

CITY OF EAST PROVIDENCE PLANNING BOARD MINUTES

Date: February 3, 2020

Time: 7:00 pm

Place: City Hall, room 306

Present: Christopher Grant, Burton Batty (Vice-chair), Michael Robinson (Chair), Michelle Rockwell, Eric Crook, Octavio Cunha, Alan D'Aiello, William Fazioli (Planning Director), Michael Marcello (City Solicitor) and Patrick Hanner (staff).

1. CALL TO ORDER

The meeting was called to order at 7:00 pm.

2. PLEDGE OF ALLEGIANCE

The pledge of allegiance was cited.

3. APPROVAL OF PLANNING BOARD MINUTES

On a motion from Mr. D'Aiello seconded by Mr. Batty, on a 7-0 vote the board voted to approve the minutes of January 13, 2020.

4. NEW BUSINESS

Dexter Road Solar Facility. Applicant: Kearsarge Solar, LLC. Location: Map 204, block 1, parcels 17, 17.1 and 18. Review for conformance with the purpose and intent of the Comprehensive Plan.

Christian Engustian, Esq. represented the applicant. Ms. Engustian gave a brief description of the proposal and noted that the Planning Department's staff memorandum stated that the proposal is consistent with the purposes and intent of the City's Comprehensive Plan.

Mr. Crook asked for a description of the current condition of the perimeter fencing. Ms. Engustian responded that the existing fencing varies in condition, however the applicant intends to replace the sections of fence that are in disrepair and that 7-foot fencing along the perimeter of the railway will be installed.

Mr. Crook asked if fencing will be installed to secure the transformer. Daniel Voss of Kearsarge Energy was sworn in by Mr. Robinson. Mr. Voss replied that the entire site including the transformer will be secured by fencing, the transformer will not have its own separate fencing.

Mr. D'Aiello asked if National Grid will be updating the electric service to the site. Mr. Voss responded that National Grid will be upgrading the infrastructure to the site.

Mr. Crook asked if there is a potential for the generated tax credits to benefit the City's school system. Mr. Voss responded that they would like to discuss the possibility of the School Department benefiting by the tax credits.

Mr. Marcello asked for the life expectancy of the solar panels and whether it has been discussed to require a decommission plan. Mr. Voss responded that the life expectancy of the panels is about 25 years. Mr. Engustian stated that a decommission plan will be a requirement of the Waterfront Commission and a draft decommission plan will be submitted to the Waterfront Commission's Design Review Committee.

Mr. Marcello asked if there would be any objection if the three existing lots were merged. Mr. Engustian responded that this is an item that will be discussed with the owner.

Mr. Hanner presented the staff report and stated that it is the opinion of the Planning Department that the proposal is consistent with the purposes and intent of the City's Comprehensive Plan.

On a motion by Mr. Grant, seconded by Mr. D'Aiello, the board on a 7-0 vote, voted to enter the following items into the record:

1. Planning Department's staff memorandum, dated 1/29/20
2. Project Narrative, prepared by GZA, dated 1/8/20
3. Proposed site layout/landscaping plan, dated 1/20
4. Photographs of similar photovoltaic modules
5. Photographs of typical solar signage

On motion by Mr. Grant, seconded by Mr. Crook on a 7-0 vote to provide to the Waterfront Commission a positive recommendation, specifically that the proposed solar facility conforms to the purposes and intent of the City's 2010-2015 Comprehensive Plan.

6. CONTINUED BUSINESS

Minor Subdivision #2019-07-Minor. Applicant: Luis Mateus. Owner: Dennis R. Brederson. Street Address: 122 Bishop Avenue. Map 503, block 10, parcel 1

Mr. Bruce Cox, Esq. represented the applicant.

Mr. Hanner presented the staff memorandum. The applicant is proposing to subdivide an existing 13,939 sq. ft. parcel into two parcels as shown on the site plan labeled as lots 1 and 2. Lot 1 is proposed at 7,771 sq. ft. with frontage on Pavilion Avenue and Bishop Avenue. Lot 2 is proposed at 6,742 sq. ft. with frontage on Bishop Avenue. Currently located on the subject property is a one-story single-family dwelling with a building footprint of 684 sq. ft. that is proposed to be demolished. It is the opinion of the Planning Department that the proposed subdivision is consistent with the purposes and intent of the City's Comprehensive Plan, and that positive findings can be found of the required findings of the subdivision regulations being 1-2 and 5-4.

Mr. Crook asked if there was any deviations from the site plan that was submitted at the January 13, 2020 Planning Board meeting. Mr. Hanner responded that there were no changes or deviations from the January 13, 2020 site plan. Mr. Crook further asked if there was any additional landscaping proposed from the January 13, 2020 site plan and asked for clarification if a two-family dwelling would be allowed by zoning. Mr. Hanner responded that no additional landscaping is being proposed and that a two-family dwelling is allowed in a R-4 district provided that the parcel has a minimum area of 8,750 sq. ft.

Mr. Mateus was sworn in by the City Solicitor. Mr. Mateus withdrew the request for a waiver from the requirement of installing sidewalks and curbing, and stated that a colonial style single-family dwellings are proposed.

Donald Schmidt of 15 Pavilion was sworn in by the City Solicitor. Mr. Schmidt is concerned with the high number of vehicles that travel on Pavilion Avenue and Bishop Avenue, a driveway entrance in the vicinity of the intersection of Pavilion Avenue and Bishop Avenue could be a problem and that the character of the existing housing stock of the immediate area could be impacted by the construction of the two proposed single-family dwellings. Mr. Schmidt further stated that single-family dwellings with a detached garage would be more appropriate to the character of the neighborhood.

Wendy Joering of 27 Pavilion was sworn in by the City Solicitor. Ms. Joering stated that the subdivision with attached garages and the removal of the existing trees on the site would impact the neighborhood. Mr. Cox responded that the applicant would follow all the regulations of the City and State.

Mr. Batty asked if the landscaping at the intersection of Pavilion Avenue and Bishop Avenue would remain undisturbed, and if so, it may need to be removed to maintain an adequate site distance for vehicles entering the intersection.

Mr. Crook asked for clarification of the exact location of the driveway. Mr. Mateus responded that the two driveways could have frontage on Bishop Avenue. Mr. Crook asked members of the audience if they would prefer a single duplex or two single-family dwellings.

Richard Bates of 21 Pavilion was sworn in by the City Solicitor. Mr. Bates asked for clarification of the rear-yard setback.

Mr. Robinson stated it is not the role of the Board to second guess the style of proposed homes and landscaping for a two-lot subdivision. Further, it is the role of the board to determine if a subdivision is in accordance to the standards of the subdivision regulations.

On a motion by Mr. Grant, seconded by Mr. Cunha the voted 7-0 to enter the following items into the record:

- Planning Department's Staff Recommendation w/attachments dated 1/29/20
- Memorandum from Erik Skadberg, City Engineer, dated 12/9/19
- Memorandum from Edward Pimentel, Zoning Officer, dated 11/25/19

- Email from Captain Kenneth, Fire Marshal, dated 1/7/20

Mr. Robinson asked the applicant to confirm if the request for a waiver of sidewalks and curbing has been withdrawn. Mr. Cox confirmed that the applicant has withdrawn the request for a waiver of sidewalks and curbing.

On a motion by Mr. Grant, seconded by Mr. Crook the Board voted to grant conditional approval of the subdivision subject to the following conditions, on a roll call vote:

Mr. Grant: Aye
Mr. Batty: Aye
Ms. Rockwell: Aye
Mr. Crook: Aye
Mr. Cunha: Aye
Mr. D'Aiello: Aye
Mr. Robinson: Aye

1. That the residential use of the proposed single-family dwellings are restricted to single-family use and accessory uses in perpetuity;
2. That the applicant post an improvement guarantee in an amount determined by the Public Works Department for any required improvements to the City's Right-of-way;
3. That any outstanding property taxes or municipal fees are paid to date before a final plan approval is granted;
4. That the title block of the Preliminary Plan be revised to indicate Final Plan status;
5. That the Final Plans be based upon the approved Preliminary Plans, and further that the Final Plan and supporting documentation meet the requirements of the East Providence Land Development and Subdivision Review Regulations;
6. That the proposal shall meet all applicable City, State, and/or Federal regulations and requirements; and
7. That upon project completion, final "as-built" plans be submitted on Mylar, and electronic format in AutoCAD version 14. The as-built drawings shall include all roadway and utility information, including final inverts, rims, sewer lateral depths, and locations (swing ties) to all permanent structures.

On a motion by Mr. Crook, seconded by Mr. Batty, the board voted 7-0 to delegate final plan approval to the Administrative Officer.

7. STAFF REPORT

Mr. Fazioli gave a status of pending development projects and current projects that are under construction.

8. ANNOUNCEMENTS

The next Planning Board meeting is scheduled for Monday, March 9, 2020

9. ADJOURNMENT

The meeting adjourned at 7:55 pm.