

WEST GREENWICH
January 10, 2011
PLANNING BOARD MEETING

A regular meeting of the West Greenwich Planning Board was held on Monday, January 10, 2011. Present were: Vice Chair Brad Ward, David Berry, Tim Regan, and alternate Joe Unsworth. Chairman Mark Boyer, Tom O'Loughlin, and alternate Bill Bryan were absent. Town Planner Jennifer Paquet was present. Vice Chairman Ward called the meeting to order at 7:03 p.m.

It was determined that there was a quorum.

Acceptance of Minutes (Consent Agenda)
December 13, 2010 Regular Meeting

Motion to approve the consent agenda. Berry-Regan (4-0).

Major Land Development Project and Subdivision: Preliminary Plan, AP 1, Lot 4-3
"Firestone Tire and Auto Care" new structure and related site improvements in Exit 7 SMD
--Centre of New England Boulevard
Owner/Applicant: Commerce Park Realty LLC; Applicant: Bismarck Real Estate Partners

- Review of Preliminary Plan application materials and Set Public Hearing Date

Attorney Wyatt Brochu approached the Board, representing the owner/ applicant. Mr. Brochu noted he was here tonight on behalf of Attorney Peter Ruggiero, who could not be here tonight. Mr. Benjamin Caito, PE was also present. After discussion, the Board noted that a traffic study would not be necessary. It was noted that Fire Chief Pendlebury has already signed off on the fire truck analysis and the locations of the hydrants. It was noted that the site is in the high service gradient and will need Kent County Water Authority Board approval, and that that application has been submitted. Mr. Caito noted the applicant would request that the signage be approved through a separate application.

Motion to set a public hearing for a combined amendment to Master Plan approval for the Centre of New England Major Land Development Project in West Greenwich, and Preliminary Plan Pubic Hearing for a proposed Firestone Tire Land Development Project and Major Subdivision at AP 1, Lot 4-3, to be held on February 14, 2011 at 7:00 p.m.

Pre-application on Major Residential Subdivision:
"Victory Woods" – AP 14, Lot 15-6
in preparation for Preliminary Plan application submission
--off Victory Highway; 50 home subdivision with two roads and open space proposed
Applicant: S.W.A.P., Inc.; Owner: Rhode Island Housing and Mortgage Finance Corporation

Motion to continue to February 14, 2011. Berry-Regan (4-0).

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Proposed amendments to the Zoning Ordinance for Wind Energy Systems

Ms. Paquet noted that she is working on a new memo and is using a format of policy questions like she did for the Conservation Design. She noted that the draft ordinance that was submitted a few months ago can be built upon using the answers from the policy questions. She noted that she is also working on a comparison table of more recent model ordinances from different states. She noted that there is a lot more current information available on the internet now and that the information is getting better.

There was discussion on what is going on in North Kingstown. Mr. Regan noted there is an issue with the financial structure of the Portsmouth turbine, having to do with retail resale of energy generated in front of the meter. It was noted that this may slow development of turbines until this issue is resolved.

Vice Chairman Ward opened the discussion to comments from the audience.

Mr. Chris Kearns and Mr. Fred Sayyeau, from Alteris Renewables, were present in the audience. Mr. Kearns commented on Ms. Paquet's memo about utility-scale turbines and he noted that there are a lot of projects that are providing on-site electricity. He mentioned two turbines that his company is working on—a 100 kW at Shalom Housing near the old Ski-Market building at Exit 12, and one 275 kW, 2-blade turbine in Tiverton at Sandywoods Farm housing complex, which will be able to make all the electrical requirements for the property with no excess generation.

Mr. Kearns explained that the North Kingstown turbine at Stamp Farm is an example of a turbine being set-up to sell electricity back to National Grid. He noted that there is a PUC investigation on the Portsmouth project. Mr. Kearns talked about net-metering. He noted he would be happy to answer any questions.

Proposed amendments to the Zoning Ordinance for drive-through windows, fast-food, and restaurant parking

There was no discussion.

Reports and Special Items/ Board Comments

Ms. Paquet noted that she has received the landscaping as-built for Dan's Place. It was noted that the approval is administrative.

Motion to adjourn. Berry - Regan (4-0) The meeting ended at 7:25 p.m.

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A regular meeting of the West Greenwich Planning Board was held on Monday, February 14, 2011. Present were: Chairman Mark Boyer, Vice Chair Brad Ward, David Berry, Tim Regan, Tom O'Loughlin and alternate Bill Bryan (7:16 p.m.). Alternate Joe Unsworth was absent. Town Planner Jennifer Paquet and Assistant Town Solicitor Nancy Letendre were present. Chairman Boyer called the meeting to order at 7:01 p.m.

It was determined that there was a quorum.

Acceptance of Minutes (Consent Agenda)
January 10, 2011 Regular Meeting

Motion to approve the consent agenda. Regan-Berry (3-0) w/ Boyer and O'Loughlin abstaining.

**Major Land Development Project and Subdivision: Preliminary Plan, Public Hearing
AP 1, Lot 4-3 ; and amendment to Centre of New England Master Plan**

"Firestone Tire and Auto Care" new structure and related site improvements in Exit 7 SMD
--Centre of New England Boulevard

Owner/Applicant: Commerce Park Realty LLC; Applicant: Bismarck Real Estate Partners

Chairman Boyer recused himself from this agenda item, and passed the chair to Vice Chairman Ward.

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

Attorney David Petrarca approached the Board, representing the applicant and owner. Mr. Petrarca noted he was here tonight on behalf of Attorney Peter Ruggiero, who could not be here tonight. Mr. Benjamin Caito, PE was also present.

Mr. Caito gave an overview of the proposed project. He noted that they would subdivide the lot into one one-acre lot and one large lot. He noted that the proposed Firestone is an auto repair and tire retailer and that the use received a Special Use Permit from the Zoning Board in September 2010. He noted that the development will be on the one-acre lot, adjacent to the Centre of New England Boulevard, and that they are proposing to construct a new access roadway at the existing signalized intersection with the entrance to the BJ's. Mr. Caito noted that the site meets the zoning requirements for front, side, and rear yard setbacks, and exceeds the parking requirements and includes the necessary handicapped accessible spaces.

Mr. Caito explained that the stormwater management utilizes a system of catch basins and pipes to pipe the stormwater runoff underground to tie into the existing stormwater infrastructure in the Centre of New England Boulevard and to the already permitted and constructed detention basins in Coventry, behind the Home Depot.

Mr. Caito noted that the utilities that they will tie into include existing underground stubs for gas, electric, telephone, as well as sanitary sewer and water. He noted that they have made applications and are in the process with both West Warwick Sewer Authority and Kent County Water Authority.

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Mr. Caito went over the erosion and sedimentation controls, and he explained that they have a Physical Alteration Permit to connect the drainage pipe from Route 95, which is a maintenance problem that has been causing erosion, to a pipe to the drainage underground through the new roadway. He noted that, as part of this project, they are proposing to connect the Route 95 pipe to eliminate the runoff issue on the site.

Mr. Caito went over the landscaping plan, and discussed the lighting fixtures.

Ms. Paquet noted that since the Board's packets went out, we have received two correspondence, one from the Fire Marshall and one is the applicant's response to comments from American Engineering (the Town's consulting engineer), including the cut sheets for the lighting fixtures, and passed out copies of the letters to the Board.

Mr. Caito explained the letter from the Fire Marshall and went over the comments from the consulting engineer. The Board took some time to read through the memos. Ms. Paquet noted that she forwarded the engineer response back to American Engineering and is expecting a response.

Mr. O'Loughlin asked if the drainage from Route 95 was factored into the drainage calculations. Mr. Caito explained that the drainage statement included all the calculations, and shows the connection to the constructed basin.

Mr. Bryan arrived at 7:16 p.m.

The Board members asked Mr. Caito questions about the comments, including verification that the landscaping plan has been stamped by a Landscape Architect, and confirming that the Fire Marshall has reviewed the additional hydrant. Mr. Ward asked about the grading comment regarding concrete curbing. Mr. Caito explained that the consulting engineer's comment mentioned granite curbing, but to eliminate any confusion, Mr. Caito clarified that it will be concrete curbing, and noted that it does not affect the grading. Mr. Ward asked if there have been any changes that would affect the emergency vehicle access. Mr. Caito noted that there have been none. Vice Chairman Ward asked the Board about the lighting. Mr. Bryan questioned whether the information submitted adequately addresses the consulting engineer's comment about the lights being 'dark sky' compliant. Mr. Caito explained that the consultant did not have the cut sheets, and that it is his interpretation that 'dark sky complaint' is referred to as a shoebox style light, which directs the light down.

Vice Chairman Ward opened the hearing to comments from the public. It was noted that there was no one who wished to speak on this application.

Attorney Petrarca requested that Final review be handled administratively. Ms. Paquet explained that after Preliminary approval, the applicant can construct the project, and that Final Review is of the As-Builts to ensure that the project has been constructed correctly. She noted that it doesn't add a delay for breaking ground. The Board decided to have the final plan come back for their review.

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

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Mr. Berry noted that there are two motions, one for the Master Plan amendment and one for the Preliminary Plan. Mr. Bryan asked Mrs. Letendre about the requirement for affordable housing being relocated and asked if the applicant has any obligation to the housing. Mrs. Letendre noted that they don't but that the Master Plan that was approved for the entire site had this as a condition and that it needs to be clear that the housing has been accounted for in another way. It was noted that the land owner is responsible. Ms. Paquet noted that the hearing was advertised as a dual public hearing for an amendment to the Master Plan and for the Preliminary Plan, and noted that she handed Mr. Cambio a copy of tonight's agenda and of the memo.

Motion to amend the Master Plan for the Centre of New England, as granted by the Planning Board on June 6, 2005, to relocate the proposed use of age-restricted and affordable housing from AP 1, Lot 4-3, now proposed for commercial development, either to any of the other available parcels within the West Greenwich Master Plan for Centre of New England, or to the approved Cedar Ridge parcel AP 1, Lot 10-3. This approval is granted with the following conditions, and based on the following findings of fact:

Conditions of approval of amendment to Master Plan:

1. The required amount of affordable housing, as specified in the Zoning Ordinance pertaining to the Exit 7 SMD, shall be provided.
2. The remaining last 5 acres of land in Centre of New England in West Greenwich shall not be developed until such affordable housing has been constructed within the Town of West Greenwich, or is approved for development within said remaining 5 acres.
3. That any further changes to the Master Plan shall require a separate, independent public hearing.

Findings of Fact:

1. That this amendment has been anticipated and required through a separately heard, and properly advertised public hearing process for a zone change application which was approved by the West Greenwich Town Council on March 19, 2008, for Commerce Park Associates 12, LLC, to change the zoning on AP 1, Lot 10-3 to Senior Residential District.
2. That the Exit 7 Special Management Zoning District establishes a required Timing of Development between the commercial development and the residential and affordable housing development. Such phasing requires that the affordable housing be completed prior to the last phase of commercial development.
3. That this amendment, with the required conditions of approval, is consistent with the requirements of the Comprehensive Plan, specifically with regard to the creation of the Exit 7 Special Management District and the Senior Residential District; and including the Future Land Use Map, as amended on March 19, 2008.
4. That this amendment, with the required conditions of approval, is found to conform to the standards and provisions of the West Greenwich Zoning Ordinance, particularly with respect to the Exit 7 Special Management District together with the Senior Residential District.

Berry-O'Loughlin (5-0)

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Mr. Berry asked if there is an amended date for the plan to account for the additional hydrant. Mr. Caito noted that the change had already been included in the Board's plan set and that the Fire Marshall had reviewed an earlier plan.

Motion to approve the Preliminary Plan entitled, 'Firestone Development,' at Assessor's Plat 1, Lot 4-3, prepared for Bismarck Real Estate Partners, dated December 2010. This approval includes the proposed major subdivision of land as shown on plan sheet 3 of 14. This approval is granted with the following conditions and is based on the following findings of fact:

Conditions of Approval:

1. the applicant must submit the Project Review Fee in order for the application to be complete.
2. the lighting plan shall be amended to specify dark sky compliant fixtures, with the submittals to be approved by the Town's consulting engineer.
3. the stormwater drainage system shall incorporate oil-water separators
4. a pollution prevention and good housekeeping plan shall be submitted for review and approval by the Town's consulting engineer. The plan shall include, but not be limited to, proper storage, containment, and disposal of pollutants, and spill response.
5. the revisions to the plan pertaining to the lighting, storm water system, and pollution prevention plan, and any other outstanding engineering comments, shall be submitted to the Town and reviewed and approved by the Town's engineer prior to construction.
6. Approvals from Kent County Water Authority and West Warwick Sewer Authority must be submitted prior to construction.
7. this approval does not include approval for any signage, and that if any signage plan complies with the zoning requirements, it may be reviewed administratively.
8. No Certificate of Occupancy shall be issued until site work is complete, including landscaping and parking; and that if the weather is not adequate for plantings that the landscaping may be bonded.
9. The applicant's engineer shall certify that all drainage improvements have been constructed properly and are functioning as intended by his design.
10. Final Review shall be by the Planning Board of as-builts for the site, and shall be required prior to issuance of a Certificate of Occupancy.
11. the utilities shall be incorporated into the site via underground as stipulated in the SMD Master Plan.
12. The Town's consulting engineer shall review the response to comments and that the Preliminary Plan approval is conditioned upon note of satisfactorily addressing the comments.

Findings of Fact:

1. The proposed development lies within the Exit 7 Special Management District
2. The proposed uses of Tire Dealer and Auto Repair Shop are allowed in this Zoning District by a Special Use Permit, which was granted by the Zoning Board on September 21, 2010.
3. The proposed subdivision and development of the parcel meets all of the Zoning dimensional requirements for the district.

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4. There will be no significant negative environmental impacts from the proposed development, with all required conditions of approval, including those pertaining to stormwater runoff quality and lighting.
5. the proposed subdivision of land 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 and subdivision has adequate and permanent physical access to a public street, via the private right-of-way Centre of New England Boulevard and internal access ways, and has adequately prepared for easements and other legal documents to ensure such access.
7. the proposed development provides for safe circulation of vehicular and pedestrian traffic, and for adequate surface runoff.
8. that soil erosion and flooding will be minimized by this proposed development.

Berry-Regan (5-0)

The Board took a short break. Chairman Boyer rejoined the Board.

Pre-application on Major Residential Subdivision:

“Victory Woods” – AP 14, Lot 15-6

in preparation for Preliminary Plan application submission

--off Victory Highway; 50 home subdivision with two roads and open space proposed

Applicant: S.W.A.P., Inc.; Owner: Rhode Island Housing and Mortgage Finance Corporation

Chairman Boyer introduced the agenda item and noted that this is not a public hearing and that there will be no vote on it.

Carla DeStefano, Executive Director of S.W.A.P., approached the Board. A number of members of the project team were present in the audience, including Russell Crossman, PE from Crossman Engineering along with another engineer, and Ron Coniglia and Craig Sutton from STAND Corporation.

Ms. DeStefano noted that she wanted to make a statement about where they are now. She noted that they identified during the RFP process that water was going to be the number one challenge, and that zoning was going to be the second challenge, and that the third challenge was going to be financing.

Ms. DeStefano noted highlights of issues from her notes over the years with this project and the process. She noted that they are not trying to bring an urban development to West Greenwich, and that from day one they wanted to make an affordable housing development in West Greenwich that fits in West Greenwich. She noted that they are not cutting into the most rural part of West Greenwich, and pointed out that this property is just off the highway and next to the shopping area and the restaurant.

Ms. DeStefano discussed her company’s and her team of professional consultants’ extensive experience in real estate development and construction, and noted that her company’s mission is not to enforce the affordable housing law, but to build affordable housing for working Rhode

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Islanders. She noted that the affordable housing law is one of the tools in a very big box that allows them to do their work. She noted that it is the only tool that they have.

Ms. DeStefano discussed financing affordable housing and noted that everything they do is based on income. She explained that, using a family of 4 as a baseline, her organization builds housing for families with annual incomes of about \$37,000 to \$87,000, which represents 60 to 70 percent of Rhode Islanders.

Ms. DeStefano discussed density and noted that there is not a lot that they can do about the 50 units, but that she does believe that there are some things that they can do to lessen the impact of that 50 units.

Ms. DeStefano noted that there are several ways that they can address the Town's need for senior rental housing and down-sized homeownership units.

Regarding the impact on the adjacent houses along Route 102, Ms. DeStefano noted that they believe that there are a whole lot of ways to lessen the impact and that they would like to talk about these possibilities with the Board.

Ms. DeStefano discussed that they market their houses by identifying a price range and noted that the question is what other design elements can they bring to this project to make it more successful without driving the cost up too high. She noted that some of the things that they would like to take a look at are trade-offs. She noted the width of the road, and that a wide road is more expensive. She noted the meandering pathway is asphalt, and noted that these things add up. She noted that how they make that math work should be part of the negotiation process. She noted that she would like to give the Town 50 affordable units, and noted that there are lots of reasons why some of the houses have to be market rate houses.

Referring to the plan, Ms. DeStefano explained that the entrance is right on Route 102 and that it is not designed yet, but that they want to have an entrance statement that will be very lovely, and she referred to the landscape flower boxes they do for their homes in Providence. She then discussed the intersection within the development and described the South Phase and the North Phase. She noted that they avoided dead ends and cul-de-sacs. She noted that the larger lots will have higher prices. She noted that these will be starter-homes, around 1,100 to 1,400 square feet, and that most of them will not have garages yet. She noted the house designs will be simple ranches and some different roof pitches, and small colonials. She noted that they are going to place the base house in a place where people can live there for a long time, and put their additions on all within the current zoning. She noted that they are actually designing each lot with that future addition. She noted that every house right now is designed as a three-bedroom single-family house.

Ms. DeStefano then introduced some of the things that they have begun to look at for senior housing. She noted that there are a couple of ways to do it. She discussed the ranch, single floor age-in-place homes, and noted that you don't have to be a first-time homebuyer to buy these houses. She then discussed that they have played around with combining some lots to make bigger lots and building duplexes or two-family houses, with a living unit with three bedrooms

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and a one-bedroom rental unit. She noted that this could create some rental units, but that there is no restriction on age.

Mr. Bryan suggested combining more of the lots and maybe putting two two-bedroom duplexes, to help break up the cookie-cutter pattern, and gives more of an opportunity to play with the orientation of the buildings. Ms. DeStefano presented an enlarged section of the south side phase of the plan and discussed that they did start to breakup the single family houses and move them to not have them so cookie-cutter, and noted that they are now studying the individual lots for topography to see how they can put a garage or addition on within the current zoning setback requirements. She pointed out the footprint sizes of the houses, and noted that the houses look a lot smaller on the lots, and noted that there is a lot of room to do a lot of creative things.

Ms. DeStefano noted they did not bring the two-family plan. She noted that, regarding the lots along Route 102, that they played with some two-family designs and pointed to the plan where they could go, noting that once they started combining lots, that it minimized how much perceptively the lights and whatnot. Mr. Bryan noted that conceptually it makes sense to use those 7 lots and that it is possible to get those units on those 7 lots and have less impact on the existing residences. Ms. DeStefano presented an aerial image of the area with the development superimposed, and pointed out the location of the houses along Route 102 and the development, and noted that the yellow house is over 150 feet away. She noted that it is really not as close as it looks on the plan when you look at it from different scale.

Ms. DeStefano discussed the open space and noted that there will be something for a kids play area and a natural area for people to walk. Mr. O'Loughlin asked who will own the open space. Ms. DeStefano noted that it will be the development community association.

Ms. DeStefano discussed big lawns and the site clearing and revegetation, in light of the water issue, and noted that the whole landscaping plan and overall design is going to be very woody. She noted that with the road and the septic systems, that the site is going to be pretty much disrupted, but that their intent is that they are going to have to plant some stuff and put it back, and that they are going to let it take over again. She noted that they are going to deed restrict how much lawn the lots can have and noted that there will be no watering of lawns from that well. Chairman Boyer asked if the lots will be clear-cut during construction. Ms. DeStefano noted that they are not clear-cutting anything and confirmed this with Ron Coniglia, in the audience. Chairman Boyer noted that he believes the applicant is subject to a regulation about how much the lot can be cleared, but noted that at one point it was omitted from the regulations. Ms. DeStefano noted that there are people who want to live in West Greenwich and have that experience, and noted that she is not about to make this look like South Providence.

Chairman Boyer asked about creating that experience and asked if Ms. DeStefano is aware of any other developer that has created a development like this, and when and how it was built. Ms. DeStefano noted that they are still trying to find one. Chairman Boyer noted he would be curious to see one.

Ms. DeStefano noted they have looked at many iterations in the past 8 or 9 months since the Consent Order was agreed upon, and noted that that there is still lots of opportunity to look at his with the Board, and try to address some concerns but still do the development.

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Chairman Boyer asked about the costs of the houses. Ms. DeStefano noted they would be between \$159,000 to \$169,000 to \$209,000. Chairman Boyer asked how many school-age children there would be. Ms. DeStefano noted it is around 1.2 per house. There was discussion about tax revenue from these homes and the impact to the Town.

There was discussion varying the lot shapes. Mr. Bryan noted it is unnatural to have a lack of randomness, and noted it is amplified on the small lots. He noted that the uniformity of the size and sequence of the lots and the boxes does not indicate randomness, and noted that if they were staggered and different sizes, or the duplexes were angled, then it creates more randomness. Ms. DeStefano noted that the randomness is going to come with the vegetation, and is not going to come in the first year. She noted that they want the randomness to be lost with the vegetation and the landscaping. Mr. Bryan noted that that will soften it.

Mr. Ward discussed a historical perspective of what the General Assembly has done to this Town, and expressed frustration with the gateway of Town being torn down on Route 3. He noted that the gateway had to move to Route 102. He noted that this development is being imposed and that while it may not be seen in the daytime, the light impact from it will decimate the Town's gateway again, by an action of the General Assembly. Mr. Ward noted the problem here is with the density and particularly stressed the impact of the lights. Ms. DeStefano noted that they think the road is too wide, and talked about light bulbs and noted she would like to have a narrower road and make it more like a country lane. She noted that what is in the consent order is contrary to what she hears that the Board wants. She noted that sidewalks and curbing are urban, and that they want it to be rural. She noted that there are ways through the design to make it a whole lot more rural. She noted that she doesn't think it needs a meandering pathway, and noted kids walk on her street to the bus everyday.

Ms. DeStefano noted that they are working within the constraint of the consent order and want to work on some ideas to soften it up. She discussed the need for rental and entry-level housing, and the desire of parents for their kids to be able to live in the same town. She noted that they did not set out to do an urban development and that they are frustrated with being boxed into what she considers to be far more urban. Chairman Boyer noted it would be nice to have a more meandering road, but the previous subdivided lots formed the 50 foot wide right-of-way and it is a straight shot. Mr. O'Loughlin asked if there was going to be street lighting. Ms. DeStefano noted that there does not have to be. It was noted that this was not a requirement.

Mr. Bryan suggested that if they are looking at lot combinations and if the goal is for smaller lots with less maintenance, what about having more of an arch in the road. Mr. Ward noted he thinks the road needs to be more in the center and put half the houses down the hill to separate it. The Board took a look at the topo map. Mr. Ward noted it would be a big help in reducing the most obnoxious of the lights at night and the noise from the residents. Mr. Bryan clarified that the concern is lights from the residents, not street lights. It was noted that there never were street lights.

Mr. Crossman, in the audience, noted that the distance from the existing houses to the proposed houses is a minimum of 400 feet from house to house. Ms. DeStefano noted that this is pretty far apart. Mr. Ward noted that the house built behind him is over 1,500 feet away and he can see their lights. Mr. Bryan noted he can see lights from 4 or 5 houses from his house. Mr. Ward

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explained that his point is that there are going to be more lights here, and that Mr. Bryan only sees 4 or 5, not 50 lights from his house. Mr. Ward noted that the lights will be the most obnoxious thing about this whole development. He noted that he agrees with low income housing and workforce housing, but that he just doesn't think that the residents around the project should suffer as a result of the law.

Mr. Bryan asked if the road can meander from the intersection. Ms. DeStefano noted that they have many different iterations of the plan, but that they did not bring them and noted that that this plan goes with the Consent Order. She noted that anything that they change from this plan, that they are at risk. She noted that she pays engineers and people so every time they vary from this plan it costs more money. Mr. Bryan clarified if it is legal risk or financial risk. Ms. DeStefano noted it is both.

Ms. DeStefano noted that she would like to come back in March and show the Board some of the two-family things they studied, and asked the Board if they would like them to do some of that.

Chairman Boyer polled the Board. Mrs. Letendre interjected and noted that the white elephant in the room is the issue with the 50 foot buffer area, with the 25 feet that will be used for the waterline. Ms. DeStefano noted that that was not her project and that it had nothing to do with them. She noted that they went to Rhode Island Housing and made an issue of it and that Blueberry Heights is going to have to revegetate it. Mr. Ward stated they can't revegetate over a water line. Ms. DeStefano stated that they can. Ms. Paquet pointed out that this Board recognized the issue about the waterline being cleared back in 2004, and that the Board noted that they wanted a 50 foot buffer but that there was easement there that was going to be cleared and to work out something so that there would be a buffer there. Ms. DeStefano noted that in the agreement there has to be a vegetated buffer, but that that was not her project, and that they are trying very hard to get as much revegetated as possible. Mr. Ward noted that you can't intentionally plant trees on a water line.

In preparation for polling the Board, Mrs. Letendre advised the Board that there are no guarantees here, and that this a pre-application for informational purposes only, and that there is no decision making being done tonight. Chairman Boyer asked to poll the Board to see if they want this to come back next month with some other renditions.

Mr. Ward noted he would look at some of the things, but that he thinks it has to be pushed back and have a split, so that they use the terrain to minimize the adverse effects.

Mr. Berry reiterated what Mr. Ward said.

Mr. Regan asked if the design takes into consideration the new stormwater rules. An engineer from Crossman Engineering noted that they are proposing infiltration so it is very close to meeting the stormwater standards anyways.

Mr. Bryan noted he would like to see some alternative concepts presented. He put forth for the applicant to present what it is they would like to build.

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Mr. O'Loughlin put forth to make it look like a neighborhood that sort of grew up over the years rather than a city block that was built in three weeks.

There was discussion on where the idea of street lights came from and it was noted that no development in Town has street lights.

Ms. DeStefano noted that they were very surprised with how close to Route 102 the existing houses are, and pointed out that when Mr. Ward talks about the lights, it is hard for her to think about a very quiet development in the back when they chose to put their houses, considering how far back they could have put them, and they put them closer to Route 102.

Ms. Paquet reiterated Mr. Ward's point about the fact that there is a ridge there, which can be used, and now with the development starting to go down hill, it can help, and can be maximized to help minimize the impact. She noted that the ridge line is also a watershed boundary. Chairman Boyer asked if they can take a look at this and see if there is something they can do with it.

Proposed amendments to the Zoning Ordinance for Wind Energy Systems

The Board members who went to the turbine raising at Shalom Housing were asked to comment about what they saw. Mr. O'Loughlin noted that the fall zone would hit the building. It was noted that this was their own building on the property with the turbine.

Ms. Paquet noted that the gentleman who was present in the audience earlier is Chris Kearns from Alteris Renewables who installed that wind turbine.

Ms. Paquet noted she is still working on the memo which is fairly well developed at this point, but that she is still reviewing more information at this point, and noted that she will copy some documents because they would be worthwhile for the Board to read. She noted that there is a RIWINDS siting report that was done for the RI Economic Development Corporation and talked a little bit about what this report was about.

Ms. Paquet talked about the development of the ordinance and noted that she initially only looked at local ordinances as models, but since then, she's reviewed a number of different reports and noted that a lot of additional information has just come out in the past year, such as other states with siting standards. She noted that she has done a much wider review, and that she still has more to review.

Proposed amendments to the Zoning Ordinance for drive-through windows, fast-food, and restaurant parking

There was no discussion.

Motion to adjourn. Ward – O'Loughlin (5-0) The meeting ended at 9:13 p.m.

WEST GREENWICH
March 21, 2011
PLANNING BOARD MEETING

A regular meeting of the West Greenwich Planning Board was held on Monday, March 21, 2011. Present were: Chairman Mark Boyer, David Berry, Tim Regan, and Tom O'Loughlin. Absent were: Vice Chair Brad Ward and alternates Bill Bryan and Joe Unsworth. Town Planner Jennifer Paquet and Assistant Town Solicitor Nancy Letendre were present. Chairman Boyer called the meeting to order at 7:00 p.m.

It was determined that there was a quorum.

Acceptance of Minutes (Consent Agenda)
February 14, 2011 Regular Meeting

Motion to approve the consent agenda. Berry -Regan (3-0) w/ Boyer abstaining.

Minor Residential Subdivision: Pre-application Review

“Waltonen Property” – AP 6, Lot 13-1

--off Mishnock Road; one new house lot, including new road construction and access to commercial property in rear

Applicant/Owner: Thayden B. & Linda J. Waltonen

Chairman Boyer recused himself from this agenda item.

Attorney John Pagliarini approached the Board. Tim Behan, PE was present for the applicant. Mr. Waltonen was present in the audience.

Mr. Pagliarini gave a brief history of the property and the project and noted that part of a prior approval was that the access to the commercial had to be moved, from the old right-of-way to where it is currently. He noted that the last time they came before the Board they were seeking two new residential lots, and this time they are seeking one. He noted that there is adequate frontage on Mishnock Road now, and that they want to create legal frontage for the commercial entity behind it with a small 200 foot road in. He showed an aerial to the Board of the existing conditions.

Mr. Pagliarini noted that the Technical Review Committee discussed a private road. He noted that they have no objection to this but that they believe it would require a waiver from the regulations. He explained that they would prefer that it remain the way it is so that there will be no need to install drainage or have to go to RIDEM. There was discussion. Mr. Behan noted it is an adequate entrance now, with stable materials and it is level, and that it has been like this for about 3 years. He noted that if they have to pave it, they will have to construct a detention pond and take down more trees.

Mr. Pagliarini brought up the Zoning Board's requirement for a fire hydrant as a condition of the Zoning Board's approval. He noted that they have no reason to bring water down this road, except for the requirement of the hydrant, which he stated requires a loop. He noted that he wants to go back to the Fire Chief to find out if it is a requirement. Ms. Paquet noted that the conversation she had with the Fire Marshall had more to do with the commercial development, which is what was looked at during the Town Council and Zoning Board review of the zone

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change. Mr. Pagliarini noted he would discuss with the Fire Marshall that no one has expressed any issues with coverage today as it exists, and that nothing is going to change. There was discussion and it was noted that if a hydrant is not needed the applicant will need to go back to the Zoning Board to have the condition removed.

Mr. Behan went over the proposed plan and the existing conditions, including the new zoning district boundary line through the property, and where the old commercial access has been removed.

The Planning Board reviewed the other remaining conditions of the Zoning Board's approval.

Pre-application on Major Residential Subdivision: Comprehensive Permit

“Victory Woods” – AP 14, Lot 15-6

in preparation for Preliminary Plan application submission under RIGL 45-53 Low and Moderate Income Housing

--off Victory Highway; 50 home subdivision with two roads and open space proposed

Applicant: S.W.A.P., Inc.; Owner: Rhode Island Housing and Mortgage Finance Corporation

Chairman Boyer rejoined the Board.

Carla DeStefano, Executive Director of S.W.A.P., approached the Board. A number of members of the project team were present in the audience, including Russell Crossman, PE from Crossman Engineering, and Ron Coniglia and Craig Sutton from STAND Corporation.

SWAP passed out color 11 x 17 copies of a section of the proposed development depicting some single-family and duplex house orientations on the lots with a tree line, and some cross sections of the property. Additional sheets depicted house sketches and a floor plan.

Ms. DeStefano noted they were asked to come back with a development as they would like to develop it. She noted they went a couple steps further to address the buildings. She noted this is showing one half of the development and that they are trying to show a couple of different things—what the elevations are and how the houses will sit on the property, and how to address the Town's desire to have some rental and elderly housing with duplexes. She noted that they were also asked to look at a more curvaceous road, and that they looked at it very briefly but she noted that it is her decision and that it did not bring a lot to the development so they did not change it, but rather wanted to talk about the topography and the grade and where the houses will actually be built. She noted that it shows what their intention is about the site, to not clear cut it and noted that they will go to extra measures on these houses and disrupt as little of the property as possible. She pointed out on the plan the duplexes and the driveways. She noted that these are entry-level homes and went over the proposed house sizes. She noted that they are designing them to plan for future additions or garages so that they meet current zoning, and that the higher price houses will have that expanded house initially.

Chairman Boyer noted that last time they said they had a number of renditions and asked if the Board is going to see any of those. Ms. DeStefano noted no, because they are going down this path, referring to the plan. She noted that they did a lot of studying ahead of time and that they

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are starting at the plan that was with the Consent Order. Chairman Boyer noted that they have made changes, and asked about changing the road where the first duplex is, to make it more of a curve. He noted that he called around to some of the rural Towns and that he has seen a number of developments that are in process, with designs with a meandering road that fits much better into the topography. He clarified if the changes were only about the duplexes. Ms. DeStefano noted yes, and added that they have now situated each house on each lot and looked at the grades on each lot.

Ms. DeStefano noted that they have done a lot of technical work to understand the grades in the context of the concerns for the houses along Route 102. Steven Cabral and Russell Crossman from Crossman Engineering approached the Board. Mr. Cabral went over the grades and topography for the access road from Route 102 and noted that it will rise approximately 20 feet going into the development, and the high point will be about 150 feet in before it slopes back down. He noted that the main roadway that will be parallel to Route 102 will be essentially hidden by the ridge that exists along the property line. Mr. Cabral went over the cross-sections on the plan. Chairman Boyer noted there was a need for some sort of barrier or buffer along the entrance road for the headlights to the properties on either side of the access. There was a discussion about the retaining walls shown on the plan.

Chairman Boyer reiterated that the Board would like something better done about the 50 foot buffer. He noted that water is still going to be an issue and where the waterline goes is going to be a concern for the Town because it is going to be private water line in a Town street and what happens if there is a break in the line. He noted for the applicant to take into consideration the previous comments from 2004 for the design, and also some of the items from the Zoning Board's motion. He noted that the Board can ask for an environmental impact assessment and that there was a recommendation during that master plan review to require pollution impact analysis, and he read from that Zoning Board decision, dated April 19, 2005.

Ms. DeStefano noted that the duplexes are not in the Consent Order and asked the Board if they liked it. Chairman Boyer noted that he likes them, but not right on top of each other, but rather spread out more or staggered, but that this is his personal opinion.

Ms. DeStefano asked about the setback regulations and if the Board wants it to be more random. Mrs. Letendre noted the setbacks were part of the Master Plan approval. She noted that for enforcement later on, they should all meet the minimum.

There was discussion on passive recreation in the open space and Ms. DeStefano noted she'd like to have an area for a swing set.

There was discussion on the location of the waterline. Ms. Paquet noted that she spoke with the Director of Public Works and the concern is that if the line is going to be worked on and it is under public pavement, there needs to be a guarantee that the road will be put back to road standards. It was suggested that they speak with the DPW to find out what he needs. Mrs. Letendre noted that there will be an actual easement document for the waterline and a road deed.

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Chairman Boyer noted that the location of the emergency access needs to be investigated, so see if it is ok with Blueberry Heights. Ms. Paquet noted that the Consent Order does not specify where it is to go, and that the older plan showed an access out the end of the loop.

Mr. O'Loughlin expressed concern of speed with the straight run of the road.

Chairman Boyer noted he hopes from this point on that the relationship is good and that we can work together on this. He noted that there are a number of issues that are going to have to get resolved before the Board can act on it. He noted for the applicant to look at some of the things that had been agreed to before this went to court and to try to incorporate as many of those as they can.

There was discussion on how the Preliminary Plan is going to be handled without the State approvals, and members of the applicant's party in the audience raised questions about the road width and designing the plan and coming back and if the Board doesn't like it. Mrs. Letendre noted that both parties know what the Consent Order approves, unless the applicant is willing to take the chance that the Board is not going to approve it. She noted that the Board can't give the applicant any guarantees that they are going to approve at 22 foot paved road. She noted that the Board can't give them that kind of authorization outside of a public hearing. She noted that a step that can be taken would be to go back and ask to amend the Master Plan. Ms. DeStefano noted that they are not doing that. Mrs. Letendre noted that procedurally, that is a step that could be taken, and they could go back and get a comfort level on these things prior to them doing full engineering. It was noted that the next stage is the Preliminary Plan submission.

Proposed amendments to the Zoning Ordinance for Wind Energy Systems

Ms. Paquet gave an update on the status of the next memo and what has been going on at the State level. It was noted that this will be provided to the Board for the next meeting and it will be more like a workshop.

Proposed amendments to the Zoning Ordinance for drive-through windows, fast-food, and restaurant parking

There was no discussion.

Motion to adjourn. O'Loughlin - Regan (4-0) The meeting ended at 8:45 p.m.

WEST GREENWICH
April 25, 2011
PLANNING BOARD MEETING

A regular meeting of the West Greenwich Planning Board was held on Monday, April 25, 2011. Present were: Chairman Mark Boyer, Brad Ward, David Berry, Tim Regan, Tom O'Loughlin (7:02 p.m.), and Alternate Joe Unsworth. Absent was: Alternate Bill Bryan.

Town Planner Jennifer Paquet was present.

Chairman Boyer called the meeting to order at 7:01 p.m.

It was determined that there was a quorum.

Acceptance of Minutes

March 21, 2011 Regular Meeting

Chairman Boyer pointed out a typo in the minutes for correction.

Tom O'Loughlin arrived at 7:02 p.m. Chairman Boyer repeated the correction for the benefit of Mr. O'Loughlin so that he could vote on the minutes.

Motion to approve the minutes as amended. Berry -Regan (3-0) w/ Boyer and Ward abstaining. Alternate Unsworth also abstained from the vote on the minutes.

Minor Land Development: Pre-application Review

"D & D Irrigation" – AP 3, Lot 16

--off Hopkins Hill Road; one new industrial building

Applicant: D & D Irrigation Company, Inc. (Donald Labroile); Owner: Gansett Associates, LLC

Mr. David D'Amico, PE from D'Amico Engineering Technology approached the Board. Mr. D'Amico introduced the owner of the property, Mr. Jeff Butler, and the applicant, Mr. Don Labroile, both in the audience.

Mr. D'Amico gave an overview of the small industrial building proposed within the Hopkins Hill Industrial Park. He noted that the client is D&D Irrigation, and that they are an irrigation construction company that installs irrigation throughout Southern New England, including some famous sports venues. He noted that the company is a small business out of Johnston, but that they are limited in space for growth there. He noted that the proposal is for a 3,750 square foot building on about a half-acre condo parcel. Mr. D'Amico pointed out the location of the site at the end of the cul-de-sac. Mr. D'Amico noted that the vehicles on the site would be a larger pick-up with a trailer and box truck. He went over the traffic flow on the property, in the west side, park in the garage at night with the equipment, and in the morning, open the doors and go out the east side. He noted that there would also be an office in the building and a workshop with a garage door to service the equipment and do pre-construction assemblies.

Mr. D'Amico noted that the entrance area would be paved, then there would be compact gravel area for the equipment with 11 parking spaces, and a 30 foot concrete apron leading into the building. He noted that in front there will be a paved parking area with 4 parking spaces, and noted that Mr. Labroile anticipates 2 employees in the office during the day. He noted that this area would also be shared in the future with an adjacent building, and noted that they are planning for this with the grading and the subsurface drainage system.

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Mr. D'Amico discussed the drainage and the subsurface system from the roof runoff. He noted there would be a dumpster and a small septic system in back. He noted that there would be a retaining wall in the back, which would slope from 9 or 10 feet high in the corner and taper down. He noted it has not been designed yet.

Chairman Boyer referred to a drainage flooding issue from 5 years ago and asked if there have been any issues since the pond has been installed. Mr. Butler noted that they also had to build a berm. He noted that the pond has not had more than 8 to 10 inches in the front, and almost nothing in the back section.

Mr. Ward asked about the sliding gates and if the Fire Marshall has any issues with it. He noted that the fire trucks would drive right through them if needed. Mr. Ward asked about the ADA parking spaces and about a van space and an 8 foot striped unloading area. He noted that the retaining wall will need to be engineered and stamped, not just a detail. He questioned how a deadman would fit in the area or go across the property line. There was discussion on this and the grades. Mr. Ward noted to make sure that the turning radius and the slide gates are ok with the Fire Marshall. He asked if the distance is there for the deadmen and if a construction easement will be needed.

Mr. Berry asked if the electric was down there yet. Mr. Butler noted that the electric company did not want to put the poles down there until there was someone who needed service. He noted the line would go along the Centrex property line, and then there would be two conduits underground.

There was further discussion about the need for engineering on the retaining wall and the grading, and Kent County Water Authority approvals. There was discussion on the noise from the vehicles in the morning and it was noted that they would be in the garage or on the other side of the building. It was noted that there will be a Landscape Architect to design the landscaping.

Request for Bond Reduction

“Knight View” AP 28, Lot 26
Knight View Drive off Stubble Brook Road
Owner: Robert Woolohojian/ Harow LLC

Ms. Paquet noted that the Town's consulting engineer inspected the site and that there is a punch list. Motion to continue to next month. Ward-O'Loughlin (5-0)

Proposed amendments to the Zoning Ordinance for Wind Energy Systems

Ms. Paquet gave an update on what she has heard about the State committee working on this.

ADJOURNMENT

Motion to adjourn. Ward-Berry (5-0) The meeting ended at 7:49 p.m.

WEST GREENWICH
May 16, 2011
PLANNING BOARD MEETING

A regular meeting of the West Greenwich Planning Board was held on Monday, May 16, 2011. Present were: Chairman Mark Boyer, Brad Ward, David Berry, Tim Regan, and Alternate Joe Unsworth. Absent were: Tom O'Loughlin and Alternate Bill Bryan.

Town Planner Jennifer Paquet was present.

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

It was determined that there was a quorum.

Acceptance of Minutes

April 25, 2011 Regular Meeting

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

Community Development Block Grant Program (CDBG) : 2011 Grant Round

-- Provide Advisory Opinion to Town Council on proposals

Ms. Paquet explained that there are 10 applications this year, some that the Board has seen before and some that are new. He noted that she provided a summary and portions of each application in the Board's packets. Chairman Boyer noted that there were two people in the audience for these applications, and asked if they wanted to be heard.

Chris Hannifan from the Community Housing Land Trust approached the Board. Ms. Hannifan noted that the Board has funded them in the past and noted that the communities that funded them asked for a resource guide. Ms. Hannifan passed out a copy of the Housing Resource Guide to the members of the Board. She noted that the Community Housing Land Trust is working with many communities that are trying to meet their affordable housing and noted that they provide technical assistance and they provide all the documentation for a home to be in the land trust. She noted that they also provide monitoring services to make sure that the affordable housing stays affordable. She noted that a new thing that they have this year is a land bank. She explained that many of the small communities have been shut out from some funding due to the high foreclosure rates in the urban settings. She noted that if a property becomes available and the community realizes it would work well for affordable housing, but there is no funding mechanism where you could go before you got all your funding together, that you could use a land bank program. She noted that the property could either be purchased by the entity of the land bank or bridge financing could be provided. She noted that the Community Housing Land Trust would administer this program.

Jeff Gofton, Executive Director of the Washington County Community Development Corporation, approached the Board. Mr. Gofton noted that he is also applying to the CDBG for operating funds. He explained that the WCCDC is a regional non-profit organization that was established by the Washington County communities plus West Greenwich, to help communities implement their affordable housing plans. He explained that they were hoping to sell 10 condominiums in Westerly that they built, which would have given them some developers' fees to live on for a few years, but within a week of getting the CO's last spring, they got 6 feet of water (referring to the March 2010 flood). He noted that, instead, they are renting them, and that

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there are no developers' fees, but that they still need some money to stay alive. He noted that they will work on other activities someday in West Greenwich.

Mr. Gofton noted that he is on the Housing Network Board, which is the organization where the Community Housing Land Trust is housed. He noted that they are asking the Board, to include as a separate statement from the list of priorities, that they endorse the land bank concept. He noted that the more communities that sign on to this, the better the chances that it will work. Chairman Boyer asked if it gets put in place, with the list of communities that are vying for some of the money, if there will be a list of criteria. Mr. Gofton noted yes, and that there won't be an application for participation unless there is a house. He explained, as an example, that WCCDC is buying a house in Westerly on Bowling Lane which had been foreclosed on and has been vacant for two years. He noted that it needs about \$15,000 of rehab, and they will be able to sell it for \$125,000 to a family with 80% of median income or below. He noted that what the small communities need is a place to tie that house up while they get the funds to do the rehab, and noted that is what this interim financing (of the land bank) is for.

Chairman Boyer asked about the Exit 5 public water application, and noted that there wasn't anything in the packet about it. Ms. Paquet noted it is an economic development activity and read the activity description from the application for the Board.

The Board went over the draft motion and prioritized the applications.

Motion to make a finding that the following proposed projects in the 2011 CDBG request are not inconsistent with the Comprehensive Community Plan and that the Planning Board recommends to the Town Council the following priority order, and also to include that the concept and proposal of the Land Bank be endorsed by the Town Council:

1. Looking Upwards, Inc.
2. Exit 5 Water Feasibility
3. Washington County Community Development Corporation operating costs
4. Community Housing Land Trust technical assistance to communities and foreclosure prevention outreach
5. Housing Rehabilitation Program
6. Housing Information Program
7. Welcome House of South County Operating
8. Welcome House of South County Rehab
9. Westerly Area Rest Meals shelter Employment/Job Readiness Program
10. Westerly Area Rest Meals Emergency Shelter renovations

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

Request for Bond Reduction

“Knight View” AP 28, Lot 26

Knight View Drive off Stubble Brook Road

Owner: Robert Woolohojian/ Harow LLC

The Board directed the Planner to send a follow up letter to the developer noting that once the items are addressed the request will be put on the Planning Board agenda. Motion to table until the items are addressed. Ward-Regan (5-0) all in favor.

PLANNING PROJECTS

- **Proposed amendments to the Zoning Ordinance for Wind Energy Systems**

The Board went over the policy questions and held discussion. The Board had reservations about the efficacy of turbines in Rhode Island and in general.

It was noted that turbines should all be by Special Use Permit with criteria on a case by case basis. Ms. Paquet noted that the State is coming up with some guidelines.

Ms. Paquet noted she can make a table of the different types of turbines and have the Board fill in what zoning districts each type would be allowed in or not.

The Board noted that 200 feet is not an appropriate notice area and wanted to find out if the State committee is looking into this. The Board was curious to see what the State committee is coming up with for recommended setback distances from property lines and structures.

The Board noted that they should not be allowed in or near natural heritage areas or in migration areas. There was discussion on visual impact. Ms. Paquet noted Ekonk Hill is a high point in Connecticut that looks down on West Greenwich and it has been designated a scenic highway. She discussed the migration path along the border between Connecticut and Rhode Island and noted that this is also the dark area that The Nature Conservancy has deemed the Borderlands.

The Board noted that they would need to specify what things can have variances on, because a variance and a special use permit would not be allowed unless it is specified. They noted they need more research on this.

The Board discussed the need for height limits and circumstances where this may need to be looked at on a case by case basis. They noted roof mounted and horizontal turbines and that there could be other types in the future.

The Board noted there should be a requirement for a removal bond and that the noise limits should be more restrictive than the noise ordinance since they are on all the time.

It was noted that there should be a complaint process, but that the Town should do as much as possible beforehand to ensure there are no nuisance issues. It was noted that the turbines should be manufactured and meet industry standards instead of homemade turbines.

It was noted that a private residence should not have to do an energy audit. Mr. Regan noted there are financial difficulties with solar power and that the solar credits in Rhode Island are not good for it, but other States have excellent solar credits. He explained his experience with trying to come up with funding for solar in East Providence. Ms. Paquet noted that there is a physical difference between wind and solar and that a solar panel is much less intrusive than a turbine. The Board noted it does not hurt to ask about solar in the application.

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There was discussion on the price of gas and subsidies and the timing of when it is really worth it.

It was noted that there should be lightning protection.

COMMENTS BY BOARD MEMBERS

Chairman Boyer noted he was driving down Route 102 on Saturday and noticed that there was work being done at the pizza place and asked for an update on the Cease and Desist that was issued. Ms. Paquet explained what had transpired. The Board noted to allow a temporary CO, and to let Mr. Hebert know that the Planning Board wants to review the plan and the engineer's comments at the next meeting and that they expect his engineer to be there to answer the Board's questions. They noted that the application fees have to be paid before the Cease and Desist can be released.

ADJOURNMENT

Motion to adjourn. Ward-Berry (5-0) The meeting ended at 8:34 p.m.

WEST GREENWICH

June 21, 2011

PLANNING BOARD MEETING

A regular meeting of the West Greenwich Planning Board was held on Tuesday, June 21, 2011. Present were: Chairman Mark Boyer, Brad Ward, David Berry, Tim Regan, Tom O'Loughlin (7:37 p.m) and Alternates Joe Unsworth and Bill Bryan (7:17 p.m.) Town Planner Jennifer Paquet and Assistant Town Solicitor Nancy Letendre were present. Dan Cotta, PE from American Engineering, consulting engineer for the Town, was also present. Chairman Boyer called the meeting to order at 7:00 p.m.

It was determined that there was a quorum.

Acceptance of Minutes

May 16, 2011 Regular Meeting

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

Minor Land Development: Preliminary Plan

“D & D Irrigation” – AP 3, Lot 16

--off Hopkins Hill Road; one new industrial building Applicant: D & D Irrigation Company, Inc. (Donald Labriole); Owner: Gansett Associates, LLC

David D'Amico, PE from DE Tec approached the Board. The applicant, D & D Irrigation owner Don Labriole, was present in the audience.

Dan Cotta, PE, PLS, consulting engineer for the Town from American Engineering was present.

Mr. D'Amico noted that Mr. Labriole has a purchase and sales agreement on the property, which will be a condo. He noted that this will be the second development within the industrial park. He noted that the land condo unit will be about 23,906 square feet out of the 11 acre parcel, and will be at the end of the cul-de-sac.

Mr. D'Amico explained the building dimensions and the setbacks. He noted that it will be a 3,750 square foot, one-story steel building. He described the proposed retaining wall and noted that it will be a maximum of 4 feet high with rip rap on the 2:1 slope behind it so that the owner doesn't have to mow it. Mr. D'Amico explained the interceptor trench and noted that there will be a gravel area and a concrete pad on one side of the building, and pavement on the other side of the building to connect to the adjacent side in the condo.

Mr. Ward asked if the Fire Chief commented on the retaining wall. It was noted that he did not, but that he did comment on the 20 foot access behind the building and the septic system. Mr. D'Amico noted that the septic will be H-20 loading with concrete flow diffusers. Mr. Berry asked about the Fire Chief's comment regarding water pressure and the need for more hydrants within the development. It was noted that there is enough pressure for this development. There was discussion on the hydrants. Ms. Paquet noted that her cover letter explains the timing of the hydrants and noted that her understanding based on her conversation with the Fire Chief is that what is there today is sufficient for this proposal.

There was discussion on the soil evaluations and DEM permits. Mr. D'Amico noted that they wanted to wait to apply until they got the Town approval.

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Board member Bill Bryan arrived at 7:17 p.m.

Chairman Boyer asked about a lighting plan and a signage plan. It was noted that there would be no signs and that there would be building wall lights for security.

Mr. Ward asked if there would be any exterior storage of equipment. Mr. Labriole noted that there will be no exterior storage.

Chairman Boyer went over some of the comments in the Planner's memo. He noted that the vegetated berm will be brought up now just like the detention pond, and that these things will be brought up each time an application comes in for the park.

There was discussion on the 2:1 slope on the detention pond. Mr. D'Amico noted that it will be landscaped.

Mr. D'Amico discussed the drainage design and additional soil testing that was performed for both the drainage subsurface structures and the septic. It was noted that a few calculations need to be worked on before it goes to UIC. He noted that the drainage is designed as if the site was all paved, even though it will be half gravel.

Mr. D'Amico briefly pointed out the landscape plan and showed the fire truck maneuver around the building. He then went over the inside floor plan for the building.

Dan Cotta, PE for the Town, noted that the plans have changed since he reviewed them last Friday. He discussed some of the methodology for the Board and questioned the need for containing all of the runoff from the site, including water from offsite, rather than just the new runoff from this site. He noted some suggestions for improvements to the drainage, and for a notch for an overflow from the infiltration trench to emergency spill into the detention pond. He also suggested a stone fill and drain to prevent water from spilling over the retaining wall. There was discussion between the engineers.

Board member Tom O'Loughlin arrived at 7:37 p.m.

There was further discussion on the drainage design, the sub-watershed, and the detention pond.

Motion to approve the Preliminary Plan for the proposed D&D Irrigation, Inc. , entitled, "Proposed Commercial Building Site, Hopkins Hill Commerce Park, AP 3, Lot 16" prepared by DE Tec, Inc., dated May 12, 2011, revised June 21, 2011, with the following conditions:

1. Any plan for lighting or signage may be reviewed administratively by the Town Planner and the Town's consulting engineer to ensure compliance with the regulations. All lighting shall be directed downward, and shall be full cut-off fixtures.
2. That the comments from American Engineering be fully addressed
3. That the comments from the Assistant Deputy State Fire Marshall, dated May 31, 2011, be fully addressed.

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4. Approval is subject to Kent County Water Authority approval and UIC and Septic system approvals from RIDEM.
5. That the owner/applicant shall be responsible for maintenance of the stormwater drainage system of the site, and shall follow the 'Drainage and Subsurface Drainage Maintenance System Schedule,' as noted on the approved plan on sheet 2 of 8.
6. Final approval will consist of a final inspection by the consulting engineer and review of as-built plans submitted prior to issuance of a Certificate of Occupancy.
7. the Final plan may be reviewed administratively
8. The owner/applicant shall ensure that the site is fully stabilized from erosion prior to issuance of a Certificate of Occupancy.

This motion is based on the 5 findings of fact as presented in the memo. Ward-Berry (5-0).

Amendment to Minor Land Development: AP 49, Lot 1 "Dan's Place"

-- off Barnett Lane and Victory Highway; expansion of employee parking and related alterations to drainage, dumpster, and grading.

Applicant/Owner: DCH 1 Realty Holdings, LLC (Dan Hebert)

Mr. Dan Hebert approached the Board. It was noted that Mr. Hebert's engineer was not present. Chairman Boyer noted that the Board asked for the engineer to be present so that he could answer questions about the design. The Board handed Mr. Hebert another copy of the letter from the Town Planner. Chairman Boyer noted that the letter states for the engineer to be present and to submit revised plans for the Board. He noted that the Board has not received the final plans for this evening. It was noted that the review should be continued until the engineer is present.

The Board asked consulting engineer for the Town, Dan Cotta, PE, about the review of the plans and what has transpired since the review letter. Ms. Paquet noted that there has been no new information since the last review letter, which she pointed out is in the Board's packets. She noted that she has not yet requested Mr. Cotta to inspect the site.

The Board noted that they are looking for the design engineer to give a presentation on the amendment to the plan. Mrs. Letendre noted that this is a modification to the approved site plan, and noted for Mr. Hebert, that just like with the Hopkins Hill agenda item before this, the Board needs to have an explanation from the PE who designed it in order to approve the modification, along with the copies of the plan. Chairman Boyer noted that this is not holding up the project, since the construction was already authorized. Chairman Boyer noted that the plans need to be submitted two weeks before the meeting. The Board asked Mr. Cotta to inspect the site and have a letter of findings for the Board for their next meeting. It was noted that Mr. Cotta will need a copy of the final plans.

Motion to continue to next month and that the engineer be present. Ward-Berry (5-0).

Chairman Boyer noted that the procedure for the appeal is with the Zoning Board, as noted in the letter. Mrs. Letendre noted that the letter will be recorded and that he will have 20 days from the date of recording to file an appeal with the Zoning Board. She noted that the appeal form is

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available in the Town Clerk's office. She noted that if he doesn't do it within the 20 days he will lose the right of appeal. Mr. Hebert noted that he understood.

Minor Residential Subdivision: Pre-Application

"Carrs Pond Estates" Residential Compound – AP 2, Lots 12 and 6
--off Carrs Pond Road; 4 new residential compound lots proposed with private drive over existing house lot.

Applicant/Owner: Carrs Pond Associates, LLC (Carmin D'Ellena, Steve Kent, Michael Kent)

Mr. Carmin D'Ellena approached the Board and noted that he is here in a dual capacity tonight—noting that he is representing Carrs Pond Associates, LLC and noted that he is also one of the principals of Carrs Pond Associates. Mr. Tim Behan, PE and Mr. Kirk Andrews, PLS were also present on behalf of the applicant. Mr. Kent, was present in the audience.

Mr. D'Ellena noted that there is an existing single family home in the front of this parcel. H noted that they plan on rehabilitating the home and that they are applying for a 4-lot compound.

Tim Behan, PE presented the location of the project and described the existing and proposed conditions. He explained the two proposed alternative layouts and pointed out the location of an ornamental rock that they would like to preserve, if possible. He went over the road grades.

Mr. Behan noted that the existing lot will have the easement over it and asked for clarification of how much suitable land it is required to have. It was noted that this needs to be looked up. There was discussion on the slopes and the house locations.

It was noted that a buffer will be required for the abutters.

The Board discussed having a site visit for this property. A site visit was set for 6 p.m. Tuesday, July 12, 2011 to meet at the site. The Board chose American Engineering to review this project as an engineer on behalf of the Town.

There was discussion on the units on the existing house lot. It was noted that there is a separate out building with an in-law apartment. Mr. Ward asked if there was a permit for this. Mr. D'Ellena noted that it went before the Zoning Board and was granted. Mrs. Letendre asked Mr. D'Ellena to submit a copy of the Zoning Board approval for the next time they come so the Board can talk about it. Mr. Berry asked if the applicant would be willing to forfeit it. Mr. D'Ellena noted it is a legal use and that they would prefer not to, and noted he will have the Zoning Board decision provided for the next meeting.

Ms. Paquet noted that this plan came in after the TRC meeting and that this plan did not have the benefit of having had TRC review. She noted that she has received comments from the Fire Marshall and that he is requiring a 20 foot wide road, and noted that it might affect the scenic rock. Mrs. Letendre noted that this is the fire code. It was noted that the Fire Marshall will need to have input on the rock.

Motion to adjourn. Ward-Berry (5-0) The meeting ended at 8:21 p.m.

WEST GREENWICH

July 12, 2011

PLANNING BOARD SITE VISIT

A site visit was held by the West Greenwich Planning Board on Tuesday, July 12, 2011. Present were: Chairman Mark Boyer, David Berry, and Tom O'Loughlin. Absent were Tim Regan, Brad Ward, and Alternates Joe Unsworth and Bill Bryan.

Town Planner Jennifer Paquet was present. The site walk began at 6:00 p.m. on location.

Planning Board members to meet at site for site walk located at:

45 Carrs Pond Road, West Greenwich, RI

Regarding application:

Minor Residential Subdivision: Pre-Application

“Carrs Pond Estates” Residential Compound – AP 2, Lots 12 and 6

--off Carrs Pond Road; 4 new residential compound lots proposed with private drive over existing house lot.

Applicant/Owner: Carrs Pond Associates, LLC (Carmin D'Ellena, Steve Kent, Michael Kent)

Tim Behan, PE, project engineer for the applicant led the group around the property. The location of the large scenic rock was noted. The group observed the property markers and walked in the vicinity of the proposed road, up to the location where the cul-de-sac would be. The Board continued to walk around and observed the secondary house structure on the property. Back at the front of the property the Board observed the site distance at the intersection and asked questions about any drainage. The water meter was noted.

The site visit ended at 6:40 p.m.

WEST GREENWICH
July 18, 2011
PLANNING BOARD MEETING

A regular meeting of the West Greenwich Planning Board was held on Monday, July 18, 2011. Present were: Chairman Mark Boyer, Brad Ward, Tim Regan, and Tom O'Loughlin. Absent were David Berry and Alternates Joe Unsworth and Bill Bryan. Town Planner Jennifer Paquet and Assistant Town Solicitor Nancy Letendre were present. Dan Cotta, PE from American Engineering, consulting engineer for the Town, was also present. Chairman Boyer called the meeting to order at 7:01 p.m.

It was determined that there was a quorum.

Acceptance of Minutes
June 21, 2011 Regular Meeting

Motion to approve the minutes. Ward –Regan (4-0)

Amendment to Minor Land Development: AP 49, Lot 1

“Dan’s Place”

-- off Barnett Lane and Victory Highway; expansion of employee parking and related alterations to drainage, dumpster, and grading.

Applicant/Owner: DCH 1 Realty Holdings, LLC (Dan Hebert)

Mr. Hebert was present. Mr. Cotta, PE from American Engineering, consulting for the Town, was present. Chairman Boyer noted that due to the back and forth communication between the engineers that he thought that only one engineer needed to be present tonight.

Chairman Boyer asked Mr. Cotta to give the Board an overview of the engineering review. Mr. Cotta noted that he has reviewed the latest plan and that the new calculations show that there is no net increase in runoff, which considers the existing impervious surface as being paved. Chairman Boyer clarified that the latest change is that the crushed asphalt is getting into the restaurant, and that Dan Hebert has asked his engineer to redesign it for pervious pavement. Mr. Hebert confirmed this. Mr. Cotta noted that this is what was reviewed and that it is based on the previous calculations and that there is no net increase in runoff as pavement. Mr. Cotta noted that it is not paved now, but that he did look at the construction that was completed and noted that the erosion has been taken care of and it looks stable. He noted that a shed still has to be relocated. Mr. Cotta noted that the calculations show that if the the little pond above the parking lot was filled in, that it would still work, but that the pond is still there, and he asked Mr. Hebert if he intends to fill it in. Mr. Hebert noted he would put some flag poles in there. It was noted that it does not matter if that pond is filled in or not.

Chairman Boyer asked about the retaining wall. Mr. Cotta noted that it is installed and is not as high as the original plan showed, and that it does not exceed 3 feet high.

Mr. Ward asked about the erosion. Mr. Cotta noted that is has been taken care of and that the grass is growing.

Mr. Cotta submitted his review memo.

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Motion to approve the amendment to the Minor Land Development Site Plan, most recently dated 7/8/2011 for AP 49, Lot 1, also known as “Dan’s Place,” off Barnett Lane and Victory Highway portraying an expansion of employee parking and related alterations to drainage, dumpster, and grading, prepared for applicant/owner: DCH 1 Realty Holdings, LLC (Dan Hebert). This approval is based on the Town consulting engineer’s letter from Dan Cotta, PE dated July 18, 2011 from American Engineering. Ward-Regan (4-0).

Town Administrator Breene was present in the audience and asked the Board about the fine. Chairman Boyer noted he will check with the Town Solicitor.

Minor Residential Subdivision: Pre-Application, cont.

“Carrs Pond Estates” Residential Compound – AP 2, Lots 12 and 6

--off Carrs Pond Road; 4 new residential compound lots proposed with private drive over existing house lot.

Applicant/Owner: Carrs Pond Associates, LLC (Carmin D’Ellena, Steve Kent, Michael Kent)

- Comments from Site Visit held July 12, 2011

No one was present.

Chairman Boyer noted that he, Mr. O’Loughlin, and Mr. Berry met out there and walked the site.

The Board noted that the issues that need to be addressed for this project are the rock which may need to be split to make room for the 20 foot right-of-way, the buffer to the abutters to screen the 20 foot right-of-way, and the abandoned use of the second house on the property. It was noted that site distance to the north is also an issue. There was discussion on whether there is going to be public water there or not.

Proposed amendments to the Zoning Ordinance for Wind Energy Systems

No action. There was discussion on the moratorium in North Kingstown.

Expiration of Growth Management Ordinance- December 31, 2011

Ms. Paquet passed out a table showing the number of building permits issued per year since 1980 and the school enrollment per year. She noted that the permit cap is based on available seats in the school district and pointed out that school enrollment shows that there are 22 more students enrolled today than there were in the year 2000. She pointed out that the high was in 2002 of 2,231 students, and now there are 1,873 students. She noted that school enrollment has been going down, and that the calculation for the growth management ordinance is based on the capacity in the school system, plus the plan for added seats.

There was discussion. It was noted that at the time the ordinance was implemented, the trend was showing growth. Ms. Paquet noted the peak years of building permits issued and that they have been going down since 2000. She pointed out the number of vacant homes from the 1990,

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2000, and 2010 Census and noted that there is a surplus of existing housing stock. She pointed out that some of the vacant homes from the 1990 Census have most likely been torn down, such as homes in the reservoir area.

Chairman Boyer asked if there was any action the Board needed to take. Ms. Paquet noted that she just wanted everyone to know that it is expiring. She noted that every three months she has to send a letter to the school department to obtain the data, run the calculation, and post the quota.

Mrs. Letendre suggested preparing a memo to the Town Council when the next calculation is performed to inform them of the expiration and to show the data, so that there is a record of it. She suggested the November Council meeting so that the October enrollment is known.

COMMENTS BY BOARD MEMBERS

It was noted that one application has been received for the next agenda. The Board discussed who won't be at the meeting and it was noted that there might not be a quorum. The Board asked Ms. Paquet to check with the applicant's attorney to find out if there is going to be a hardship with moving the meeting date, or postponing to the September meeting.

Ms. Paquet noted that Centrex has revised their plan due to Zoning Board conditions, and noted that the Planning Board had extended their Preliminary approval last year. She asked the Board if they wanted to see the revised plans. The Board noted that they should take a look at the plans, but that it does not need formal review. Ms. Paquet noted that she will put it on the Consent agenda so that the Board can see the changes, and will review it administratively.

It was noted that the Coca-Cola building is for sale.

Motion to adjourn. Ward-Regan (4-0) The meeting ended at 7:35 p.m.

WEST GREENWICH
August 15, 2011
PLANNING BOARD MEETING

This regular meeting of the West Greenwich Planning Board was cancelled.

WEST GREENWICH
September 19, 2011
PLANNING BOARD MEETING

A regular meeting of the West Greenwich Planning Board was held on Monday, September 19, 2011. Present were: Vice Chairman Brad Ward, David Berry, Tim Regan, Tom O'Loughlin (7:21 p.m.) and Alternate Bill Bryan.

Absent were Chairman Mark Boyer and Alternate Joe Unsworth.

Town Planner Jennifer Paquet and Assistant Town Solicitor Nancy Letendre were present.

Dan Cotta, PE from American Engineering, consulting engineer for the Town, was also present.

Vice Chairman Ward called the meeting to order at 7:01 p.m.

It was determined that there was a quorum.

Acceptance of Minutes

July 18, 2011 Regular Meeting.

Motion to approve the regular July meeting minutes. Berry –Regan (4-0)

July 12, 2011 Site Visit (no quorum for this item, no vote)

Minor Subdivision with Waiver Application: Preliminary Plan Public Hearing

“Waltonen Property” – AP 6, Lot 13-1

--off Mishnock Road; one new house lot, including private drive and access to commercial property in rear

Applicant/Owner: Thayden B. & Linda J. Waltonen

Attorney John Pagliarini approached the Board. Mr. and Mrs. Waltonen were present in the audience. There were no abutters present.

Mr. Pagliarini gave an update on the progress of the application. He noted that they have been before the Zoning Board and the Town Council. He noted that they will need to go back to Zoning. He noted that they went to the Town Council to legitimize, so to speak, the development that is out there now with regards to the 1991 zone change decision.

He noted that the issue before the Board tonight should be very simple. He went over some of the points from the Town Planner's memo. He asked to separate the single lot subdivision from the troubles of the commercial development. He noted that he met with the Fire Marshall regarding the fire hydrant and noted that the Fire Marshall has no problem with the stand alone residential parcel because there is a fire hydrant directly across the street. He noted that even if they withdrew the subdivision, that the Fire Marshall still has jurisdiction to require the hydrants over the existing commercial development. He noted that one is really not tied to the other.

Regarding the possibility of future subdivision, Mr. Pagliarini noted that he called his client and noted that there is no plan for future residential development, but noted that they would like to keep the option open for commercial. He noted that he did express to his client that if for any reason they chose to actively pursue another residential parcel, that the private road would probably have to go to a full blown public road, and it would be back before the Board.

Mr. Pagliarini discussed the minimum width of the road for 20 or 24 feet, and noted that they have no problem widening the road to meet the minimum.

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Mr. Pagliarini noted that the fence behind Mr. Casacalenda's property was done, but it did not make it on the plan. He noted that it does exist. On the issue of a buffer for the entire site, he noted that there are surrounded by Kent County Water Authority property and that they have wetland perimeters that make a boundary around three sides of the property.

Regarding the stormwater drainage plan, Mr. Pagliarini noted that they don't have an issue with it and that it was engineered. He noted that they will install it.

He noted that they need to go back to the Zoning Board for the variance to remove the temporary provision and the requirement of the public road. He noted he has no objection to do this, and that he will send a letter to the Zoning Board to ask them to amend their last decision.

Mr. Pagliarini offered to the Board, instead of having a site visit, or instead of coming back to the Board, noting that his client is spending a lot of money on professionals, and that he would rather see his client spend money on accomplishing things in the field such as the drainage. He offered to the Board that they will deliver as-built plans to the Board and noted the items of the drainage, the fence, and the widening of the road. He noted it might make more sense to just have the surveyor provide an as-built to the Board, and noted that he doesn't know that there is anything actively before the Board that would require them to do anything different. He discussed landscaping for the entrance and noted that the greatest landscaping improvement will be the new house, and if there is a house on that that lot, the firewood pile will disappear. He reiterated that he doesn't see any loose ends that can't be addressed by an as-built.

Vice Chairman Ward asked who the house is for. It was noted that the Waltonens are going to move there and their daughter will buy their house.

Vice Chairman Ward asked if there is only one lot proposed. Mr. Pagliarini noted that was correct. Mr. Ward clarified that even though there looks like the potential for additional residential lots that they are not asking for more at this time. Mr. Pagliarini note that was correct. Mr. Ward asked about the fire hydrants. Mr. Pagliarini noted that they met with the State Fire Marshall and that the requirement is that there is supposed to be a hydrant every 500 feet. He noted they discussed the option of a dry hydrant. At this point the tape recording for this hearing stopped working. There was further discussion on the fire hydrant.

Mr. Berry asked if there was any issue with the commercial development being accessed through a residential area. There was more discussion on the hydrant.

Mr. Ward noted the need for a utility easement to reach the commercial portion of the development, whether it be for a waterline or electricity or any utility.

Board Member Tom O'Loughlin arrived at 7:21 p.m.

There was discussion on the width of the fire access.

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PLANNING BOARD MEETING

Mr. Ward asked if Mr. Casacalenda is ok with everything. It was noted that no one has heard from him and that it is his mother's house. It was noted that once the easement was closed that no one has heard from him.

Motion to open the public hearing. Berry-Regan (5-0).

Vice Chairman Ward asked if there are any other concerns or questions. There were none.

Motion to close the public hearing. Berry-Regan (5-0).

Motion to approve the waiver and the subdivision for AP 6, Lot 13-1 as shown on the plan dated July 13, 2011, prepared by Boyer Associates, predicated on the following conditions:

1. Show the utility easement on the final plan to reach the commercial portion
2. The Zoning Board discrepancies for the temporary variance be resolved with the Zoning Board.
3. The applicants are aware that any additional subdivision will be an arduous process
4. The road width is to meet the fire requirement
5. As built to be submitted for the hydrant, drainage, and landscaping.
6. The final approval may be administrative

This motion is based on the standard findings of fact.

Berry-Bryan (5-0)

Motion to adjourn. O'Loughlin-Regan (5-0) The meeting ended at 7:35 p.m.

WEST GREENWICH
October 17, 2011
PLANNING BOARD MEETING

This regular meeting of the West Greenwich Planning Board was cancelled.

WEST GREENWICH
November 21, 2011
PLANNING BOARD MEETING

A regular meeting of the West Greenwich Planning Board was held on Monday, November 21, 2011. Present were: Chairman Mark Boyer, Vice Chairman Brad Ward, Secretary Tim Regan, David Berry, Tom O'Loughlin, and Alternate Bill Bryan. Absent was Alternate Joe Unsworth. Assistant Town Solicitor Nancy Letendre was present. Town Planner Jennifer Paquet was absent.

Dan Cotta, PE from American Engineering, consulting engineer for the Town, was also present. Chairman Boyer called the meeting to order at 7:01 p.m.

It was determined that there was a quorum.

Acceptance of Minutes (CA)

September 19, 2011 Regular Meeting

July 12, 2011 Site Visit

Motion to pull both sets of minutes off the consent agenda. Ward- Berry (5-0)

Motion to approve the minutes of the July 12, 2011 site walk. Berry-O'Loughlin (3-0) with Regan and Ward abstaining.

Chairman Boyer noted that Mr. Casacalenda's name was spelled incorrectly, and noted it should be spelled C-a-s-a-c-a-l-e-n-d-a. Motion to approve the minutes of the September 19, 2011 meeting as corrected. Ward-Berry (4-0), with Boyer abstaining.

Minor Subdivision: Final Plan

"Waltonen Property" – AP 6, Lot 13-1

--off Mishnock Road; one new house lot, including private drive and access to commercial property

Applicant/Owner: Thayden B. & Linda J. Waltonen

-Request to not install drainage infrastructure

Chairman Boyer recused himself from this item and handed the gavel to Vice Chairman Ward. Mr. Bryan will vote.

Attorney John Pagliarini approached the Board. Mr. Pagliarini explained that there is an open question that the Planner raised with regards to the drainage plan for this property. He noted that when the original development was approved many years ago, there were proposed drainage swales, basins, etc. . He noted that they then got hung up in the DEM enforcement issue. He noted that they walked the property with the enforcement folks and that they told them that they did not want them to do any more digging in certain areas, and told them they did not want the proposed swale. He noted that they then went to the Zoning Board and the Planning Board many times, and noted that the Planning Board asked them to consider a private road, and to leave the road in the condition that it was in, and not to pave it. Mr. Pagliarini noted that they agreed to it because a private road does not require any further drainage requirements. He noted that they thought the matter had been ended. He noted that they are before the Board for their blessing that they do not need to do any further drainage. He offered two facts for the Board, pointing out that during the 2010 flood, there was no issue on the site and there was not any damage to the units and that the drainage that was out there worked very well. He also pointed out that if they

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were required to spent the money to build the drainage, that he would advise his client to look at putting in a public road and look at further subdivision, because he doesn't know that it warrants going through the additional expense, and noted that the process with DEM would take forever, because DEM Enforcement told them that if they go digging any more, that it would be an application through them. He noted that their wish is that the Board clarifies this and notes that no additional drainage is required on this site. Vice Chairman Ward noted that the road is private now and that no further subdivision will go forward. He noted that he does not have a problem with approving the request for no drainage, and took comments from the Board. There was discussion. It was noted that any expansion has to go back to the Board.

Motion to require no additional stormwater drainage infrastructure than previously installed. O'Loughlin-Berry. (5-0)

Chairman Boyer rejoined the Board.

Request for Bond Reduction: Major Residential Subdivision
"Knight Estates" -- AP 28, Lot 26
--off Stubble Brook Road; 10 new house lots, new road name: Knight View
Owner/Applicant: Harow LLC (Robert Woloohojian)
-Final Pavement installed November 9, 2011

Mr. Robert Woloohojian approached the Board. Chairman Boyer noted that the Board doesn't have a lot of information, and noted that they need the Town Engineer to go out and take a look at it to make sure everything is ok. Chairman Boyer asked if the bounds have been installed. Mr. Woloohojian noted that they have not. He noted that before the Town takes the road, there are a couple of issues that needed to be addressed. He asked if the catch basins have been fixed. Mr. Woloohojian noted that they had. He noted that the detention ponds have been fixed. He noted that the final pavement course was fixed. He noted that there were some areas of erosion where kids rode their dirt bikes and that they loamed and seeded that, and noted that there is grass on it now. There was discussion. Assistant Solicitor Letendre recommended holding back enough money to ensure the fees and the bounds.

Motion to reduce the Performance bond from \$78,000 down to hold \$50,000, which is \$5,000 for the road bounds and \$45,000 to ensure the open space and recreation fee per lot will be paid, and to reduce the Maintenance Bond to release the \$37,500. Ward-Regan. (5-0).

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Public Hearing : Minor Residential Subdivision: Preliminary Plan

“Carrs Pond Estates” Residential Compound – AP 2, Lots 12 and 6

--off Carrs Pond Road; 4 new residential compound lots proposed with private drive over existing house lot.

Applicant/Owner: Carrs Pond Associates, LLC (Carmine D’Ellena, Steve Kent, Michael Kent)

Carmine J. D’Ellena, attorney with office at 700 Main Street in East Greenwich, approached the Board, and noted he was here representing Carrs Pond Associates. He submitted the proof of mailings for the record, and introduced Tim Behan, Professional Engineer, office in East Greenwich.

Mr. Behan approached the Board. He presented the plans and gave a description of the existing properties. He then presented the proposed plan for a residential compound with four additional house lots to the rear of the property, and described the proposed lots and gravel driveway.

Mr. Berry asked about the acreage of the existing lot out front. Mr. Behan noted that the existing lot is a total of 2.39 acres, and that 1.7 acres are contiguous and suitable land. He noted that the numbers were swapped on Table 2 on the plan. The Board noted that it conforms to the regulations.

Mr. Behan noted that each house will be serviced by a private well, septic system, and a drywell for roof runoff. He noted that the overall drainage for the gravel road will be shed off in one direction to a drainage ditch conveyance system, leading all the way down to an extended detention pond. He noted that they have not received a confirmation from RIDEM RIPDES yet on the drainage. He noted that they do have the Subdivision Suitability from RIDEM. There was discussion on the septic system for the existing dwelling.

Chairman Boyer noted that the one-bedroom dwelling has been in question and asked what is going on with it. Attorney D’Ellena noted that his understanding is that the Special Permit has lapsed because it has been empty over a year. He noted that they painted it to make it look a lot better, and that hopefully when the property goes up for sale, whether its is for a mother-in-law apartment or a studio and then they would come back for approval. Chairman Boyer noted his concern is that if the house gets sold, and there was an apartment in there, then someone could rent it out if there is plumbing in there and noted that there should be some stipulation that the building can’t be hooked up to the septic. Mr. D’Ellena noted that it was hooked up. Chairman Boyer pointed out that the use has been abandoned, but if it has plumbing, someone could try to use it as a dwelling. Mr. D’Ellena noted that someone might want to use it as an auxiliary use, and noted he spoke with someone whose mother-in-law might come up for the summer, and leave for the winter. It was noted that it would still have to go to the Zoning Board. Chairman Boyer noted that his concern is that the Planning Board approves something without the appropriate zoning approval. Mr. D’Ellena noted that right now, they can not put someone in there. Chairman Boyer expressed concern about what happens with the next person. Mr. D’Ellena suggested putting a restriction on the deed.

There was discussion about the septic system. Mr. Berry asked for clarification if the applicant submitted a septic system design for both structures. Mr. Behan noted it included both

WEST GREENWICH
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structures. Mrs. Letendre asked how long the structure has been there. It was noted that it was there since 1967, and it was noted that it has been abandoned. Mr. Berry noted that the lot is being reconfigured, and that to him, there should not be any uses involved in the past on the property, permitted to move forward. Mr. D'Ellena noted that the structure was allowed to be there. It was noted that the *use* has been abandoned. Chairman Boyer asked why they have not applied to the Zoning Board. Mr. D'Ellena noted that they don't have a use, and that they can't just say it is a mother-in-law apartment or for a student. He noted that they have to have specific facts. There was discussion about this issue. Mrs. Letendre offered a suggestion and noted that the thing that makes it a unit is that it has a cooking facility and a bathroom facility. She noted that if it is going to be hooked up to a septic system there is probably reason to keep the bathroom in working order, but they could have them remove the kitchen, and it could still be used as an office or whatever, and when they want to make it an in-law, they would have to get the authorization from the Zoning Board to put the kitchen back in. She noted to make sure the Building Official can make an inspection and to take out the electricity for the appliances.

Chairman Boyer noted he spoke with the Building Official went out there and that he noted it was painted, but that nothing has been done on the inside. Mrs. Letendre noted that one stipulation would be to remove the kitchen out of the unit.

Mr. Behan described the slope of the site and went over the rest of the sheets in the plan set. He then went over the comments from the Town Planner and Dan Cotta, PE, the consulting engineer for the Town. Chairman Boyer asked about the method to remove the rocks. Mr. Behan noted that there would be no blasting, and it would be a mechanical process. He noted that he met early on with Mr. Cotta to hash out a lot of design.

Chairman Boyer discussed a sign for notice that this is a private road so the buyers can't claim they don't know.

Mrs. Letendre asked about the current vegetation on the site and the limit of disturbance. Mr. Behan noted it is a forest, but it is not very dense. He pointed out the limits of disturbance and silt fence on the plan. Mr. Letendre noted that it affects drainage a lot in this area. There was discussion on the landscape plan. Chairman Boyer pointed out for the audience that a plan was prepared by a Landscape Architect and it shows buffering and tree planting along the road and property line. He noted that one concern he has is on proposed Lot 4, which is a roughly four and a half acre lot, and it seems like they are stuffing the development on the right hand side. He noted that while it conforms to the zoning, he would like to see the sanitary system moved away from the abutting property line. Mr. Ward noted he would like to see a buffer there also to protect the existing neighbors. He noted they did a great job with all the other lots, and that it is really just Lot 4 where they seem to be encroaching on the existing occupants. He noted he would like there to be some screening from the applicant there. There was discussion. Mr. Ward noted he is asked for them to minimize some of the disturbance to the neighbors.

Chairman Boyer noted another issue is that they are proposing private wells as opposed to Kent County Water and asked why that is. Mr. Behan noted that with the overall density of the proposed project, given less lots and less infrastructure, that private wells go with this scenario. He noted that if public water was a requirement they would consider another type of development with a conventional design. He noted there are four proposed wells. Chairman

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Boyer asked if there was a public road how long it would be. Mr. Behan noted it would be 950 feet. There was discussion.

Motion to open the public hearing. Ward-Berry (5-0).

Gary Johnson, 592 Weaver Hill Road, noted that he spoke with Steve Kent about the southern boundary and the western boundary and the 70 foot no cut zone. He noted that they've agreed to have a buffer zone and noted he'd like to have it on the plan as a no-cut zone. He noted that he thinks it is a good idea to have the 4 lots instead of the 7 lots for that area. Mr. Berry clarified the area of the buffer. It was noted it was lots 1 and 2. Mr. Johnson noted that he did it on his development and that he would be happy with just adding 20 feet, because he has a lot of woods in back of his lots. He noted that he has a 90 foot buffer on his side. Mr. D'Ellena noted he doesn't have a problem with this. Mr. Ward asked Mr. Johnson if he has any problem putting a 25 foot buffer along the rear of his properties. Mr. Johnson note that he already did. Mr. Ward asked Mr. D'Ellena if he has any problem with a 50 foot buffer along lots 1, 2, and all the lots around 3 and to the northern side of lot 4 to Mr. Peasley. There was discussion. Mr. Johnson noted he wants to have it on the plan as a "no-cut zone." Chairman Boyer clarified that these were two different things and asked the applicant what they would be willing to make the no-cut buffer be on their property. The applicant responded "seventy feet." Chairman Boyer noted that is what he thought it would be, adding the 25 feet. Mr. Ward noted that's the way he meant to say 70 feet, but was combing them. Mr. Ward asked if the 70 feet would also go along lot 4 along the easterly line. Mr. Behan noted that they are proposing not to have a limit of disturbance going past the building setback line, which is 25 feet on that property line. He noted that they are willing to go 70 feet all the way around the property lines. Chairman Boyer asked the audience if Cheryl Vandermost is here, or if Jeanne McCaffery and Thomas Kling are here. No one responded. Chairman Boyer noted he would say that at the very minimum on lot 4, he would want at least a 25 feet no-cut buffer. There was discussion. It was noted that it would not be monumented.

Paul Kaltschnee, 81 Carrs Pond Road, asked about the buffer along the driveway abutting the neighbor. Mr. Behan noted that there is a small buffer along the existing road, and noted the actual road is 7 feet off the property line. Chairman Boyer suggested showing the landscape plan. Mr. Behan noted the existing trees are not that dense and that the landscape architect proposed to fill in the area. There was inaudible discussion.

Mr. Kaltschnee noted that the area is known for low producing wells. He stated that there are some people that have had 3 wells drilled in that area. He noted that if there is public water available that he thinks that public water should be looked at instead of wells. Chairman Boyer noted that the Town has a well ordinance, and they will have to drill the wells and prove that they produce. Mr. Kaltschnee noted that he understands the well policy and noted that he is just concerned because when those wells are drilled, it could knock those who had it first. He noted that this happened to his neighbors to the north, who went from a very high producing well to a very low producing well. Chairman Boyer noted that there is no perfect fit for anything and noted that the Planning Board doesn't demand it if they are proposing wells. He noted that he would rather see the 4 lots with wells, than the 7 lots with public water.

Chairman Boyer asked if anyone else in the audience wanted to speak.

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The applicant noted that Kent County Water authority requires an 8 inch water main line, and the cost would be prohibitive. He noted that in the event that water was requested, he probably would have to pull back to the 7 lot concept. Chairman Boyer noted that the line would have to go in and out. Mr. D'Ellena noted that they would like to have more of the estate setting with the no-cut zones. He noted that they think that 4 wells on 18 acres shouldn't have a dramatic effect on the neighborhood.

Mr. Johnson commented that it would be more efficient if the people on the main street who have well problems get Kent County Water because it is so close, instead of bringing water all the way down in the back.

Mary Kaltschnee, 81 Carrs Pond Road, commented (inaudible about the water). Chairman Boyer noted that the cost of putting the water line in has no bearing on the Planning Board's decision.

Motion to close the public hearing. Ward-Berry (5-0).

The Board took a 5-minute recess and reconvened at 8:05 p.m.

Motion to approve the proposed Residential Compound Minor subdivision plan entitled, "Carrs Pond Estates," being Assessors Plat 2, Lots 6 & 12, dated June 2011, revised through 09/22/11, prepared by TJB Engineering, LLC and K. Andrews Associates, for Carrs Pond Associates, LLC, with the following conditions:

1. The applicant shall reimburse the Town for the cost to run the public hearing advertisement in the Kent County Daily Times
2. All improvements need to be inspected by the Town during construction, and completed and fully stabilized prior to Final Review.
3. the applicant shall submit all legal documents as part of Final Review
4. an inspection, maintenance, and repair program for the drainage system as shown on the Preliminary Plan shall be the responsibility of the residents of the compound, and shall be incorporated into the Homeowners' Association Documents.
5. The owners shall sign a Post-Construction Storm Water Management and Maintenance Agreement with the Town (a template is attached).
6. the Planning Board shall review the Final Plan and detailed As-built plan to ensure that the improvements have been completed properly.
7. 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.
8. proper erosion controls shall be used during all stages of construction, including house construction.
9. the Project Review Fee account shall be replenished by the applicants as needed, when requested by the Town.
10. Open Space and Recreation fee be assessed on the 4 new house lots at time of recording.
11. the Final Plan submission shall comply with the additional requirements as noted in the Residential Compound Ordinance

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12. that the kitchen shall be removed from the existing accessory structure on the existing developed lot, and that a deed restriction shall be recorded noting that occupancy is prohibited unless the appropriate zoning board relief is obtained.
13. a 25 foot no-cut buffer shall be along the existing property line of lot 1 and 4 on the easterly side, and a 70 foot no-cut buffer zone shall be on the remaining perimeters encircling lots 1, 2, 3, and 4.
14. there shall be a sign installed at the entrance to identify that this is a residential compound, the main function of which is to demonstrate that this is a private road. The sign must include the language that this is a private road.

Motion by Ward, second by Berry. There was discussion. Mr. Bryan noted with respect to item 4, he asked if this would be required for the road too. Mrs. Letendre noted that it is private. There was discussion about maintenance. Mr. Ward suggested amending item 4 to include that in the documents that the Homeowner's Association is responsible for road surface maintenance as well. Amendment made by Ward, seconded by Berry. Chairman Boyer added item 15, that the Landscaping shall be done in compliance with the plans prepared by Diane C. Soule, Landscape Architect, as part of the submission, updated June 2011. Mr. Ward moved to approve this amendment. Mr. Bryan asked about the rock removal. Chairman Boyer noted there was no blasting. Mr. Ward amended the motion to add item 16, for no blasting for rock removal. Mr. Berry seconded the amendments to add items 14, 15, and 16. All in favor (5-0). The motion, with conditions, was based on the findings of fact provided in the draft motion.

The applicant noted that there is no kitchen in the second house, and that a garden hose was running from one house to the other for the water supply. He noted that they are sharp looking little two houses and that they did clean them up. He expressed that they are a plus for Carrs Pond Road in his opinion.

REPORTS AND SPECIAL ITEMS

DRAFT Model Ordinance for High-Risk Potable Groundwater Wells

-Ordinance commissioned by URI Nonpoint Education for Municipal Officials University of Rhode Island, Cooperative Extension Natural Resources Science Coastal Institute in Kingston, drafted by Fuss & O'Neill

- For review, comments, and consideration by West Greenwich Planning Board

The Board did not discuss this item.

Motion to adjourn. Ward-Berry (5-0) The meeting ended at 8:15 p.m.

WEST GREENWICH
December 19, 2011
PLANNING BOARD MEETING

A regular meeting of the West Greenwich Planning Board was held on Monday, December 19, 2011. Present were: Chairman Mark Boyer, Secretary Tim Regan, David Berry, Tom O'Loughlin, and Alternate Bill Bryan. Absent were Vice Chairman Brad Ward and Alternate Joe Unsworth. Assistant Town Solicitor Nancy Letendre and Town Planner Jennifer Paquet were present.

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

It was determined that there was a quorum.

Acceptance of Minutes (CA)
November 21, 2011 Regular Meeting

Motion to approve the minutes of the November 21, 2011 meeting. Berry-Bryan (5-0).

DRAFT Model Ordinance for High-Risk Potable Groundwater Wells

-Ordinance commissioned by URI Nonpoint Education for Municipal Officials University of Rhode Island, Cooperative Extension Natural Resources Science Coastal Institute in Kingston, drafted by Fuss & O'Neill

- For review, comments, and consideration by West Greenwich Planning Board

Continued to next meeting.

2012 Planning Board Meeting Schedule

Propose 3rd Monday of each month, when Holiday, the Monday before or after.

Motion to approve the schedule as proposed. O'Loughlin-Regan (5-0)

Discussion on possible Planning Projects for 2012

The Board decided to prioritize working on the Comprehensive Plan update as first priority, and a second priority of working on the Exit 5 area and the Village Zoning together.

Year-end Status on Development Projects

There was brief discussion noting the amount of recently created lots that are still vacant.

Election of Board Officers for 2012

Chair, Vice Chair, and Secretary

Continued to next month.

REPORTS AND SPECIAL ITEMS

Ms. Paquet noted that Grow Smart RI is going to hold their "Conducting Effective Land Use Reviews" in May and June of 2012 and that they are looking for interest and a location to host. The Board noted May would be better than June and that it could be hosted here.

Motion to adjourn. Regan-O'Loughlin (5-0) The meeting ended at 7:19 p.m.