

Planning Commission
Minutes of November 19, 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. Flynn, Mr. Nunes, Mr. Crowe, Mr. Kalunian, Mr. Bouchard, Mr. Osenkowski, and Ms. Fagan-Perry

Members Absent: Mr. Capwell

Also Present: Veronica Assalone, Esq., Planning Director Paul K. Sprague, Town Engineer Robert Joyal and Associate Planner Jacob Peabody.

Mr. Crossman reviewed the exits in the room in case of an emergency.

Approval of Minutes

September 24 , 2014

Mr. Bouchard made a motion to approve the meeting minutes. Ms. Fagan-Perry seconded. All members were in favor. Motion passed.

OLD BUSINESS

PUBLIC INFORMATIONAL MEETING – CONTINUED from September 24, 2014

Master Plan: “Reserve at Hope Furnace”; DRBJ Construction, Inc.

Proposed 32 Single Family Residential Cluster Subdivision and Street Creation
AP 89, Lot 3 & AP 97, Lot 6; Zone RR2 Hope Furnace Road

Mr. Kalunian made a motion to open the public informational meeting. Mr. Nunes seconded. All members were in favor. Motion passed.

Attorney John Brunero representing the applicant. Traffic report had been submitted. Mr. Paul Bannon, President of RIV Professional Engineers, stated that the Planning Commission had requested additional information regarding design speed or 85 percent speed. That data was collected in August and September and it was found that the 85th percentile speed along that section of road in front of the property was 35 mph. The other issue relating to speed is the site distance of the proposed driveway and ensuring that adequate site distance in that

direction is approximately 210' feet with no clearing along property frontage. It is recommended that the trees and low vegetation be removed within the site triangle of 300' feet. This will increase site distance from 210' feet to 310' feet which is acceptable for 20+ mile speeds on that road. The requirement for 85 percentile speed is 250' feet and there are no issues in the other site direction in excess of 700' feet.

Mr. Crossman read from the report the issue regarding the sharp curves in the road and the occurrence of 11 accidents in the past as well as the lack of curve warning signs in order to advise motorists of reduced speed to navigate this stretch of road and reflective double yellow lines. Mr. Crossman asked which party would be responsible for implementing these safety measures between Astor and Audubon roads.

Mr. Brunero suggested that his client would finance the signage and road striping for the Coventry Department of Public Works to perform the work via the Fair Share Development fees.

The Commission determined that additional monies could fund the striping program on this roadway which could be planned further with Mr. Brunero's client during the preliminary stage. Furthermore, a distance of 15' – 25' would be cleared from the edge of the road along the frontage and no landscaping will be planted. It will be designated as open space. A Homeowners Association will be established with this development that will keep this area maintained. A caveat will be put into the record that in the event the Homeowners Association fails to maintain this area, the Town of Coventry will assess and bill each homeowner for maintenance. The developer will control the Homeowners Association up until the lots are 90% sold.

The Planning Department recommendation was read by Mr. Crossman (page 9 of the Planning Directors Staff report) for the record:

PLANNING DEPARTMENT RECOMMENDATION

"The Planning Department recommends that the Planning Commission grant Master Plan approval for the proposed development subject to the conditions hereinafter set forth.

The proposed project is consistent with the Town's Comprehensive Community Plan and the Rhode Island State Land Use Policies & Plan, Land Use 2025.

The Comprehensive Plan allows for higher density residential use where it is part of a residential cluster subdivision.

Land Use 2025 provides that municipalities should “enable & promote clustering of new development into much denser concentrations within, and adjacent to, existing rural centers or neighborhoods.”

The subject parcel is a rural area, adjacent to a private residential compound and in close proximity to Washington Oak Elementary School, Walker Ridge subdivision and Hope Furnace Estates.

The proposed development should have no negative impact on the environment. The proposed residential cluster subdivision will have significantly less impervious surface than the conventional subdivision design although yielding the same number of lots. The cluster subdivision will have 4,138 LF of roadway while the conventional design would have 7,753 LF of roadway. Reduction in the amount of impervious roadway decreases the quantity of stormwater runoff from the roadways and enhances recharge of the aquifer. Moreover, the development will preserve 42 acres of contiguous open space (40 acres of which is land suitable for development) for active or passive recreation. This increase in open space area (as opposed to a conventional design) enhances wildlife preservation, increases replenishment of the aquifer, reduces the amount & usage of pesticides and is more environmentally sensitive.

It is suggested that each of the dwellings have roof runoff drainage systems to reduce stormwater runoff and recharge the aquifer.

Prior to submission of its Preliminary Plan, the applicant will need to secure a Subdivision Suitability Determination from RIDEM with respect to the Onsite Wastewater Treatment Systems (OWTS) as well as preliminary determination or verification of the wetlands edge from RIDEM’s Office of Water Resources and a road opening permit from the Town. It will also need a well permit from the Town’s Building Official prior to issuance of a certificate of occupancy.

Each of the proposed lots meets the minimum standards of the Town’s Zoning Ordinance.

Every reasonably practicable measure should be taken to preserve the existing stone walls and vegetation other than that along Hope Furnace Road (which the traffic engineer has recommended a 15’-25’ buffer).

The applicant should maintain a 50’ distance of construction activity from the historical cemetery and insure that access to it is unimpeded.

With respect to sidewalks, it is suggested that one side of the roadway have sidewalks which traverse until the end of the cul-de-sac.

The applicant should adhere to the Fire Marshal’s recommendation of installation of three (3) cisterns.

The developer should incorporate those safety measures such as clearance of trees and vegetation to a minimum of twenty-five (25') feet from the Town's right-of way on the roadway (as opposed to the width of the road) to ensure safety for residents of the community and the general public."

A citizen asked to direct a question to the board with was permitted.

Ms. Connie Hargraves, 587 Hope Furnace Road, stated that she was un-nerved that the traffic study claims to have been done on a straightaway part of the road. She claimed that this was not the case. The road comes up over a curve and there is no way motorists are driving 35 mph. She said that school bus drivers have informed her that they are scared to drive that section of road because cars on the opposite site are approaching at high speeds over the hill and are often in two lanes at once. She said she has spoken with the Coventry Police Department about policing the traffic but they will not do it. She questioned the validity of the traffic study – if it was actually done on a straightaway. She claims the study was conducted on a bend and did not give a legitimate account of how fast motorists are actually driving.

An amendment was made by Ms. Fagan-Perry that sidewalks extend around the cul-de-sac from beginning to end, underground utilities be incorporated in the design, and the open space be used for passive recreation only – no organized sports allowed, and Astor Lane is not to be used as a means of egress. The developer also agrees to discuss the roadway signage and striping with the Coventry Police Department and the monies are to be taken from the Impact Fees.

Mr. Bouchard made a motion to pass this amendment. Mr. Nunes seconded. All members were in favor. Motion passed.

DEVELOPMENT PLAN REVIEW: "Washington Trust Bank Conversion"; The Washington Trust Company Proposed Conversion and Addition to Existing Vacant 1,765 S.F. Building AP 38, Lot 97 & 98; Zone: GB732 Tiogue Avenue

Attorney Shekarchi, Architect Peter Hess from RGB, and Molly Titus, PE, from DiPrete Engineering representing the client.

This is a proposed redevelopment of a site, which previously was a Tim Horton's donut shop, into a modest-sized, 2-bay drive thru lanes/ATM, Washington Trust Bank with aesthetic details. Washington Trust is currently not seeking waivers of any kind. The planned color scheme is light gray and dark blue. The parcel is under a long term lease agreement pending approval by the Planning Commission. Washington Trust hopes to provide employment and tax revenue to the Town of Coventry. They state that they are also an institution deeply involved with the community.

Mr. Nunes made a motion to open up the meeting to public hearing regarding this proposed development. Motion seconded by Mr. Bouchard. All members were in favor. Motion passed.

Dennis Lopes, 21 Jackson Flat Road, Hope, RI, the abutting property owner addressed the issue of the fencing around the property. Attorney Skekarchi answered that there would be no problem removing the current fencing and replacing it with some type perimeter fencing that was functional, attractive, and provides a measure of safety to his property that was agreeable to Mr. Lopes.

David Jervais, 300 Abbotts Crossing Road, approached the Commission with his concerns with the great amount of water that drains through to the housing behind the site. It was pointed out by Mr. Crossman that there are 2 underground infiltration systems which will not increase water runoff to the neighborhood. The proposed landscaping of the site will also help to prevent the flow of storm water to Tiogue Road and surrounding properties.

A motion was then made by Mr. Kalunian to close the public hearing portion. Mr. Crowe seconded. All members were in favor. Motion passed.

PLANNING DEPARTMENT RECOMMENDATION

“The Planning Department recommends that the Planning Commission grant Development Plan Review approval of the proposed bank conversion and authorize the Planning Department to implement any and all measures to facilitate the recording process.

As previously set forth, there is no need for variances, special use permits or other action by any other State or local government. That said, the applicant should confer with RIDOT as far as the need for submission of a new application for a Physical Alteration Permit (PAP) for the curb cut.

The proposed project is a permitted use; there is adequate parking for a financial institution; there are existing, permitted curb cuts; there will be no adverse impact on traffic or storm water runoff in the area from the site.

From a practical perspective, inasmuch as the developer plans on installing bituminous, hot-mix asphalt it is important that it be allowed to proceed without unnecessary delay. Asphalt plants typically close between the first few weeks in December and reopen April 1st of each year. Moreover, the Town’s regulations provide that bituminous pavement (hot mix) binder course should not be installed when the air temperature is less than 38 degrees. In order to allow the developer to proceed expeditiously and re-open the site as a bank it is suggested that unnecessary delays be avoided.

Pursuant to the requirements of the Zoning Ordinance, the proposed bank is in harmony with the prevailing character and scale of buildings in the area; it utilizes appropriate breaks in wall and roof

lines; it is serviced with adequate water and sewer system; it maximizes convenience and safety of pedestrian and vehicular traffic; and it will not place excessive demands on Town services and infrastructure. ¹”

Mr. Kalunian made a motion to approve Washington Trust Bank conversion with the stipulation that the applicant will provide necessary fencing, screening and a buffer to prevent automobiles from straying into the abutting property. Also stipulated was that the applicant obtain a physical alterations permit from the Rhode Island DOT for change of use. Mr. Bouchard seconded. All members were in favor. Motion passed.

Mr. Crossman made suggested an amendment to the motion to have the final done administratively. Mr. Kalunian so amended. Mr. Bouchard seconded. All members were in favor. Motion passed.

PUBLIC INFORMATIONAL MEETING – CONTINUED from September 24, 2014 Master

Plan/Comprehensive Permit Application: “White Tail Estates”; Douglas Enterprises, LTD_*Proposed 42-Lot Subdivision w/11 Affordable In-law Units*_AP 76, Lot 1; Zone RR2_Leuba Road

Attorney Robert Craven, 7405 Post Road, North Kingstown, RI and Chris Duhamel, PE, DiPrete Engineering representing the developer, Mr. DeSimone. A brief description of the site and project plan was presented by Mr. Duhamel. It was stated that the Teft Homestead was not part of this 35-lot subdivision. There would be 7 duplex lots and 28 single family lots. It would be a combination of affordable and market rate housing. A through road will link to Leuba Road to Teakwood Road for public safety and access. 38% of open space is planned for this development. Waivers are being requested for a 24’ foot roadway with Cape Cod berms instead of the required 26’ feet with concrete curbing and for the omission of sidewalks to be replaced with grass strips. Underground utilities would be provided. The developer is willing to work with the Coventry Department of Public Works to make improvements to Leuba Road.

Mr. Paul Bannon, President, RAB Professional Engineers, Cranston, RI, was retained to conduct a Traffic Impact Assessment to observe traffic operations and conditions along the roadways. Safety issues were determined for this future project area. Based upon observations, recommendations were made to improve the safety along Leuba Road with some clearing of trees in the vicinity of the curve and to widen the road north of Chandler Drive to improve the geometry of the roadway. According to the study which analyzed the intersection of Leuba Road and Route 117, the construction of this development would add a total of 57 vehicles during the peak morning hours and 71 vehicles during the peak afternoon hours to the current traffic flow.

Joseph Lombardo gave an estimate of revenue and expenses each home in the development would generate. The school age population would be 55-60 students per 100 units. It is projected that approximately 108 people will live in this development, 23 of which will be school age children. The

¹ Town of Coventry Zoning Ordinance, Article 16 § 1640

expenses to the Town would be \$295,000.00 for municipal and educational services. The projected revenue from real estate and vehicle taxes would be \$238,000.00. This leaves a deficit of \$57,000.00 for the Town. However, Mr. Lombardo pointed out that the development will provide 11 affordable low and moderate housing units which counts toward the mandatory 10% state housing requirement.

Professional Planner, Edward Pimentel, reiterated the mandatory state law that each Town not only meets the 10% requirement by the year 2025, but also meets the needs of the communities, such as affordable housing for the elderly. Mr. Pimentel stated that the population density is right on point with meeting all the goals and objectives of the Town's comprehensive plan and affordable housing strategy.

Mr. Nunes made a motion to open up the meeting to public hearing. Motion seconded by Mr. Bouchard. All members were in favor. Motion passed.

Dorothy Berube, 40 Colvintown Road, concerned with the amount of variances allowing for Cape Cod berms, the narrow dimensions for the roadway, and sidewalks only on one side of the street. Ms. Berube asked the Commission if in-law apartments will have separate deeds. She also stated that the traffic study was inaccurate because it is impossible to predict the population density of the development. She fears the Town of Coventry will lose money on every unit. She appealed to the Commission not to rush to meet the low income housing requirements without careful planning as the Town still had 11 more years to meet the 10% requirement.

Mary Ladoucer, 31 Chandler, questioned the ½ acre left in the Teft will.

Nancy Kelly, 10 Chandler, cited a court ruling that affordable housing MIBY and need more time to look at the data from engineers, planners, and other town experts. She is not ready to accept this project and would like more time to make a decision.

Deb Ribe, 82 Leuba, stated that the road is narrow and does not know how it could possibly be widened without infringing on current resident's private property.

Paul Freeman, 38 Teakwood Drive, commented that he has been a Town of Coventry resident for 29 years and he feels that a developer is given priority over him as a taxpayer. There are 10 homes for sale currently on his road and incorporating more school-age children into the area will cost the Town more money. He also had questions regarding the safety of the road as it is landlocked. He feels that the increase in traffic will be phenomenal and he also urged the Planning Commission to make the right decision for this rural community by listening to what the people have to say.

Richard Laboissoniere, Chandler Drive, stated that the hairpin turn on Leuba Road is barely 15' feet wide and there could possibly be accidents for the children riding the school buses. His main concern is for safety on that road.

Richard Phaneuf, 5 Daniel Drive, accused the developer of maximizing profits for Mr. DeSimone by failing to install 20' feet or more of sidewalks and for not taking into consideration the flooding on Leuba Road when it rains. He feels it is far too dangerous for people to walk or ride bicycles on this road and that the entire road needs to be rebuilt. He stated that both Chandler and Leuba have sections of

roadway that are busier than others. He also questioned that if the Town of Coventry is going to lose \$50K a year per home on this development, why is it being considered.

Tom Mahoney, 66 Leuba, agrees that the road is dangerous and it is impossible to safely walk there.

Ed Tanner, 8 Thompson Drive, voiced his concerns about speeding cars and water runoff on Chandler. He also stated that the development would cost the town over \$800K to support the additional school children and by adding 75 more homes it would be overburdening the Fire Department as well.

Jerry Godin, 5 Ivy Drive, was glad that there is an additional egress planned to his neighborhood but fears that the construction trucks would deteriorate the roads, water pressure would be an issue to wells, that there have not been enough studies done during prime traffic hours, and that the Fire and Rescue services cannot provide services to the area.

Mary Harris, 21 Chandler, voiced her concern that traffic will be a major safety hazard and the current retention pond won't contain the water runoff posing a threat of flooding to her and her neighbors.

Dan Kelly, 36 Chandler, stated that south of Chandler to Leuba the road is narrow and there is a fire hydrant that makes two cars impossible to pass without one having to pull over.

Ed Panarow, 8 Thompson, inquired if the Planning Commission denies the plan would it then go to court.

(Mr. Sprague explained the appeals process to the public.)

A motion was made by Mr. Nunes to continue the public hearing portion of the meeting to the December 17, 2014 meeting. Ms. Fagan-Perry seconded. All members were in favor. Motion passed.

NEW BUSINESS

PUBLIC HEARING – to be continued to the December 17, 2014 meeting.

Preliminary Plan: "Pullano Estates"; Ernest G. Pullano/Clean Care New England

3- Lot Major Subdivision with Approved Variances

AP 318, Lot 187; Zone RR2

Phillips Hill Road

Mr. Nunes made a motion to continue this Public Hearing to the December 17, 2014 meeting.

Motion was seconded by Mr. Flynn. All were in favor; so moved.

DISCUSSION

None

OTHER BUSINESS

Public Works Director

None

Planning Director Report

None

Public Comment

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

Meeting Adjourned 10:17 p.m.

Minutes prepared by Susan Volpe