

Paul K. Sprague, Planning Director
Jacob Peabody, Assistant Planner
Gail Hardink, Planning Assistant
Kerrie Karwoski, Zoning Clerk
Robert Joyal, Town Engineer



Planning Commission
Minutes of March 26th, 2014 Meeting
1670 Flat River Road
Coventry, RI 02816

Meeting Called to order at 7:00 PM by Chairman Russell Crossman.

Members Present: Chairman Crossman, Mr. Capwell, Mr. Flynn, Mr. Nunes, Mr. Crowe, Mr. Kalunian, Mr. Bouchard and Mr. Osenkowski

Members Absent: Mr. Brault

Also Present: Veronica Assalone, Esq., Planning Director Paul K. Sprague

Approval of Minutes
February 26, 2014

Mr. Bouchard made a motion to approve the February 26, 2014 minutes. Motion was seconded by Mr. Osenkowski. All were in favor; so moved.

Chairman Crossman gave evacuation instructions for an emergency situation.

OLDBUSINESS

Pre-Application: **“Leuba Road Subdivision”**; Douglas Enterprises, LTD
Proposed Comprehensive Permit Application for a 42-Lot Subdivision w/12 Affordable In-law Units
P 76, Lot 1; Zone RR2
Leuba Road

Attorney Robert Craven was present representing the Applicant. He stated they were looking for insight on the sitewalk that took place recently. He also introduced Chris Duhamel as the ‘Expert’ on the project in the field of Civil Engineering. It was noted by Chairman Crossman that the Planning Commission does not recognize ‘Experts’ but he knows Mr. Duhamel and has confidence in what Mr. Duhamel has to say.

Mr. Duhamel gave an overview of the pre-application before them and advised they are looking for feedback on the project. He explained there is 170+ feet of frontage on Leuba Road for access and is 36.5 acres in size. The stream and wetland to the east on the property has been flagged by DEM and they are certain it is the only wetland. Test holes across the site verified soils are optimum throughout the site. Rock is visible however no ledge was encountered. The property is Zoned RR2 but he pointed out abutting properties are Zoned R20. The property is in an estate whereas they have to reserve a 400 by 600 foot lot which creates a nice buffer. They have come before the Commission as a Comprehensive Permit. Their prior alternative did not adopt the Conservation Design. They were strongly recommended by the Planning Staff to come back as such being that providing more open space is a much better design. The developments around the property do not have any open space design. This site will accommodate a drainage system that feeds into the existing stream and will not create any alteration to the fresh water wetlands. There is about 3 acres of wetlands, 2 acres of roadway and 12.5 acres of open space which is about 34% of the 36.5 acres. He lastly mentioned the 2 options for the roadway, one of which is the proposed open space cul-de-sac.

Doug DeSimone expressed he is committed to the affordable component of the project. He plans on following through with it, not just get approvals and then leave. He has built them before in the past and they work. He recognizes some of the concerns. He has met with the Housing Authority and their consultant Mr. Spinella. He is working with them although they have not agreed yet to monitor, he is confident they will reach an agreement. He explained the term 'in-law' being used. Fact is in the industry today that is what is marketable. It is difficult to sell detached single family income restricted homes. He further explained the right word would be 'duplexes' under the Town's Zoning ordinance. They would be raised ranches, price restricted, with a completely separate unit close to 800 square foot 1 bed, 1 bath apartment in the lower level with its own kitchen and utilities. He is looking for the Board's feelings regarding the traffic pattern, an emergency exit, reducing the number of lots and reconfiguring the street.

Zoning was discussed next. Mr. DeSimone stated he was advised by Mr. Duhamel that if the property was an R20 they could develop close to 60 lots. Chairman Crossman suggested they may want to get a zone change in that case to which the Board would support.

Mr. Flynn does have concern with the density and the water runoff especially during a 100-year storm.

Mr. Duhamel agreed there should be no runoff from any development into another and he plans to work closely with the Engineer for the Oaks to make sure there is no drainage problem. He believes if this project is not done the Oaks project would present a runoff problem on Chandler Drive. He thinks this project helps that issue by capturing it, channelizing it and bringing towards their drainage system.

Mr. Flynn then commented he does not feel this project is medium density as reflected in the Comp Plan.

Attorney Craven explained the whole object of the Comprehensive Permit is the incentive of giving a density bonus to help meet the State mandated 10% affordable housing. A consent decree was awarded to an adjoining property in letting the development go through as an RR20. It is applicable if you look at the area from Google Earth. This area stands out as compared to what is around it which is the standard that usually applies. The Town needs affordable housing to meet the requirements of the statute.

Mr. Flynn stated the lots do not configure to duplex size.

Mr. DeSimone stated it is a hybrid. The need for them has been recognized. Family members can live in the apartment. It is necessary today. At least three or four towns are being proposed with this concept. They are happy to address the density issue. It does not have to be as high as 40 units. They are looking for feedback.

Attorney Craven explained this type of so called 'in-law' apartments are designed and should be deed restricted as such to attract a population that does not add to the bottom line to the Town's financial issues. It is not going to have an impact on schools. It is designed for people who have long since left school.

Chairman Crossman confirmed 13 affordable units are being proposed and all 13 are in-law apartments. He questioned if the lot size of 15,000 square feet were arrived at by using the Cluster regulations.

Mr. Duhamel answered it was. Chairman Crossman questioned if 30,000 square feet is required for a duplex to which Mr. Sprague answered 20,000 is the requirement with either sewer or water and 125 feet of frontage. Chairman Crossman then asked if the Applicant would agree to increase to the 20,000 square foot lots with 125 feet of frontage to which Mr. DeSimone agreed makes sense.

Chairman Crossman in speaking for himself is in favor of a connection out to Ironwood Drive.

Mr. Nunes questioned the condition of the roads they plan to tie into and asked if improvements are planned. Mr. DeSimone responded that they have met with the head of Public Works and the Planning Department and are waiting for comments back by Public Works. He understands there are needed improvements along Lueba Road however it depends on the number of units they are allowed. They are certainly open to it.

Chairman Crossman questioned how many lots could they get with a Conventional Plan. Attorney Craven answered they could get somewhere between 16 and 18 lots however it was not perceived well when it was presented in the past. Chairman Crossman, again speaking for himself not the Board, feels the problem will lie in the density. The Board has been very proactive in affordable housing especially in the last 8 to 9 years. He then questioned the tax consequence if an elderly person buys the home and their adult child lives there, then the senior tax freeze kicks in and the Town doesn't get any tax revenue on the property.

Mr. DeSimone stated whoever acts as the monitoring agent of the unit will be equipped to handle it. He admits there are issues since this is a little different but it is not that difficult to do because you are monitoring the occupancy.

Chairman Crossman asked what Frank Spinella's take was on the in-law apartment. Mr. DeSimone answered that as a strict in-law, as defined in the Town's ordinance, they refused to do it because it would not qualify under the Affordable Act. However, once the layout was explained they have started discussions regarding the Housing Authority being the monitoring agent.

Chairman Crossman then questioned if the whole house is affordable. Mr. DeSimone responded that the sale price is not restricted. It will be listed at the same price as the homes without the apartments. The rent collected and the income of the apartment's occupant are what deems it to be affordable.

Mr. DeSimone advised some of the market value homes may or may not be raised ranches. They are looking to sell them at \$299,000 since there is a market for that price range. From a Developer's standpoint, for every affordable unit they would like an extra lot. Each apartment will cost an extra \$40,000 to build. There is room to reduce the density but not drastically since the numbers won't work. Reductions in the number of units lessen his ability to make offsite improvements as well. He also stated as a developer, the site itself is very rare find. They may have gotten excited over the dense development all around it. They may be able to do something to cut down the density.

Mr. Sprague questioned the lot on the western side which has what looks to be a mobile home on it. He asked if that can be restricted from any further subdivision in order to keep the area that looks like the open space.

Mr. DeSimone answered by contract of the Executrix it does not include that piece of land. They have to carve it out. He agreed that at some point someone could come back and ask to develop it. Attorney Craven added they will be doing a minor subdivision to carve it off. They have no rights to it. The owners have no plans to do anything with it currently.

It was determined that as of right now that lot is part of the application and as of recording it will be part of the estate.

Mr. Kalunian felt since it is all one lot at this time, the Owner should come in and be part of the discussions in front of the Board. As of right now they are acting on three quarters of the subdivision and will be asked to act on the remaining after in a back door approach. Attorney Craven responded they can answer those questions when they come back before the Board next month.

Mr. Kalunian stated he is in favor of the road connecting. He feels it is overly dense. The number of in-laws is calculated at 25% of the number of units, not the number of lots. He also mentioned he believes the Applicant can have the off-site improvement costs tweaked a little bit with the impact fees. It does not have to all come out of the Developer's costs.

Mr. DeSimone pointed out the plan is not developed even close to the maximum R20 density amount allowed. He wants to come back next month to settle the density issue. He also wanted to make it clear for the record that none of the time constraints triggered under the Act have commenced. He is aware and has asked the Board to work with him.

Mr. Bouchard inquired about the size and style of the other homes to be built in the development compared to the 1600 square foot homes that will contain the in-law unit. Mr. DeSimone replied the remaining homes would be consistent with up to 2000 square foot colonials with 3 bedrooms and 2.5 baths. The raised ranches would be 3 beds up and 1 down.

Mr. Sprague asked that the Master Plan stage include renderings to which it was agreed.

Mr. Nunes stated he would prefer to see a regular cul-de-sac minus the little piece of open space. He feels the open space would hurt the town more than help it.

Mr. Sprague mentioned they will need a place to plow the snow to in the winter.

Mr. DeSimone stated he had a good feeling and would like to come back in April to further discuss Pre-Application.

DISCUSSION

OTHER BUSINESS

Planning Commission Issues of Interest

None

Public Works Director

None

Planning Director Report

Report is attached as part of the record.

Public Comment

None

Mr. Nunes made a motion to adjourn. Motion was seconded by Mr. Bouchard. All were in favor; so moved.

Meeting Adjourned at 7:50 p.m.

Minutes prepared by Gail Hardink