is straight and is not falling in. He noted that what is being used as a kitchen and bathroom area has to be completely demolished. He noted it would be a huge project to make it livable. He noted it is a timber frame house which would need extensive work.

Mr. Lepak asked if there is a crawlspace. Mr. Hensley noted that there is a full basement out of granite. Mr. Lepak asked the condition of the structural beams. Mr. Hensley noted the structural beam had no post beetle damage and was dry and is being held up by old cedar posts, supported on a concrete slab, but that he doesn't know what is under that. He noted that the center chimney is also being used structurally within the building, which is typical of structures of this period. Mr. Hensley noted he is not a structural engineer.

Chairman Boyer asked for anymore comments from the audience. He then asked Miss Paquet if she had anything to add.

Miss Paquet reiterated that this is still Master Plan and pointed out that construction doesn't take place until after Preliminary Plan approval, and that there is still time to think about this and see if there is a market for someone who is interested to put money into an historic home. She noted that there are people out there that are interested in restoring historic homes.

Motion to close the public hearing. Berry- O'Loughlin (4-0).

Chairman Boyer noted the new items from this evening need to be worked into the written draft decision by staff and legal council, for a decision to be rendered next month. Mr. Brunero conferred with his client and announced that they waive the deadline for the Planning Board to make a decision on the Master Plan, for a decision on November 19, 2007. The items include noting the phasing, merging lots 4 and 5 and associated shortening of the cul-de-sac, and submit at Preliminary Plan 10 years of accident data at this area of Plain Meeting House Road from Stubble Brook Road to the Peleg Matteson home.

Motion to continue the Master Plan meeting to November 19, 2007. Berry- O'Loughlin (4-0).

Mr. Zavalia left the meeting.

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October 15, 2007

PLANNING BOARD MEETING

Major Residential Subdivision: Master Plan Public Informational Meeting

“Breakheart Estates” – AP 48, Lot 8-1

--on Breakheart Hill Road; 8 lots proposed with new road

Owner: Breakheart Properties, LLC (Norman Marsocci)

Mr. Michael McCormick, PLS with Alpha Associates approached the Board. Mr. Norman Marsocci was present in the audience.

Mr. McCormick explained the existing conditions of the site. He noted that there are two wetlands on the site and one is an isolated wetland with no perimeter buffer, and they have been verified by RIDEM. He noted that they have done several water tables that range from 2 feet to 6 feet.

He noted that the proposal is for a cul-de-sac of 1,200 feet with access off of Breakheart Hill Road and that the existing residence would remain. He noted that there are 3 lots (10, 11, and 9) in the front that they have been in conversation with the owners of to deed small pieces of land to. He noted that they actually went over a few changes this evening with the abutting home owners out in the hallway.

Mr. McCormick noted that at the TRC meeting the Town wasn't happy with the proposed locations of the detention basins and that since then the drainage has been reconfigured in response to the TRC comments, and that they generated some real numbers with respect to drainage. He explained what the changes are.

Mr. McCormick explained the portions of land proposed to go to the neighbors. He noted that they are proposing to make the old Fuller Road part of the right-of-way. There was discussion on possibly deeding the extra land to the adjoining lots rather than having the Town own the land, but it was decided to keep it as part of the right-of-way for control to keep it treed.

It was noted that a site distance evaluation has been performed by Gordon Archibald dated 10/11/07, and Mr. McCormick passed out this report to the Board.

Mr. Lepak asked how many lots were in the original proposal. Mr. McCormick noted there were about 11 or 12 lots, and the roadway was about 1,800 feet. [Note: it was 9 lots originally, with a proposed road 1,900 feet long]. Mr. McCormick noted that this plan requires no waivers.

Chairman Boyer noted that he liked the idea to move the entrance and not having any detention ponds out by the main road. Mr. O'Loughlin asked if there is any access or easement to the pond. Mr. McCormick noted that there will be an easement and pointed out that the structure will run down the boundary of two properties.

Miss Paquet noted that she has no comments and pointed out that this plan has been revised to meet the subdivision requirements.

Mr. McCormick noted that the existing home will meet the setbacks.

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Miss Paquet asked the Board to consider scheduling a site visit. It was noted that the Board members will go on their own, and that the land is flat and the centerline is already staked.

Chairman Boyer opened the meeting to public comment.

Andy Larose, 181 Breakheart Hill Road, noted that he has asked the developer to be tied into the new road and asked if the low hanging electric wire will be a problem to tie him in. He asked further if he can be tied in, how will the road be deeded to him. Mr. McCormick pointed out the existing locations of the poles, and noted that they are proposing underground electric. There was discussion. Mr. Berry asked who will construct the new driveway off the new road. Mr. McCormick noted that the owner and Mr. Larose will have to work out those details.

Motion to continue the meeting to November 19, 2007. Berry-O'Loughlin (4-0).

Mr. McCormick noted he will get copies of revised plans to Miss Paquet for next month.

Amendments to Land Development and Subdivision Regulations

--review and discuss proposed changes and set public hearing date

Motion to set a public hearing date for the proposed changes to the Land Development and Subdivision Regulations for 6:30 p.m. on November 19, 2007. Berry-O'Loughlin (4-0).

Advisory Recommendation to the Town Council: Mixed Use Village Districts

--review draft ordinance and provide advisory recommendation to Town Council

Motion to move to next month. Berry-O'Loughlin (4-0)

**Amendment to the Comprehensive Plan- Public Hearing
and advisory opinion to Town Council on Zoning District Change-**

Major Industrial Land Development Project: Pre-Application AP 13 and 14 (many parcels)

-- off Victory Highway; Ritchie Bros. Auctioneers, heavy equipment auction grounds

Applicant: Ritchie Bros. Properties Limited

--continued from last month

No action taken. Miss Paquet noted that this will be readvertised for next month.

**Amendment to Comprehensive Plan Public Hearing
and Advisory Opinion to Town Council on application for Zoning Amendment and Zone
Change proposing Village Special Management District: AP 1 Lot 10-1 and 10-3(aka
"Lawson Parcel"), 13, & 15**

--Current Zoning is Highway Business; Proposed Zoning is to create a new Special Management Zoning District for these parcels. On corner of Division Street and New London Turnpike;

Owner: Universal Properties (Nicolas Cambio)

Chairman Boyer recused himself and left the meeting. Attorney John Pagliarini approached the Board. Motion to open the public hearing. Berry-O'Loughlin (3-0)

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Mr. Pagliarini noted the parcels total 32 acres and handed out 2 documents, one a revised proposed changes to the proposed Senior SMD ordinance with a fiscal analysis, and the other a proposed use matrix. Mr. Pagliarini noted that this agenda item is related to the next agenda item regarding the Exit 7 SMD and the use of a car dealership. He noted that there have been new discussions with his client, based on the comments heard at the Town Council meeting last week, to put the 70 affordable housing units back in the Centre of New England, and no affordable units on this Lawson parcel. He explained that there have been changes to the plan for the senior village on the Lawson parcel. He noted that three-storey low to moderate income housing building has been removed, the 28 second storey residential units have been removed, and the commercial buildings have been removed. He noted that instead they will propose just age-restricted residential units and a new plan will be submitted for next months meeting. He explained the changes in the draft. He noted that he will find out this coming Wednesday what the Town Council wants for affordable housing. He requested that this matter be continued to next month.

Mr. Berry noted that this land is an asset for the Town and pointed out that the parcel is already zoned Highway Business and is in proximity to the highway and that it makes sense to keep it commercial versus residential. Mr. Pagliarini explained that they had a commercial use for 15 acres but that they didn't want it, and noted that they can't get anyone who wants to go to Centre of New England to go to this side of the highway. He noted that for a small office, the economics of what would want to go there wouldn't be able to afford to pay the rent. Mr. Berry noted that he is looking at this from the Town's perspective, not the applicant's perspective. Mr. Pagliarini stated that the age-restricted residential would generate more tax revenue than any commercial that could potentially go there.

Mr. Lepak asked what the rationale is for changing the plans. Mr. Pagliarini stated that he gives counsel to his client and noted that this is the way this project should progress to be harmonious. He stated that he doesn't think that anyone, as much as they want the tax revenue, wants to see this site built out with one-hundred percent commercial. He noted that Mr. Cambio, in this terrible economy, has found a niche, and can deliver a greater product than anybody else can in the Kent County area.

Mrs. Letendre noted that since it is just residential, it should no longer be called a "village" or a "mixed-use" ordinance.

Vice Chairman Berry opened the hearing to public comment.

Paul Kaltschnee, 81 Carrs Pond Road, noted that it is typical of this applicant to hand out changes at the meeting, and asked if the language regarding the well water has been changed, and noted that availability of well water was an issue last time. It was noted that this language had not been stricken yet. Vice Chairman Berry noted there was supposed to be a public source from off-site for the water supply. Mr. Pagliarini noted that this section page 5 letter E can be struck from the text. Mr. Kaltschnee asked about access to New London Turnpike. It was noted that the changes will be made for the next meeting.

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Harris Hammersmith, 16 Julie Court, noted he owns the tower site in the back in Green Line Road. He stated that even though he received a registered letter that this was going to be a meeting, he has no other correspondence or notes of what changes are going on and noted that he would like to be brought up to date on a concurrent basis, and noted that he is not here all year long, and would like to have the information forwarded to him. Mrs. Letendre explained that this meeting is going to be continued to next month and noted that the information is available at the Town Hall, but that there will be more changes before then, and noted that he can contact the Town Planner for information. Mr. Hammersmith handed out a paper and pointed out his lot 11, and explained that he has easement rights and asked that 10-3 be removed from the development because part of it is easement for his utilities, which is documented in his deed, and that Green Line Road is assumed to be easement to his property. He noted that he has spoke with Mr. Pagliarini in the past and noted that they are encroaching close to his tower guy wires and noted that he has asked for fences and markers. He again asked that 10-3 be taken off the proposed development until they can give easements and access that makes sense. He noted that he just wants to keep decorum amongst the two abutting properties. He noted that he needs to maintain his utility easement and his access easement, and this needs to be defined.

Mrs. Letendre explained the process for the application that is before the Board tonight, which is an amendment to the Comprehensive Plan for the zoning. She explained that there will be another notice once a Master Plan has been submitted, at which time the Board would look at the overall site.

Mr. Hammersmith stated that he wants the property to remain Highway Business and not be changed to residential because he doesn't want his use of the tower site to become a nuisance.

Adrian Knott, 61 Browns Corner Road, noted that he was at the last Town Council meeting where they discussed not having senior housing in the Centre of New England because they don't want seniors to try to run cross the 6 lane road to get to the stores on the other side. He noted they now they want to put that type of housing back in the neighborhood.

Ed Overton, 2 Carrs Pond Road, across the street, noted that Mr. Cambio again keeps changing his mind and all the residents are in limbo. He noted that he has spoken with his neighbors on Carrs Pond Road and in the area and noted that the negativism is excessive and noted that they do not want to see it happen. He noted that they all have to live by 2 acres for one residence. He noted that with this cluster housing, there is x amount per acre assuming public water is provided. He noted that the possibility of wells for all this cluster housing is totally unacceptable. He noted that they are on an aquifer and that the majority of people on Carrs Pond Road are on wells. He noted that he was prepared to say that the residents would prefer that it stay zoned highway commercial, and with this new presentation it sounds like the opinion is up in the air. He noted that it is hard to say what is acceptable and what isn't, but that cluster housing in West Greenwich just doesn't fit, and noted that this is not the town of Warwick, Cranston, or West Warwick. He noted that this is West Greenwich, and to see that many houses in one clustered environment like the one on Hopkins Hill Road, just doesn't fit in with our environment. Mr. Overton noted that the neighbors are looking at it right out their window, and he does not want to see it, and most of his neighbors don't want to see it either. He asked if it is possible to have a strip of land from Division Street in a minimum of 50 feet, and hopefully 75

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feet before any disturbance of land can be allowed, and leave the trees and undergrowth there as a natural barrier, so that at least they don't have to look at this. Mr. Overton noted he has been on the other side of the table on an advisory board and asked that they consider everybody in the Town of West Greenwich and to do the right thing.

Suzann Martin, 21 Carrs Pond Road, noted that there is a note on the new plan that shows for a piece of property is to be purchased from the State and asked what the intention of this is, because it seems to be for the purpose of a natural barrier. Mr. Pagliarini noted that he recommended to his client to purchase the land for a buffer. Mrs. Martin proposed that they save themselves the money and put the buffer into their property. Mr. Pagliarini pointed out that it doesn't stop the State of RI from cutting the trees down.

Motion to continue to November 19, 1007 at 7:00 p.m.. O'Loughlin- Lepak (3-0).

**Amendment to Comprehensive Plan Public Hearing
and Advisory Opinion to Town Council for proposed Zoning Amendment to
Exit 7 Special Management District**

--Proposed Zoning amendment is to change use of "Motor Vehicle Dealers, New and Used" under use code 551 from a Prohibited (X) use to a Permitted (P) use within the Exit 7 SMD zoning district.

Applicant: Universal Properties (Nicolas Cambio)

Attorney John Pagliarini approached the Board. Motion to open the public hearing. Lepak-O'Loughlin (3-0)

Mr. Pagliarini explained that there is a perspective purchaser who plans to construct a 30,000 s.f. facility with a car dealership in excess of 10 acres of land. There was discussion on 'new and used' and 'used only' in the matrix. Mr. Pagliarini noted that inside the building there would be sales offices, a service garage, and indoor display. He noted that they would want a fuel pump on site just to give the sold cars a fill-up. Mr. O'Loughlin expressed concern about lighting, especially with the opening. It was noted that we could add this as a stipulation during the site plan. The Board expressed concern about opening the door to other dealerships, or multiple dealerships should this potential tenant fall through. Mr. Pagliarini suggested limiting the dealerships to require a 5 acre minimum lot size.

Motion to close the public hearing. O'Loughlin-Lepak (3-0)

Motion to amend the Comprehensive Plan to strike the words, "such as car dealerships" for the Exit 7 Special Management District. O'Loughlin-Lepak (3-0)

Motion to recommend to the Town Council to amend the Zoning Ordinance Use Matrix to allow car dealerships under use codes 551 and 552 for the Exit 7 SMD zoning district, with the stipulation that there be a 5 acre minimum lot size. O'Loughlin-Lepak (3-0)

Motion to adjourn. O'Loughlin-Lepak (3-0) The meeting ended at 9:55 p.m.

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PLANNING BOARD SPECIAL MEETING- joint meeting with Town Council

A special meeting of the West Greenwich Planning Board was held on Wednesday, October 17, 2007, as a joint workshop with the Town Council.

Present were: Chairman Mark Boyer, David Berry, William Lepak, and alternates Bill Bryan and Tom O'Loughlin(8:15 p.m.). Absent were Brad Ward and Tim Regan. Town Planner Jennifer Paquet was present.

Present from the Town Council were: President Thaylen Waltonen, Robert Butler, Mark Tourgee, Robert Andrews, and Susan Woloojjan. Town Administrator Kevin Breene was present. Town Solicitor Michael Ursillo was present.

Chairman Boyer called the meeting to order at 7:30 p.m.

JOINT MEETING WITH TOWN COUNCIL

--general discussion on planning related issues

There was discussion on the issues that have arisen regarding the Residential Compound ordinance. It was noted that this document needs to address multiple compounds off of private right-of-ways and upgrades to roads to meet traffic intensity. The Town Solicitor will work with the Town Planner to propose changes to present to the Planning Board.

Town Administrator Breene noted that Ritchie Bros. Auctioneers is ready to come back and that it will be readvertised.

Planning Board Chairman Boyer suggested that the Town begin to look at alternative types of zoning that would give the Board more flexibility when reviewing subdivision applications. There was discussion on 'cluster' zoning concepts being applied to parcels with constraints to development. Chairman Boyer noted that it should be an option, not something that is required. The Town Council was in general agreement and it was decided that the Planning Board will look into this. Miss Paquet will get copies of cluster ordinances from other rural near-by communities.

The Planning Board noted that they are currently working on amendments to the subdivision regulations.

Mr. Bryan asked if the Town would consider 'sustainable' and 'green' building techniques. Some concerns were expressed because little is known to us about the details on this. Council President Waltonen noted that the Town tries to be as 'green' as possible, as long as it does not pose undue burden on people. Miss Paquet noted that there is actually some language addressing 'green' building and site design in both the proposed changes to the Land Development and Subdivision Regulations and the Mixed Use Village ordinance for affordable housing.

The meeting ended at 8:35 p.m.

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A regular meeting of the West Greenwich Planning Board was held on November 19, 2007. Present were: Chairman Mark Boyer, Vice Chair David Berry, and Tom O'Loughlin. Absent were: Brad Ward, Tim Regan, and alternates William Lepak and Bill Bryan. Town Planner Jennifer Paquet was present. Assistant Town Solicitor Nancy Letendre, Esq. was present. Chairman Boyer called the meeting to order at 6:30 p.m.

CONSENT AGENDA

A. Acceptance of Minutes

October 15, 2007 Regular Meeting

October 17, 2007 Special Joint Meeting with Town Council

Motion to discuss the minutes. Berry-O'Loughlin (3-0).

Chairman Boyer noted several typos in the October 15, 2007 minutes, no changes to October 17.

Motion to approve the minutes for October 17, 2007, and October 15, 2007 as amended. Berry-O'Loughlin (3-0).

Major Residential Subdivision: Master Plan Public Informational Meeting, cont.

"Stonebridge Estates" (formerly Millstone Farm Estates) – AP 33, Lot 1-1

--off Plain Meeting House Road; 21 lots proposed

Owner: Wayne Regnaire, Executor of Estate; Applicant: Universal Realty

Presenting for the applicant were Attorney John Brunero and Tim Behan, PE. Mr. Kirk Andrews, PLS was also present in the audience.

Mr. Brunero went over some items in the draft motion. He expressed concern over numbers 16, 22, and 13. He explained that they want a decision from the Historical Society by January 1, 2008 whether they are going to move the historic home off-site or not, so that they know whether they can have the fire company use the building as training this winter.

He expressed concern over number 22 regarding the continuing discussions on the off-site improvement. He noted for number 13, to eliminate the driveways on Plain Meeting House Road they can do a cluster.

The Board discussed each item. Chairman Boyer noted that there were going to be common driveways. There was discussion on the cluster idea. It was noted that the timeline for the Town may not match the timeline for the developer. Both parties will keep it in mind.

There was discussion on the historic house. Mr. Berry noted that 30 days is too short. Mr. Brunero noted that it doesn't need to be moved in 60 days, but they just need to know in 60 days. It was noted that there can be an extension if needed. Mrs. Letendre noted that there could also be salvageable material there as an option. Chairman Boyer noted he will call Mrs. Jolls. Mr. Brunero noted he would be happy to meet with her on site.

There was discussion on re-wording number 22. The Board noted that the applicant is going to design a drainage system for that portion of Plain Meeting House Road, and allow that water to be brought onto the property. Chairman Boyer noted that it was also the intention of the Town to

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resurface this section of road. He noted that the applicant would design and accommodate the design, and the Town would install it. Chairman Boyer noted that at the last meeting, the applicant made some kind of acknowledgement that if it was a small portion of pavement in front of their development that no one was going to jump up and down about it. Mr. Brunero noted that if there is a few feet in front of their road that needs it to be done, but they are not undertaking the entire off-site improvements, other than the design. He noted that he just wants it clear what the understanding is. There was further discussion on re-wording number 22.

The Board read through the entire motion, with changes.

Motion to approve the Master plan entitled, "Master Plan for Major Subdivision, Stonebridge Estates," AP 33, Lot 1-1, prepared by K Andrews Associates and TJB Engineering, prepared for applicant Universal Realty, dated May 2007, sheets 1 through 3, and sheet 1 of 1.

This approval is granted with the following conditions of approval:

1. the applicant shall reimburse the Town for the cost of the Master Plan Public Informational meeting display advertisement in the Providence Journal (approximately \$334.00).
2. the applicant shall work with the Public Works Department, the Fire company, and the Town's consulting engineer on the design of the cul-de-sacs.
3. Incorporate the recommendations of the consulting engineer (dated October 1, 2007) and the applicant's engineer (dated August 16, 2007) with regard to the findings of the traffic impact and site distance reports into the design plans for the Preliminary Plan application, including, but not limited to, the proposed signage for intersection warnings for both the cul-de-sacs and the driveways, improvements to the signage near the sharp curve, and refresh the speed limit signage; identification of the 7 trees and other 3 trees to clear for site distance at the cul-de-sacs, and the vegetation within the sight triangles and adjacent to the proposed site cul-de-sacs and potential driveway locations; and the specifics to regrade the knoll area on Plain Meeting House Road opposite house #353 for site distance and adjacent to Plain Meeting House Road around 100 feet south of pole #46.
4. access roads and easements to the drainage ponds shall be shown on the Preliminary plan and reviewed and approved by the Highway Superintendent. Due to the steepness of the slope, this access shall be stabilized with vegetation, with a sturdy base.
5. notation shall be made on the Preliminary Plans that stumps are to be properly removed from the site, and that a copy of the receipt for removal be submitted to the Town as proof of such. If stumps are ground on site, the mulch may be used for erosion control.
6. That boulders are allowed to be properly buried on site, and that the proposed boulder burial locations be shown on the Preliminary Plans, for review by the Town. (this applies to infrastructure clearing only)
7. Submit a landscaping plan, prepared by a Registered Landscape Architect, as part of the Preliminary Plan application. (site entrance, street right-of-way, drainage areas if visible, and buffers as necessary.)
8. underground electric utilities shall be installed in the entire subdivision, and underground connections shall be provided to each house in the subdivision.

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9. That building envelopes and all proposed building footprints, driveways, and ISDS and alternative location footprints be shown on the Preliminary Plans in order to show how these items can be situated on the lots.
10. the applicant shall incorporate the design of a series of catchbasins down Plain Meeting House Road, to be tied into the design of this subdivision, as an off-site improvement to alleviate drainage from Plain Meeting House Road for storage within the subdivision drainage infrastructure, which is all to become Town infrastructure.
11. That the drainage be designed for zero net increase in volume of water leaving the site, in addition to zero net increase in peak flow rate, in order to minimize flooding.
12. identify the 100-year floodplain location on the Preliminary Plan
13. a combined design be incorporated for the driveways on Plain Meeting House Road
14. show on the Preliminary Plan how the existing drainage from the Stubble Brook Road area will be accommodated.
15. Submit traffic report addressing site distance for a northbound car's ability to see and react to a southbound car making a left turn into the southerly cul-de-sac.
16. The Historical Society shall notify the owner prior to January 1, 2008 as to their intentions of moving the historic house.
17. Merge proposed lots 4 and 5 and shorten the cul-de-sac accordingly, for a total of 20 lots, and show on Preliminary Plan.
18. The frontage lots shall be subject to site plan review by the Town's consulting engineer in order to obtain a building permit and cost of review and subsequent inspections shall be the responsibility of the applicant, and shall be reimbursed in full to the Town prior to issuance of a Certificate of Occupancy. The site plans shall address the grades of the driveways and the locations of the shared driveways.
19. the strip of land designated 'no cut conservation easement' on page 2 of 3 shall be deeded to the abutting lot, AP 33 Lot 1-4, as a buffer along the north cul-de-sac, should the abutting owner accept it.
20. Construction shall be in three phases, 1) frontage lots on Plain Meeting House Road, 2) South cul-de-sac and associated infrastructure including accommodation of off-site drainage, and 3) north cul-de-sac and infrastructure.
21. Proposed lots 14 and 8 shall not derive access directly from Plain Meeting House Road, and shall have access on the new roads.
22. that the applicant shall be responsible for the design of the new drainage system on this section of Plain Meeting House Road which shall include consensus from the Town Engineer and Highway Superintendent. The new development's detention pond shall be designed to handle the runoff from this section of Plain Meeting House Road.
23. show the proposed driveway locations for the frontage lots on the Preliminary Plans, and the locations of the driveways on the other side of Plain Meeting House Road from the whole property.
24. Submit 10 years worth of accident data (back to 1997) from the Police department for the area along Plain Meeting House from Stubble Brook Road to the Peleg Matteson house for the Preliminary Plan application. (could be part of the traffic study)

This approval is based on the following 8 findings of fact in the draft motion. Berry-O'Loughlin (3-0).

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Robert Butler, 410 Plain Meeting House, asked about items number 10 and 22 regarding street drainage, the catchbasins, and the pipes, and if the Town is doing this work. Chairman Boyer noted that the installation of these are going to be by the Town. Mr. Butler asked if the Town Administrator and the Highway Superintendent are aware of this. It was noted that they are.

Chairman Boyer noted that in the meantime, he will speak to some members of the Town Council to see if the town can come up with some cluster concept.

Amendment to Comprehensive Plan Public Hearing, cont.
and Advisory Opinion to Town Council on application for Zoning Amendment and Zone Change proposing Village Special Management District: AP 1 Lot 10-1 and 10-3, 13, & 15
--Current Zoning is Highway Business; Proposed Zoning is to create a new Special Management Zoning District for these parcels. On corner of Division Street and New London Turnpike;
Owner: Universal Properties (Nicolas Cambio)

and

Pre-Development Improvements: Stonewall Entrance for AP 1, Lots 10-1 & 10-3

--New London Turnpike; no proposed use; curb cut

Applicant: Commerce Park Associates 12, LLC

Attorney John A. Pagliarini, Jr. approached the Board for the two applications he is representing. He asked to have both continued to next month.

Motion to continue the advisory opinion on the zone change to December. O'Loughlin-Berry (3-0).

Motion to continue the pre-development improvement to December. O'Loughlin-Berry (3-0).

Major Residential Subdivision: Master Plan Public Informational Meeting, cont.

“Breakheart Estates” – AP 48, Lot 8-1

--on Breakheart Hill Road; 8 lots proposed with new road

Owner: Breakheart Properties, LLC (Norman Marsocci)

Mr. Michael McCormick, PLS with Alpha Associates approached the Board.

Mr. McCormick quickly explained the existing conditions of the site, and the proposed development. He noted that the water table readings are between 2 and 5 feet. He noted that Fuller's Lane would be administratively deeded to the abutting properties, and the portion near the cemetery. He noted that since the last plan, the road entrance has been moved over some 40 feet to be more centered to give the abutter to the east more of a buffer. Mr. McCormick noted that the road has been designed with cut and fills to give a 1 percent slope because it is pretty flat. There was discussion on the underground utilities, and moving the existing utilities, which will be the design of National Grid. The Board gave Mr. McCormick the comments from Thalmann Engineer regarding the sight triangle. Mr. McCormick noted that the site distances are more than adequate.

Chairman Boyer clarified that there would be no detention pond in the space between the road and the abutting property. Mr. McCormick noted that that was correct, and noted it is a dense

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small pine, large pine area, to give the abutter to the east more of a buffer. He noted that the road was moved over about 40 feet, but with respect to site distance, it is not affected.

Chairman Boyer asked if the proposed roadway will have any impact on the neighbor across the street as far as headlights. Mr. McCormick noted that he didn't think so, and noted that there is a bit of vegetation on that side anyway, and that they won't be directly intersecting any driveways. The Board expressed concern about this and noted that once the roadway goes in, that if this becomes an issue, that they will ask for a buffer.

Chairman Boyer opened the meeting to public comment.

Adrian Knott, 61 Browns Corner Road, asked where the ISDS is for the existing house. Mr. McCormick pointed out the location of the existing septic and noted that realistically, DEM will probably make them do a new system.

Motion to close the public meeting. Berry-O'Loughlin (3-0)

Motion to approve the Master Plan for the Breakheart Estates Major subdivision of AP 48, Lot 8-1, prepared for Breakheart Properties, LLC., prepared by Alpha Associates, LTD, dated June 2007, revised 11/05/07, with the following conditions of approval:

1. the applicant shall reimburse the Town for the cost of the Master Plan Public Informational meeting display advertisement in the Providence Journal (\$275.24).
2. access roads and easements to the drainage ponds shall be shown on the Preliminary plan and reviewed and approved by the Highway Superintendent.
3. notation shall be made on the Preliminary Plans that stumps are to be properly removed from the site, and that a copy of the receipt for removal be submitted to the Town as proof of such. If stumps are ground on site, the mulch may be used for erosion control.
4. boulders are allowed to be properly buried on site, and the proposed boulder burial locations shall be shown on the Preliminary Plan, for review by the Town.
5. A landscaping plan, prepared by a Registered Landscape Architect, shall be submitted as part of the Preliminary Plan application. It shall address the site entrance, buffers, drainage areas, and the streetscape.
6. Underground electric utilities shall be installed in the entire subdivision, and underground connections shall be provided to each house in the subdivision.
7. Building envelopes and all proposed building footprints, driveways, and ISDS and alternative location footprints shall be shown on the Preliminary Plan in order to show how these items can be situated on the lots.
8. The drainage shall be designed for zero net increase in volume of water leaving the site, in addition to zero net increase in peak flow rate, in order to minimize flooding. On-site infiltration is encouraged for groundwater recharge.
9. The new lots shall be designed to not increase the volume of runoff to the abutters.
10. The applicant shall pay the fee in-lieu-of land dedication, and there shall be no dedication of Open Space and Recreation land as part of this subdivision.
11. That the administrative subdivisions to transfer land to the abutters shall be completed prior to the recording of the subdivision plan, as a separate application.

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12. The locations of the driveways across Breakheart Hill Road, and to either side of the proposed intersection, shall be shown on the Preliminary Plan.
13. The locations of the abutting septic systems and wells, and the location of the septic for the existing home shall be shown on the Preliminary Plan and taken into consideration when designing the roadway, the drainage, and the proposed lots' well and septic locations.
14. Incorporate plantings as required at the entrance to deflect any headlights of outbound cars
15. the applicant shall continue to work with National Grid for the connection of Lot 9 via underground utilities.

This approval is based on the 8 findings of fact in the draft motion. Berry-O'Loughlin (3-0)

Raven Construction- Gravel Permit : AP 14, Lots 5, 7, 8, & 9.

-- Set date for site inspection in order to review application and make advisory recommendation to Town Council on permit renewal.

Mr. Mike McCormick, PLS from Alpha Associates was present. A meeting date was set for Saturday, December 1, 2007 at 8 a.m. at Centreville Bank.

**Amendment to the Comprehensive Plan- Public Hearing
and advisory opinion to Town Council on Zoning District Change-
Major Industrial Land Development Project: Pre-Application AP 13 and 14 (many parcels)
-- off Victory Highway; Ritchie Bros. Auctioneers, heavy equipment auction grounds
Applicant: Ritchie Bros. Properties Limited**

Attorney Greg Benik was present on behalf of Ritchie Bros. in connection with the application pending before the Town Council to amend the Zoning Map and the Comprehensive Plan Future Land Use Map. Mr. Benik explained that the proposed project is to develop a regional auction facility on a 200-acre parcel. He introduced the two representatives from Ritchie Bros., Scott Lennon, Real Estate Acquisition Manager, and Justin Filuk, the Development Coordinator for Ritchie Bros. He also introduced Rob Smedberg, PE from VHB.

Mr. Filuk discussed the site, and noted that once the site is constructed, depending on how the approvals and construction goes, it will be either number 38 or 39 in their scheme of international sites. He noted that they are excited to operate a New England facility, and explained that they currently operate temporary sites up and down the eastern seaboard, and that this site will open up a new market potential for them. He noted that the site is suited to their intended use for a full facility including an auction theater, an environmentally certified refurbishing building, and that the bulk of the site will be for equipment display. Mr. Filuk noted that they have begun some conceptual planning, but noted that it is very preliminary at this stage, and indicated proposed entrances and the buildings. He noted that they are working with the current land owner, VHB, and DEM regarding the environmental constraints, including a wetlands restoration project.

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Mr. Smedberg explained the proposed zoning changes. He went over three graphics showing a progression from the existing zoning, to the proposed changes to the zoning of the parcels, to how the resulting zoning would look.

Mr. Berry asked what the purpose of keeping the Highway Business is. Mr. Filuk explained that originally they were going to trade property with the abutters to make the site more usable, but that now they are going to maintain the highway business use there because that corner of the site is not usable for them, and also to create a buffer from their site to the existing strip mall development to the west.

Chairman Boyer asked if the long strip of land is unusable or if there are plans for it to be used for signage or for any visibility features from I-95. Mr. Filuk noted that they are looking at that, and that they have identified some upland areas in the strip that have the potential for display areas and signage. He noted that they are working with DEM and submitting wetlands application with the intent for a crossing over Raccoon Brook to access the area for display. He noted that one feature that is common to a lot of the Ritchie Bros. auction sites is visibility into the site. He noted that they only hold these events only a couple times a year and that it is very important that they advertise and maintain as much exposure.

Chairman Boyer asked about the remaining RFR-2 land and noted that he thought there had been discussion about putting this in conservation to limit the possibility of residential there, and asked if this is still being thought of or if the plan are to sell it off for a development. Mr. Filuk noted that this site is a significant economic investment for them and that neither himself nor Mr. Lennon can speak to the company's future plan for that area, and that they would have to run it up to the executive level to put a conservation easement over it. He also noted that as a company that owns significant tracks of land, that they are not in the business of chopping up parcels and selling them off, but that they certainly consider it. He noted that the future of the RFR part will have to shake out as they move along in the project. He noted that they would look for input from the Town for what they would like to see or wouldn't like to see there. He noted that if potentially it was done into a residential development that they would respect the West Greenwich Zoning Ordinances, and not propose something that is out of character for the area. He reiterated that they have not been directed from their seniors to pursue that in any way, and noted that there are significant challenges to developing that part as well. Chairman Boyer noted that the Board tries to be protective of existing residences and noted that if there was a development there, that the Board would impose a buffer along the existing houses.

Chairman Boyer asked about the entrances. Mr. Filuk showed two proposed entrances into the site, and noted that they are working with the landowners and the Town to create more defined intersections. There was discussion on traffic. Chairman Boyer asked if they see the widening of Route 102 for a designated turning lane into the site. Mr. Filuk noted that it is important that they don't injure their customers or create a negative impact traffic-wise to the community.

Chairman Boyer asked about the area that is to remain Highway Business and asked what the typical types of business draw around some of their other facilities. Mr. Filuk noted that there are some good businesses like hotels, restaurants, refurbishing parts suppliers, and the bad side are other equipment dealers that tend to like to cluster around their site. He gave an example of

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the site in Denver, where there were a lot of old machine yards with rusting equipment. He noted another reason they like to amalgamate everything is to deter those users from coming for their benefit and also for the benefit of the community.

Chairman Boyer reminded Miss Paquet to keep working on the architectural standards.

Motion to open the Public Hearing. O'Loughlin-Berry (3-0).

Chairman Boyer opened the meeting to public comment.

Mr. Berry asked about the two parcels under Town ownership. Mr. Smedberg pointed these out on the plan.

Helen Wilmot, asked what the water source and water use will be. Mr. Filuk explained that their sites are low water demand, with the peak use during event days. He noted that the refurbishing building has closed loop water recycling, which doesn't draw any water after it is full. He noted that they'd be looking at using on-site water. Mr. Smedberg explained that they are in the process now of doing a hydrogeologic analysis on it now, but they don't have all the answers now.

Mr. Berry asked about inspections on the refurbishing building and if the State inspects it every year. Mr. Filuk noted that he doesn't know how it would work, and noted that the actual system is beyond State requirements for those facilities. He noted he can find out more information from Ritchie Bros.'s own department of compliance. There was discussion.

Chairman Boyer asked for water usage and drawdown based on their other facilities, considering they are doing the hydrogeologic study now. He noted that one of the biggest concerns is water, which has been a problem in Town.

Mr. Berry asked if this is a typical sized site or if it is small or large. Mr. Filuk explained that this is one of the largest sites.

Mr. Smedberg went over the proposed buildings and site layout and how the on-site flow would be. Mr. Filuk noted that there are about 20 to 25 people working on this site, and there would be over 2,000 registered bidders coming to the site with an auction spread over two days. He further explained the peak of attendees, and noted that they factor in that for every registered bidder, there is a guest. He explained that people come in and out throughout the day and the week.

Helen Wilmot asked what the average amount of vehicles that would be coming in during refurbishing or to store there prior to the auction. Mr. Filuk noted that based on other sites, it is about 5 to 6 trucks per hour during regular 9 to 5 hours, for the activity cycle, which is the 4 weeks leading up to the auction, and then about two weeks after there is a mass exodus of equipment. He noted that after that the site is dormant for about a month.

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Helen Wilmot asked if the refurbishing is on-going. Mr. Filuk noted that some of the sites the refurbishing operates year-round and local users will come to have their equipment repainted. He noted that they don't control this and that they contract all that work out.

Sandy Bockes, Hazard Road, asked since this one of the largest sites to serve the whole New England area as opposed to one here and there, how many auctions a year at this site they would have. Mr. Filuk noted that for the larger sites they find it is better to have less auctions. He noted that the nature of the business is that they attract a global customer base who fly in for the events, so it works better to have less auctions and to make them large. He noted some of the smaller sites don't have enough space to fit in all the equipment so they'll have maybe 5 or 6 auctions per year, but noted that 4 is typical for a larger site.

There was discussion on contracting out the refurbishing site, and that it is open to the public, depending on how the contractor solicits business.

Ralph Pratt, Greene, asked how big the Highway Business portion is and how many businesses could go there and where the access would be. Mr. Smedberg noted it is about 5 acres, and would probably be accessed off Route 102, and probably would be a single use. It was noted that there is about 300 feet of frontage.

Paul Kaltschnee, 81 Carrs Pond Road, asked if the RFR-2 becomes a conservation easement, if it would be zoned RFR-2. Mrs. Letendre explained that it could stay RFR-2 but it could be changed to Open Space.

Mr. Benik noted that a conservation easement would be an enormous economic concession. There was discussion.

Motion to close the Public Hearing. Berry-O'Loughlin (3-0). The Board took a 5 minute recess.

Motion to amend the West Greenwich Comprehensive Plan Future Land Use Map, to expand the Industrial A zoning and Highway Business zoning in that area of Town as presented in that plan entitled, "Ritchie Bros. Auction Facility, Zoning Change Approval," sheets 1 through 3, dated October 18, 2007, prepared by VHB, to allow for the use of a heavy equipment auction by Ritchie Bros. Auctioneers, based on findings of fact 1 through 4 as noted in the draft motion, consistency with the Comprehensive Plan as noted in the draft motion, and the following conditions of approval:

Conditions of Approval (required by State Law):

1. This amendment shall not become effective for the purpose of guiding the State of Rhode Island or any of its agencies until it has been approved by the State of Rhode Island, in accordance with the manner prescribed in the Comprehensive Community planning and Land Use Regulation Act, or pursuant to any rules and regulations as adopted pursuant thereto; and,
2. The plan amendment shall become effective for the purpose of conforming municipal land use decision upon adoption by both the Planning Board and the Town Council.

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Other Conditions of Approval:

1. That the applicant reimburse the Town for the costs of Public Hearing meeting notice requirements (6 notices in Providence Journal) and for the costs of notice to abutting properties.
2. This approval shall be limited to the specified proposed project for the use of a periodic heavy equipment auction only, in the Industrial A zone. Any other uses proposed in the Industrial A zone shall be reviewed by the Town Council and other appropriate Town Boards. Uses proposed for the Highway Business zone shall be in accordance with the West Greenwich Zoning Ordinance.
3. That this zone change shall not preclude the Town from initiating any future zone changes or amendments to the Future Land Use Map for the parcels under this application to allow for future use in accordance with the Town's long range plans.
4. The proposed development shall maintain a minimum of a 100 foot vegetated buffer to all Residential Zone boundaries; and shall maintain landscaping and vegetated buffers along the view from Victory Highway, so as to prevent a clear-cut vista into the site.

Berry- O'Loughlin (3-0).

Motion to recommend to the Town Council approval for the application of Ritchie Bros. Properties Inc. to amend the West Greenwich Comprehensive Plan Future Land Use Map, to expand the Industrial A zoning and Highway Business zoning in that area of Town as presented in that plan entitled, "Ritchie Bros. Auction Facility, Zoning Change Approval," sheets 1 through 3, dated October 18, 2007, prepared by VHB, to allow for the use of a heavy equipment auction by Ritchie Bros. Auctioneers, based on the following findings of fact, consistency with the Comprehensive Plan, and conditions of approval, as previously stated.

Berry- O'Loughlin (3-0).

Motion to recommend to the Town Council approval for the application of Ritchie Bros. Properties Inc. to rezone parcels according to Exhibit A, that plan entitled, "Ritchie Bros. Auction Facility, Zoning Change Approval," sheets 1 through 3, dated October 18, 2007, prepared by VHB; and as shown on Exhibit C, "Table of Proposed Zoning for Ritchie Bros. Auctioneers Project," attached hereto and incorporated herein, based on the following findings of fact, findings of consistency with the Comprehensive Plan, recognition and consideration of the applicable purposes of the Zoning Ordinance, and subject to the restrictions stated herein:

Findings of Fact 1 though 10 from the draft motion; and

Restrictions and Conditions of Approval as follows:

1. This approval shall be limited to the specified proposed project for the use of a periodic heavy equipment auction only, in the Industrial A zone. Any other uses proposed in the Industrial A zone shall be reviewed by the Town Council and other appropriate Town Boards. Uses proposed for the Highway Business zone shall be in accordance with the West Greenwich Zoning Ordinance.

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2. That this zone change shall not preclude the Town from initiating any future zone changes or amendments to the Future Land Use Map for the parcels under this application to allow for future use in accordance with the Town's long range plans.
3. The proposed development shall maintain a minimum of a 100 foot vegetated buffer to all Residential Zone boundaries; and shall maintain landscaping and vegetated buffers along the view from Victory Highway, so as to prevent a clear-cut vista into the site.
4. That the applicant reimburse the Town for the costs of Public Hearing meeting notice requirements (6 notices in Providence Journal) and for the costs of notice to abutting properties.

Berry- O'Loughlin (3-0).

Amendments to Land Development and Subdivision Regulations- Public Hearing

--Public Hearing on proposed changes

Motion to open the Public Hearing. Berry- O'Loughlin (3-0).

Chairman Boyer took comments from the public.

Ralph Pratt, Greene, RI, asked what percentage should be contiguous for the Land Unsuitable for Development. There was discussion. Mr. Pratt asked if there was any provision for subdividing for farming purposes, if a farmer subdivides for family members and has no intent to build on the property, where the applicant does not have to go through all the rigmarole. There was discussion. Miss Paquet noted that in order to subdivide, the lot has to be demonstrated that it is buildable, but that the Board can waive the requirements if they have information on how the land will be used in cases where it will be farmland.

There was discussion on the amount of land to dedicate for open space and recreation. The Board noted that the Town prefers the fee in-lieu-of land and is thinking of making the requirement the fee. There was discussion on where the 2,000 square feet of land per lot came from. There was discussion on cluster zoning. There was brief discussion on flex zoning like Scituate has.

Paul Kaltschnee, asked if the town has any provision to prevent clear cutting. There was discussion. Chairman Boyer noted that there was something drafted when John Pagliarini was planner. He noted that RIDEM has no enforcement on the limits of disturbance that are shown on the plans.

Miss Paquet noted that she received comments from consulting engineer Michael Zavalia and also from the Kent County Water Authority. Mrs. Letendre noted that she also has comments that will be coming.

Motion to continue to the December 17, 2007 meeting. O'Loughlin-Berry (3-0).

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Advisory Recommendation to the Town Council: Residential Compound Ordinance

--review revisions and provide advisory recommendation to Town Council

The Board discussed the proposed changes. A question arose over whether the Board wants to make the applicant pave the road all the way to the property. It was noted that this needs further discussion.

Motion to continue the rest of the agenda items to December 17, 2007. O'Loughlin-Berry (3-0). There was no discussion on the following items:

Advisory Recommendation to the Town Council: Mixed Use Village Districts

--review draft ordinance and provide advisory recommendation to Town Council

Zoning Alternatives-

-- discussion on cluster and flex lot concepts

Motion to adjourn. O'Loughlin-Berry (3-0). The meeting ended at 9:03 p.m.

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A regular meeting of the West Greenwich Planning Board was held on December 17, 2007. Present were: Vice Chair David Berry, Tim Regan, Tom O'Loughlin, Chairman Mark Boyer (7:44 p.m.), and Brad Ward (8:30 p.m.). Absent were: alternates William Lepak and Bill Bryan. Town Planner Jennifer Paquet was present. Assistant Town Solicitor Nancy Letendre, Esq. was present.

Vice Chairman Berry called the meeting to order at 7:07 p.m.

Acceptance of Minutes

November 19, 2007 Regular Meeting

No action.

Minor Residential Compound Subdivision: Pre-Application
“LaFleur Compound” – AP 8, Lot 3

--off Weaver Hill Road; 1 new lot proposed

Owner/Applicant: James and Linda LaFleur

- Set date for Public Hearing

Mr. Robert Boyer, PLS from Boyer Associates presented the plans to the Board. Mr. Boyer noted that the parcel is 30.2 acres and the applicant intends to create 5 lots. He noted that there is one existing residence with a house on it and a horse barn. He noted that there is an existing good gravel driveway that is 14 feet wide and in spots it is 16 feet wide that they will use for the road. He noted that they intend to meet with Mr. Andrews of the DPW to see what upgrades he would want. He noted that there is no need at this time to complete the compound, and they are just looking to create one new lot. Vice Chairman Berry asked if the applicant can come back later to subdivide the other lots. Mrs. Letendre noted that if they show the configuration of the total 5 lots now, they can develop it in phases in the future, but it has to be shown on the plan now. Mr. Boyer asked if at a later date they can change the lot lines, as long as they maintain the 5 lots. Mrs. Letendre noted that they can as long as they maintain the correct density and the lots meet the suitability requirements. She noted that this all needs to be considered now. It was noted that this application needs to proceed as if it were a 5-lot subdivision now. Vice Chair Berry asked the Board if this is going to be a 5 lot residential compound how in the future this affects telephone poles all over the place and asked the applicant if they are going to go underground for the rest of the lots. Miss Paquet noted that there is no requirement for underground electric for a residential compound. Mr. Berry asked if the septic will be 200 feet from the pond. Mr. Boyer responded yes.

Mr. Berry asked about the temporary turn-around requested by Dave Andrews. Mrs. Letendre noted that this needs to be indicated on the plan and they need to engineer the compound road that is going to access the 5 lots. She noted that they don't have to build it, just engineer it, and when they build the one lot, they'll have to construct the road to that point.

Mr. Boyer noted that there is no impact on traffic because there is the same amount of people living there now.

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Mr. Berry asked about the roadway width, and noted that the right-of-way needs to be 30 feet. Miss Paquet noted that the ordinance requires a 16 foot wide travel road. Mr. Berry asked about site distance. Mr. Boyer noted it appears there is 300 feet each way. Mr. Berry noted that this will need to be reviewed and confirmed that there is adequate site distance.

Mr. Berry asked for them to come back with the rendition showing the amount of lots they want to have for the Board to review, as another pre-application meeting before the Board. Mr. Berry also asked for comments from the Fire Chief about a cistern and from Dave Andrews about the width of the road.

Amendment to Comprehensive Plan Public Hearing, cont.
and Advisory Opinion to Town Council on application for Zoning Amendment and Zone Change proposing Village Special Management District: AP 1 Lot 10-1 and 10-3, 13, & 15
--Current Zoning is Highway Business; Proposed Zoning is to create a new Special Management Zoning District for these parcels. On corner of Division Street and New London Turnpike;
Owner: Universal Properties (Nicolas Cambio)

Attorney John Pagliarini, Jr. asked due to only 3 members present, for a continuance and requested not to be heard this evening because he wants a full compliment of Board members who have heard all the testimony. Mrs. Letendre noted that a quorum is 3 members and advised the Board that they can hear this application. Vice Chairman Berry noted that Mr. Ward will be coming late this evening and that the two alternates are not present tonight. The Board decided to wait for Mr. Ward.

Pre-Development Improvements: Stonewall Entrance for AP 1, Lots 10-1 & 10-3
--New London Turnpike; no proposed use; curb cut
Applicant: Commerce Park Associates 12, LLC

Attorney John Pagliarini Jr. addressed the Board and noted that this application is a request for site plan approval for the entrance for a proposed development unknown at this time. He noted that the application for the zone change is pending before the Board. He noted that regardless if this site is either commercial or residential that the traffic engineer has identified this is where the entrance on New London Turnpike must be, which adheres to the Board's request that there be no curb cuts on Division Road. He explained that the mason is available now to construct the wall. He noted that there will be a stonewall entrance with a place for a sign.

Mr. Paul Bannon, PE, explained he was hired to look at the access to the property and noted that they reviewed the project area on New London Turnpike from Division Road to the interchange. He noted that this section of road is approximately 26 feet wide with two travel lanes and it generally straight with an undulating profile and a crest in the vicinity of the gas station and a low point and another crest. He noted that they looked at where the ideal location for access would be. He noted that based upon travel speeds ranging from 25 to 45 mph you would need approximately 360 feet. He noted that the recommended location of the driveway to provide site distances to the Division Street intersection and also up the hill through the interchange with 95,

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is that the driveway be located at the crest of the vertical curve. He noted that there are no issues horizontally relative to the site. He noted that they feel this is the most appropriate location for a driveway access to this property.

Mr. Pagliarini asked Mr. Bannon if he looked at trip generation for the site. Mr. Bannon responded that on a preliminary basis, he did, and noted that the volume of traffic on New London Turnpike is extremely low compared to the north side of the highway and that the access driveway based upon the size of the development the maximum width would allow for a left turn lane out and a right turn lane out and that the driveway width of about 24 to 26 feet exiting the site would be more than adequate to accommodate that volume of traffic.

Mrs. Letendre asked if there was a site plan and a DOT permit. There was discussion. Mr. Bannon noted that the only point of access that would be recommended would be this location for safety and operation. Mrs. Letendre asked about the location of the wall in relation to the entrance. It was noted that this application was in the Board member's packet last month, but it was continued. Mrs. Letendre asked under what regulation for subdivision or zoning this application is before the Board. Mr. Pagliarini responded that he went to the Town Planner and asked that they want to build a stone wall on their property, and noted that there was a level of discomfort making an administrative decision on that, so it was decided to go to the Planning Board for review. He noted it is not really a site plan review, but pointed out that that anyone can build a stonewall on their property without going to the Board, but due to sensitivity on this project if they started construction there would be a question on if the project had been approved. He noted that they thought the most public and safest route was to bring it to the Board.

Vice Chairman Berry expressed concern that nothing has been approved for the site. Mr. Pagliarini noted that this doesn't infer that anything has been approved. Mr. Berry noted that he doesn't see how the Board can move ahead with a favorable decision until it is approved. There was discussion. Mr. Pagliarini noted that he wanted the Town to understand, with the testimony of the traffic engineer, that this is the optimal site, on New London, regardless of what the use is. He noted that they don't want to construct the wall and have the Planning Board say they'd like it 5 feet to the side. Mrs. Letendre expressed her concerns to the Board that this is a premature application because there is an application before both the Board and the Town Council for a request for a zone change and Comprehensive Plan amendment, and what is not before the Board is an actual Master Plan for this project, at which point then the applicant is obligated to get a Physical Alteration Permit from RIDOT and until a PAP is granted, the Town should not be giving authorization to build anything as an entrance because there is no justification to do so. She advised the Board that in terms of giving Planning Board assent and therefore Town assent to the construction of this wall that she would recommend that they not do that. There was further discussion. Mr. Pagliarini withdrew the application from the agenda and noted that he doesn't know what his client will do tomorrow. Mrs. Letendre noted that either way Mr. Cambio would be doing this at his own risk, but the Town is not going to put their stamp of approval until it is part of a concerted development plan.

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Development Plan Review: Preliminary Plan
“Dunkin’ Donuts”- AP 14, Lot 12-1 and 12-2

--on Victory Highway; addition to existing out building at West Greenwich Plaza;
Applicant: Frank Realejo

Chairman Mark Boyer arrived at 7:44 p.m.

Attorney John Pagliarini Jr. addressed the Board. He explained the past use of the site as an insurance agency in a 566 square foot building and noted the condominium plan that was recorded shows the building as unit 11 with an expansion of an additional 566 square feet. He noted the unit was originally for a bank with a drive-through and noted the request before the Board has already been run by the condominium association. He explained that within the development they have created a limited common element and noted this will be a condominium within a condominium. He explained that normally in a condominium each owner owns the inside of the unit and the association is responsible for the building exterior, but for this proposed use the owner will take care of their own building. He noted that they will have their own ISDS strictly for the use of the Dunkin’ Donuts. He explained there is one dumpster on the pad now and Dunkin’ Donuts will bring in their own dumpster strictly for their own use.

Mr. Pagliarini explained the other Dunkin’ Donuts owned by the applicant, including the one at Oak Harbor in Exeter. Mr. Pagliarini noted that the one in Exeter is more in keeping with the architecture design of West Greenwich wants to be. Mr. Pagliarini noted they have several experts here tonight including the architect, engineer, traffic engineer, and the construction company. He noted that this application has been before the Technical Review Committee and that most of the comments have been incorporated into the plans that were delivered to the Board members prior to the meeting. Mr. Pagliarini noted the changes to the plan for the roofline.

Mr. Pagliarini noted that this is a very small Dunkin’ Donuts, with only two interior tables, and that it will cater to the drive-through business. He noted that they are expecting a decision on the ISDS. He noted that the signage for the existing plaza will remain the same size and location, but that Dunkin’ Donuts will re-skin it and have a new sign for Dunkin’ put on it in a prominent location on the sign. He noted that they are proposing directional signage within the plaza. He noted that they have entered into a long-term lease with the abutting property owner to lease a certain amount of area for a traffic island to direct the traffic for the drive-through and for the septic system.

Mr. Dan Cotta, PE with American Engineering went over the portion of the existing building to be torn down for the drive-through where the original drive-through was and pointed out where the addition will be. He noted that the site is one-hundred percent impervious and that they have added some landscape islands. He noted that the drainage patterns are the same and that one invert will be reset. He noted that they needed 7 parking spots and that they have created more than is required and a cross-walk for the handicapped spots to cross the queue. He noted that they were asked to show the existing parking to show how the traffic flow would work and that the loading space is not going to block off the existing parking. He noted that the roof leaders will be tied to the drainage. He noted they were asked to consider a secondary door but the

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internal layout of the building would not allow it. He noted that they made arrangements for a 4 foot walk for people coming from the existing plaza. He pointed out the secondary pad at the dumpster.

Mr. Berry asked about the employees walking across the parking lot to get to the dumpster. There was discussion on parking. Mr. Pagliarini noted that they will still retain rights to park in the existing plaza. Chairman Boyer asked about the traffic pattern for people entering from the southern entrance. Mr. Pagliarini asked if there were any waterbodies within 200 feet of the site. Mr. Cotta said there were none with the exception of the detention ponds. Mr. Pagliarini passed out a stamped landscape plan and explained that the TRC asked for screening on the menu board and the drive-through lane. He noted that it is a developed site now and that he asked the landscape architect to not remove the existing trees.

Mr. Berry asked about the queue and the traffic flow and asked if the customers have to walk across the queue. Mr. O'Loughlin asked if they can move the parking spots to the inside and have the queue go on the outside. Mr. Pagliarini noted that the problem is that they have looked at every permutation on how to stack as many cars as possible. Mr. Berry asked if there was any way of having the customers of going in on the east side so they don't have to cross the queue. Mr. Berry asked if it was atypical to have customers walking through the queue line. Mr. Cotta noted that that is assuming that the cars are backed up but that the existing store in East Greenwich is similar to this and there are other stores similar to this. Chairman Boyer expressed concern of a long queue and people coming in from the southern entrance to try to cut through the corner, and noted it seems problematic. There was discussion.

Chairman Boyer asked about the sanitary design and if there will be baking facilities on site. It was noted that there will be no backing facilities on site.

Mr. Berry asked if there will be any issues with people entering or exiting the queue for the existing parking spaces directly in front of them. Mr. Pagliarini said no there shouldn't be. Chairman Boyer noted that there should be some sort of striping for the queue lane for the people entering and exiting the drive-through so the cars aren't all over the place. Mr. Pagliarini stated that if there becomes a problem then this would be strictly an out.

Mrs. Letendre asked about what the easement area is for. Mr. Pagliarini noted that they have by easement acquired property from the abutting property owner, Mr. Woodmansee, to utilize that land to construct. Mrs. Letendre asked about the stuff in the back marked future. It was noted that that expired and Miss Paquet noted that it will need to be removed for the record plan. Mrs. Letendre asked if Mr. Woodmansee owned both lots 12-2 and 12-1. Mr. Pagliarini explained the Mr. Woodmansee owns lot 12-2 himself as one of his entities, and he controls 51 percent of the condominium association on 12-1. Mrs. Letendre asked if prior to this application if any parking or other structures were on lot 12-2 that are associated with the condominium, except for the dumpster. Mr. Pagliarini stated no, but noted that there is an existing septic system on 12-1 for 12-2 and explained that 12-2 has the well for 12-1. It was noted that there is no use on 12-2 now. Mrs. Letendre noted it seems that these two pieces of property have merged by use previously that this is just going to be adding to it. Mr. Pagliarini noted probably a portion of it has, and the northerly entrance has been used by the association for 20 some odd years without any deeded

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easement. Mrs. Letendre noted that she would consider these two lots one parcel for zoning purposes, if not prior to this, then certainly after this use is put into place, particularly with the parking. Mr. Pagliarini noted he would agree also for the side-yard setback. There was further discussion on the relation of the two lots. Mrs. Letendre expressed concern about the parking and possibly the other businesses using up the Dunkin' Donuts parking, or if there is an agreement for shared parking. Chairman Boyer asked Mrs. Letendre to put her concerns down on paper so the Board can take a look at them and the applicant can have time to answer them, instead of fleshing this out back and forth at the meeting. Mr. Pagliarini noted they have a limited common element and that they meet the parking standards for a restaurant. There was discussion.

Mr. Berry asked about if Dunkin' Donuts has a queuing model for different size stores, or some standard template for the queues. Mr. Cotta explained that there is a certain point where people won't wait.

Mr. Berry asked about the existing sign. Mr. Pagliarini noted that the existing sign is 48 square feet and it just being reskinned, but the sign itself is staying the same.

Mr. Peter Van Erp, Architect, discussed the building block and the addition. He noted that they are taking the same volume and building an addition in an L-shape. He noted that the building is oriented towards Route 102 and explained that it was not oriented towards the condominium because the condominium owners requested that the front doors face away from them because they were concerned with Dunkin using all their parking. He noted they are going to enclose the entry as a vestibule. He pointed out the drive-through window on the south-east corner of the building to give maximum stacking and pointed out the small public area and the interior of the building. He noted that they are going to keep the same siding and trim for the addition and use the same details as the building, but will change the colors to represent Dunkin's new corporate color scheme. He noted the two signs on the building will be each 18 square feet and there is a DD on top of the awning.

Mr. Van Erp explained the entrances to the building and noted that it was not feasible to put a second entrance for the public to enter the building from the back due to the interior layout.

Mr. Berry asked about the addition. Mr. Van Erp explained that it is for storage, bathroom, and a prep area. It was noted that there is no public bathroom needed because they are not servicing people.

Miss Paquet asked what the internally illuminated awnings are. Mr. Van Erp explained that they are a translucent fabric where light will come up through, but most of the light goes down, and you will be able to see them as lit from a distance, but they won't be casting light up. He noted that they have been asked to make sure that any lighting they do is faced down and explained that the lights on the sidewalk and on the side of the building will be down lights only.

It was noted that there will not be outside seating at the patio area.

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Mr. Francis Perry, PE discussed the traffic for the site. Mr. Perry noted that he did a study to address the queuing questions that might exist. He noted that the normal projections for a store this size would be relatively low. He noted that he used a larger building, the Exeter site, which is 2,300 square feet, generates 571 vehicles a day, or 58 to 60 in the peak hour in the morning, which is one car a minute. He noted that with a 12 car queuing, there is plenty of queue to handle that volume of traffic, and noted that the average service time is about a minute at the window. He noted that it can handle 60 cars an hour without any problems. He noted that if there were more and it backed up to where it might interfere with the rest of the plaza, there would be a 15 minute delay, and with the donut industry, if they have to wait that long, they go down to the next store or pull up and park. He noted this is a self-regulating process.

Mr. Perry noted that as far as the volume of traffic and the impact on the rest of the site, and on the roadway itself, it is relatively insignificant. He noted that there is fantastic site distance here. He noted that he sees no problems whatsoever with traffic on this site, and that the circulation pattern for what is proposed will work well. He noted that the pedestrian traffic crossing from the parking into the building through the queuing line is not a problem because the queuing line is a stop and go line.

Mr. Pagliarini noted the Fire Chief recommended the installation of a cistern. Mr. Pagliarini proposed to give a deeded easement area and the standard \$1,500 fee towards the installation of a cistern. He noted that this is an existing plaza and that the intent of the ordinance is not to make one person bear the cost of a cistern, but to make a contribution. He noted that they would be happy to pay the standard fee for a cistern and if the chief required an easement they will do one. There was discussion.

It was noted that for hours of operation for 24 hours would be a Town Council decision.

Miss Paquet went over her comments on the revised plan. He noted there were some inconsistencies between what the TRC requested and what has been presented. She noted that the revised plans will need to be reviewed by the consulting engineer for the lighting details and the relocated handicapped parking spaces. She noted that the detail for the menu board does not give the height and shows a pre-menu board which is not consistent with the plan layout. She noted that the menu board should be in scale with the building and the rest of the site. She noted that the plan also shows a detail for a sixty square foot pylon sign but she couldn't find it out the layout and asked to remove this from the plan. She noted that the sign ordinance allows one sign per road with a second sign of 6 square feet, but this plan still shows two 18 square feet signs, which technically needs a variance to have the two signs. It was noted that the items submitted this evening were the landscaping plan and the traffic study. She noted that the actual easement needs to be submitted to show proof of the abutting owner's consent of the easement. She noted that there needs to be a statement in writing from the engineer for the drainage noting that there won't be any increased runoff off the site, and not increase in volume of water leaving the site. She noted she is looking for documentation from RIDOT regarding the change of use.

Mr. Ward arrived at 8:30 p.m.

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Mrs. Letendre asked about trash receptacles. Mr. Cotta noted that there will be a trashcan right outside the door and another one between the drive-through menu and the drive-through window. Mrs. Letendre noted her concern has to do with the employees leaving trash bags out the back door before accumulating a few to take them over to the dumpster. Mr. Pagliarini responded that they will be dumped in the dumpster.

Chairman Boyer asked to meet the owner. Mr. Frank Realejo approached the Board. Mr. Boyer explained that there are items that still need to be addressed and the Board wants to make sure it fits in well and is done right. Mr. Boyer suggested that he start with one sign and then apply for the other. Mr. Realejo noted he will do whatever it takes. This was continued to the January 14, 2008 meeting.

Amendment to Comprehensive Plan Public Hearing, cont.
and Advisory Opinion to Town Council on application for Zoning Amendment and Zone Change proposing Village Special Management District: AP 1 Lot 10-1 and 10-3, 13, & 15
--Current Zoning is Highway Business; Proposed Zoning is to create a new Special Management Zoning District for these parcels. On corner of Division Street and New London Turnpike;
Owner: Universal Properties (Nicolas Cambio)

Chairman Boyer began to recuse himself, however Mr. Pagliarini explained that he can vote on a continuance and noted that revised information has been submitted to the Board and again asked for a continuance to the January meeting so that the Board can review it. Chairman Boyer entertained the motion. Mr. Berry asked what was submitted that the Board hasn't already reviewed. Mr. Pagliarini noted that there is financial data and a reworded document and a matrix table. Chairman Boyer reminded the Board that because he has recused himself, that he will only entertain a motion to continue and not participate in any discussion. Mr. Pagliarini noted that Mr. Lepak requested to know the economics, which is why he requests a full compliment of Board members. He noted that he was given a document this evening for the possibility of a denial based on the economics of a Highway Business parcel. There was discussion.

Mr. Ward asked if the Board moves forward without a motion to continue if it gives reason to appeal. Mrs. Letendre advised that there are no appellate rights to request Mr. Lepak's presence. There was discussion. Mrs. Letendre noted that the public hearing is still open and that if any new information is going to be entered into the record it will have to be heard by the Board and provided to the members of the public who will have the opportunity to respond. Chairman Boyer again called for the Board to consider a motion to continue the meeting or not. There was further discussion amongst Mr. Berry, Mr. Ward and Mrs. Letendre over concerns and implications of continuing the meeting.

Motion to continue the meeting, to January 14, 2008 with no further continuances. Ward- Berry. There was discussion. Mr. Berry and Chairman Boyer urged the Board to ensure a quorum will be present. There was a question from the audience wanting to know why this was being continued. It was explained that there was additional documentation received today. Miss Paquet addressed the Board on the confusion with the recent submissions. She noted that over the weekend some of the Board members received a package with included a motion approving the project. She stressed that this motion was not generated from the Planning Department or

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from the Town. She noted that in response another draft motion was prepared for the Planning Board this evening which was a draft motion to deny the project. She explained that now the Board is faced with this new information which is now on the record for the rest of the public hearing.

Ray Dauplais, in the audience, expressed concern over continuing the meeting, unless there has been a dramatic change to the proposal. He noted that there is a quorum present tonight and noted that the applicant knows the people are against it and feel like he is just trying to wear them out. He pointed out to the Board that there have been fewer and fewer members of the public coming to the meetings and it is getting harder and harder to get the neighbors interested, because they already feel that this plan has been approved. It stated that it is just not fair to us and we keep coming month after month and it just keeps getting continued and that tonight he doesn't think the excuse is valid.

Chairman Boyer noted that a motion is on the table. All in favor/ All opposed (4-0). Mr. Boyer abstained.

The audience expressed various complaints that this item was being continued and about who submitted the motions. It was noted that Mr. Pagliarini submitted a motion to approve which was not submitted through the proper protocol, and that the Town Planner submitted a motion recommending denial.

The Board took a 15 minute break.

Chairman Boyer requested the Board not accept plans or reports the night of the meeting and stressed that if the submission is late that the applicant waits to the next month. Mrs. Letendre suggested that the Board adopt Rules of Procedure and noted she will send a draft to the Board to consider. Mr. Berry asked what to do about like when Mr. Pagliarini comes by and puts stuff in their mailboxes. Mrs. Letendre noted that if you find something in your mailbox from an application, that the Board members should call the Town Planner to find out if she authorized the delivery, and if she didn't authorize it, just take it to the meeting unopened. Chairman Boyer noted this needs to be adopted right away. Mrs. Letendre noted that Rules of Procedure are internal to the Planning Board and that no public hearing process is needed to adopt them.

PLANNING PROJECTS:

Amendments to Land Development and Subdivision Regulations- Public Hearing,
cont.

--Public Hearing on proposed changes

It was noted that comments have been submitted from Kent County Water Authority and from Z-Engineering.

Chairman Boyer noted that Kent County Water Authority submitted comments requesting the Board to implement roof drain systems for new houses to recharge groundwater and asked to

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incorporate this in the Regulations. He noted that KCWA is going to ask all the towns to do this and that some towns have it already. He noted it is a good idea for recharge.

Miss Paquet explained that she is still making revisions to the regulations and is incorporating the comments from Mike Zavalia, the consulting engineer, regarding cul-de-sac intersection radius, and that she is reformatting the Drainage section and the Erosion Sediment Control section. Mr. Regan noted that is a good idea and said to have Mr. Zavalia help with this. Miss Paquet noted she is also cutting and pasting the criteria for Development Plan Review from the Zoning Ordinance into the Land Development and Subdivision Regulations, along with some changes to incorporate some design standards. She noted that there are still some outstanding questions that need to be answered from last month's package.

There was discussion on the comments from KCWA regarding landscaped area and watering. There was discussion on water restrictions and to look at other towns with drought considerations. It was decided to have Mr. Zavalia help with this issue and to review the comments from Kent County Water Authority. The Board agreed to include drought tolerant species language in the regulations, and to include a general statement about water conservation.

The Board went over the questions and held discussion on each.

1. Sidewalks- it was decided to keep the old language, and that the planning Board "may" require them, but to add the trails and footpaths and to rethink the criteria for the rest of the proposed language. Chairman Boyer noted that telephone poles need to be restricted from being placed in the middle of the sidewalk.
2. Flex Lots- don't do
3. Test pits for drainage basins- Require, findings due at Master Plan as existing conditions; Prohibit one big pond, encourage a series of smaller ponds, and more evenly distribute the drainage according to the natural drainage on the site.
4. Strict Limit of Disturbance- add to checklist and consider adding as requirement site plans for every lot prior to issuance of a building permit showing limits of disturbance along with requiring roof cisterns, driveways, etc.
5. Reduced plans are fine to send to PB, as long as they are legible.

1. Drainage easements need to be removed from area suitable for development
2. Go with engineer's recommendation on cul-de-sac radius, and add a diagram to the regs.
3. Fire Board of Engineers is working on a common detail.
4. Solicitor says PB can regulate driveways, but need a standard- ask engineer for recommendation.
5. Permeable Pavement and other low impact techniques should be encouraged because they help the drainage, but should not count for zoning purposes.
6. Land Unsuitable for Development applies to both residential and non-residential lots.
7. Residential Compounds should are not required to be paved, so don't need to pre-install drainage.
8. Monuments for easements is not required as long as the easement is tied in to the road monument, and a metes and bounds description has to be required for every easement deed- show this as a requirement on the checklist.
9. Board still wants to see lot lines at pre-application

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10. Require traffic studies at Master Plan, but make sure the PB can still ask for more at Preliminary, if needed.

Chairman Boyer recommended Miss Paquet take a look at the new checklists that Coventry has.

Ralph Pratt, in the audience, suggested that Wetland Edge Verifications need to be specified as “valid” RIDEM approvals as part of the submission, and not outdated information. Chairman Boyer noted that that means it cant be more than 4 years old.

Motion to continue the Public Hearing on the amendments to the Subdivision Regulations to the January 14, 2007 meeting. Ward-Berry (5-0).

Advisory Recommendation to the Town Council: Residential Compound Ordinance

--review revisions and provide advisory recommendation to Town Council
Continued to next month

Advisory Recommendation to the Town Council: Mixed Use Village Districts
--review draft ordinance and provide advisory recommendation to Town Council
Continued to next month

Zoning Alternatives-
-- discussion on cluster and flex lot concepts
Continued to next month

ANNUAL BUSINESS:

2008 Schedule: set schedule
Meetings set as 3rd Monday, or if Holiday, the Monday before.

Election for Planning Board Officers for 2008
-- Chairperson, Vice Chair, and Secretary
Decided to wait until positions renewed in June. Continue current officers until elections in summer.

TRC: designate Planning Board member to Technical Review Committee for 6 month period
Boyer was designated.

Motion to adjourn. Ward-Berry (5-0). The meeting ended at 10:17 p.m.