

Planning Commission
Amended Minutes of December 17, 2014 Meeting
1670 Flat River Road
Coventry, RI 02816

Meeting Called to order at 7:03pm by Chairman Russell Crossman.

Members Present: Chairman Crossman, Mr. Flynn, Mr. Nunes, Mr. Crowe, Mr. Kalunian, Mr. Bouchard, and Ms. Fagan-Perry

Members Absent: Mr. Osenkowski, Mr. Capwell

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

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

Approval of Minutes:
November 19, 2014

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

SITE WALK

Sitewalk/Pre-Application: “**Joe & Julian Plat**”; Joseph Yammine
2-Lot Minor Subdivision
AP 310 Lot 33; Zone RR5
182 Log Bridge Road

Sam Soursa from Coventry Survey Company scheduled a site walk for January 17, 2015 at 9:00am with a rain/snow date of January 24, 2015 at 9:00am.

OLD BUSINESS

PUBLIC INFORMATIONAL MEETING – continued from November 19, 2014

Master Plan/Comprehensive Permit Application: “**White Tail Estates**”; Douglas Enterprises, LTD
Proposed 36-Lot Subdivision w/11 Affordable Units
AP 76, Lot 1; Zone RR2
Leuba Road

Douglas DeSimone of Douglas Enterprises, 25 Buff Hill Farm Road, Narragansett states that after hearing to comments from the last meeting, he incorporated a cul-de-sac with a breakaway emergency gate into the plans. The gate would be exposed even in snowstorms for use to allow access from Route 117 thus alleviating residents' concerns of traffic flow by not connecting the neighborhoods. It would encompass the loss of one

lot but as the developer, willing to invest in the new design and signage if residents are open to this option.

In addition, Mr. DeSimone stated he listened to residents' opposition of Cape Cod berms but feels that they are quite durable. He is willing to revise plans to put sidewalks in the plans on one side of the road in exchange for his request for the waivers. The lots designated for duplex dwellings are in compliance with the Town's Comprehensive Community Plan.

The homes are designed to look like single family homes although they are actually duplexes. Mr. DeSimone feels that raised ranches are good designs for the lots where the topography drops off allowing for a walk-out. He claims he is trying to keep the appearance of the house homogenous with the neighborhood even with their separate entrances. The market he is attempting to service is to renters – people who meet the income requirements.

There are four lots in the plan that Mr. DeSimone is committed to conveying to the Coventry Housing Authority. He expressed a desire to work with the neighbors in regards to construction timing, entrances, material, etc. He will limit the amount of material coming in. He stated that the property is suitable for development and the soil is good for septic, drainage, and construction.

Paul Bannon, President, RAB Professional Engineers, 10 Ross Simon Drive, Cranston, provided an alternate traffic study with this new design. He feels that this new design being presented will benefit the residents to the north traveling south. One-third (55 homes) of the residents would contribute to the traffic of Leuba Road. He estimated that rather than 10 extra cars on Chandler Drive during peak traffic hours without the barrier, there would be approximately 5 cars on Chandler with the barrier in place. Mr. DeSimone then also stated that he was willing to work with the Department of Public Works to improve (clearing/widening) the northern end of Leuba Road for the safety of motorists if the impact fees are taken into consideration.

Mr. Bouchard questioned the designs for the raised ranch floor plans, primarily the exits to the dwellings. Mr. DeSimone explained that each design has two exits and entrances. Chris Duhamel, PE, DiPrete Engineering, stated he could provide floor plans at the Master Plan level to the Planning Commission.

Mr. Flynn said he could not accept a waiver for a 24 foot stretch of curbing instead of 30 feet curb to curb. Mr. Duhamel claims that a reduction of pavement would prevent excessive storm water runoff being generated and would be less costly to maintain which is preferred by the DEM low impact development design requirements. Mr. Flynn questioned if the swale being provided will charge the wetland without flooding the residents on Sweetwater. Mr. Duhamel assured him that the swale runs through the site and the backyards of Chandler redirecting water to a wetland area so there won't be any flooding of homes and the peak runoff rates won't be exceeded.

Ms. Fagan-Perry suggested a 99-year deed restriction for low income residents. She feels there should be sidewalks on both sides of the road for the resident's safety. Attorney Robert Craven, representing the developer, claimed that DEM suggests sidewalks on one side of the development to eliminate impervious surfaces in order to

lend itself to water quality. Mr. Duhamel added that a vegetative swale allows for the best water quality improvement with closed catch basins with pipes and a filtration system; water is then discharged to the wetland area.

Mr. Nunes questioned the R20 and RR2 zoning. The area is currently 2-acre zoning. Mr. DeSimone said the plan is in compliance with future land use for population density range allowing from half an acre to 2 acres lots. Ms. Fagan-Perry feels this development will be detrimental to the Town of Coventry in terms of cost and traffic safety. She feels that this development is not necessary in order to meet the 10% requirement. Mr. Craven said there was a similar issue with the previous Oaks development in which went to court and the Town of Coventry ultimately came to an agreement with the developer and the property was allowed to be developed.

Ms. Fagan-Perry was also concerned with the design of the duplexes. She feels they should be side by side rather than up and down because the lower level could be inundated with water. Mr. DeSimone stated that he was willing to do a side by side design but is convinced that the current concept of up and down design will work and there will be no drainage problems.

Mr. Crowe questioned the driveway designs. Mr. DeSimone said he was willing to move lot line that will allow for four (4) car parking for each duplex so there will be no parking in the street. Mr. Kalunian pointed out that if one person moves in there is a likelihood a partner could eventually move in adding to the parking situation. Mr. DeSimone refused to address that type of speculative circumstance.

Mr. Sprague reminded the Commission that there is still time to request an ERT (Environmental Review Team) to review the engineer's work.

A five minute break was requested. At 8:38pm Chairman Crossman re-opened the meeting to Public Comment.

Richard Pion, 61 Leuba Road, stated he has seen a number of accidents on Leuba Road, one including a fatality, and another damaged to his property. There is a severe drop off on the curve side of the road. He feels that more cars on Leuba will endanger the lives of the residents. He added that when he decided to purchase his home 37 years ago, his decision was based on the 2 acre zoning and rural character of the area. Cutting down trees, widening the road, and crowding more homes will destroy the rural integrity of this part of Coventry thus lowering his property value. In conclusion, he expressed his reliance on the Town to remain faithful to the original zoning laws.

David Cavallaro, 100 Leuba Road, stated that he owns 4.5 acres at the end of Leuba and feels that it is not fair to current residents for the zoning to change now. He added that there with no pedestrian walkway and the additional 100 cars added to the current traffic flow would be hazardous particularly with all the blind curves. It is simply not a safe road to for pedestrians to walk.

Karen Carlson, 422 Waterman Hill Road, District 1 Councilwoman, reminded the Planning Commission that the new automated trash pickup system will soon be implemented and a narrow road will not allow for service. This needs to be taken into consideration with this planned development.

Karen DeGraide, 30 Teakwood Drive, questioned if this low income housing development could be age restrictive (for 55+ residents) in order to eliminate the school age children that would be an added financial cost to the Town. She added that older residents could enjoy the rural charm of Coventry without the burden of maintaining large property. Mr. DeSimone answered in the affirmative that the development could be age restrictive.

Mary Ladouceur, 31 Chandler Drive, asked for a copy of the White Tail Estates plan.

Nancy Kelly, 10 Chandler Drive, wondered if the Town could conduct its own traffic study and if it is possible to give fewer units to the Coventry Housing Authority. Chairman Crossman explained that studies are done at peak travel times and in order to qualify for the Comprehensive Permit Application, a total of 25% of the units have to be affordable which for this particular development it is 11 units. Mr. Peabody added that the units do not have to be given to the Coventry Housing Authority.

Deb Riebe, 82 Leuba Road, would like to see the two parcels she mentioned at the last meeting being affected by the widening of the road addressed by the developer and hopes that the Town will support the residents with their concerns.

James Sloan, 9 Parkis Place, Providence, RI was contact by the abutting land owners and is serving as their representative. He vouched for the honest character of Mr. DeSimone. He traveled the road and viewed the area and is familiar with the conditions of the site as well as the zoning classifications. He stated that the abutting property owners do not want to be unreasonable but their main concern is traffic and pedestrian safety. The residents also question if duplexes are appropriate for the site. They feel this affordable housing development does not belong in this area and there are other pending projects that will meet the 10% requirements by 2025. They feel that duplex dwellings are not appropriate and that single family homes are more in line with the Town's Comprehensive Community Plan. They also feel that the ERT suggestion would be the best course of action at this time. The project as it stands now would have an adverse effect by diminishing the value of the homes of the current residents due to the incompatible nature of this proposed development.

Mr. Crossman proposed to continue the public hearing for this development to the January 28, 2015 meeting. Ms. Fagan-Perry made a motion for continuance. Mr. Flynn seconded. All in favor; motion passed.

NEW BUSINESS

PUBLIC HEARING – continued to January 28, 2015

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

Pre-Application: “**Stonehill Estates**”; Centerville Builders, Inc.
Modification to Preliminary/Final Plan approval of 22-Lot Major Subdivision with Street Creation

AP 69 Lot 45; Zone R20
Station Street

Mr. Robert Lamoureux, representing the developer, presented an alternate proposal from the original 22-lot development connected to Boulder Drive with the frontage of 10 lots abutting the open space that has been dedicated to the Town. This will limit access to driveways on Station Street in lieu of \$60,000.00 of impact fees for improvements made to the road. Sub-drains will also be installed.

Mr. Chris Duhamel, PE, DiPrete Engineering, cited additional benefits of this new design will eliminate 16,000 feet of roadway impervious surface, the impact on drainage would be an improvement to the area, combined with the new locations of driveways, and 66% more open space (from 10 acres to 16 acres). All the units are single family homes with ISDS. Mr. Lamaroux added that the new design places homes further back on the lots than the normal setbacks.

Mr. Flynn stated that he witnessed a near fatal car accident in that area last week. Mr. Lamaroux claimed that all the lots have turnarounds so there will be no backing out on the street into traffic. Mr. Kalunian appreciated the hammerhead design but felt it was advantageous from a safety standpoint to have separate driveways. Mr. Nunes added that it was wide enough on the side land of the design to serve as an access road to the open space area. Ms. Fagan-Perry asked if was possible for a road to be built through the open space area.

Mr. Kalunian questioned which part of the impact fees would be waived i.e. if the schools would lose out in favor of road improvements. Mr. Sprague answered that would be approximately \$60,000.00 out of the \$68,000.00. The Board unanimously preferred this new design plan of 11 lots with separate hammerhead driveways with subdivision suitability.

All the members of the Planning Commission were in favor of this new design and the developer can progress to the next phase.

OTHER BUSINESS

Recommendation to Town Council: Amendment to Zoning Ordinance

Proposed changes to Article 6 – Zoning Use Regulations, Table 6-1 Agricultural.

Mr. Sprague stated the Planning Director's report speaks to the recommendation. As it currently stands, zoning laws do not speak to medical marijuana Compassion Centers or cultivation facilities. The growing of marijuana is regulated by a special use permit. Several years ago legislation provided for Compassion Centers which are regulated by the State of Rhode Island. State legislation allowed for three Compassion Centers which is currently capped out. Ms. Assalone commented that there is legislation currently pending to add more.

In addition, the State has chosen to authorize cultivation centers as of September 1, 2014. In November, the Town Council enacted a moratorium (not to exceed 6 months) in order to determine zoning classification for these compassion and cultivation centers.

Tonight's meeting is for the Planning Commission to make its zoning recommendation to the Town Council.

Marijuana is considered a Schedule I controlled substance by the Federal Government and reserves the right to prosecute illegal possession, delivery, or use of marijuana. Mr. Kalunian questioned how other cities and towns are handling this issue. Ms. Assalone said that as this is a new issue and there are few guidelines available; therefore, the State has handed off the zoning to municipalities to make their own decisions. Mr. Nunes questioned whether the burden falls on the Town or the cultivator i.e. would the Town also be responsible for any negligence of the cultivation centers especially if the Federal government reserves the right to prosecute.

The Planning Commission recommendation to the Town Council: Cooperative and/or Cultivation Centers should be allowed in certain districts and not in other districts at the discretion of the council.

Mr. Nunes made the motion for the recommendation to pass. Ms. Fagan-Perry seconded. Five ayes; two nays (Bouchard/Kalunian). Motion passed with majority vote.

DISCUSSION

None.

OTHER BUSINESS

Public Works Director

None

Planning Director Report

None

Public Comment

None

A motion was then made by Mr. Nunes to adjourn the meeting. Mr. Bouchard seconded. Motion passed.

Meeting adjourned at 10:11pm.

Minutes prepared by Susan Volpe