

**CITY OF EAST PROVIDENCE
PLANNING BOARD
MINUTES**

Date: September 14th, 2020

Time: 7:00 PM

Place: City Hall, Room 306

As a result of Covid-19 and the closure of City Hall, this meeting was conducted virtually through an application called “Zoom”.

Present: Eric Crook, Alan D’Aiello, Octavio Cunha, Michael Robinson (Chair), Michelle Rockwell, Burton Batty:7:06 PM (Vice-Chair), Dylan Conley (Asst. City Solicitor), William Fazioli (Planning Director), Patrick Hanner (Staff), and Dominic Leonardo (Intern)

This is an open meeting of the East Providence Planning Board and is being conducted remotely consistent with Governor Raimondo’s executive order 20-25 issued on April 15, 2020 and extended by executive order 20-46 on June 12, 2020 due to the current state of emergency in R.I. due to the outbreak of the Covid-19 virus. In order to mitigate the transmission of the Covid-19 virus, we have been advised and directed by the state to suspend public gatherings and as such the Governor’s order suspends the requirements of the open meeting law to have all meetings in a publicly physical location. Further all members of public bodies are allowed and encouraged to participate remotely. The order allows public bodies to meet entirely remotely so long as adequate means of public access are afforded so the public can follow along.

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 PLANING BOARD MINUTES

Minutes of June 23rd, 2020 to be submitted.

4. APPROVAL OF PLANNING BOARD CORRESPONDENCE

None

5. NEW BUSINESS

A. Minor subdivision, Preliminary Plan Submission, Application # 2019-12-Minor, Owner/applicant: David A. Amaral Family Trust, Street address: 255 S. Spruce Street, Location: Map 307, block 17, parcel 10. (enclosure)

Mr. Leonardo gave an overview of the proposal being submitted by the applicant. The planning staff found positive findings to standard section 1-2 and section 5-4 of the East Providence Land development and subdivision review regulations. The proposal is found to be consistent with the comprehensive plan. The planning staff recommends the planning department's recommendation be entered into tonight's record, along with the memo from Ed Pimentel and Erik Skadberg. The planning department is recommending the planning board approve the applicants request for a waiver for granite curbs and sidewalks. The planning department is recommending the planning board grant conditional approve as proposed with the 11 conditions listed by Mr. Leonardo being met.

William Maaia, the attorney representing the applicant, spoke on his behalf. Mr. Maaia spoke of the applicant being 93 years old. Mr. Maaia gave a synopsis of the plan being presented. He spoke of the procedural process and thanked the planning department for being so helpful with this elderly applicant. The applicant's two children, Ms. Diane Hawkins and Mr. David Amaral were sworn in. Both children stated they are there representing their father. Both stated they are aware this approval will be conditional based upon the conditions set forth above. The children stated their father did not attend due to his age and anxiety. They have his full permission to move forward with this proposal.

Mr. Crook is questioning the set-back requirements. He agrees with the planning department's assessment that this set-back fits in line with the neighboring residences.

Mr. D'Aiello is asking for clarification on curbing. Mr. Hanner explained to Mr. D'Aiello the procedure on as to whether curbing is needed.

Mr. Couto was sworn in. He is concerned with snow removal at the end of street. Mr. Hanner stated this is not going to be an issue.

On a motion by Mr. D'Aiello, seconded by Ms. Rockwell, on a roll call vote 6-0, the board voted to accept the introduction of the staff memorandum dated September 8, 2020 and the supporting exhibits into record.

On a motion by Mr. Crook, seconded by Mr. D'Aiello, on a roll call vote 6-0, the board voted to approve the waiver request with regard for requirement of installing granite curbing and sidewalks along the frontage of the 2 proposed parcels.

On a motion by Ms. Rockwell, seconded by Mr. Cunha, on a roll call vote 6-0, the board voted to grant the conditional approval of the subdivision as proposed with the notation that pursuant to the staff's recommendation to add an additional condition that the applicant obtain appropriate dimensional relief from the zoning board.

On a motion by Mr. Crook, seconded by Ms. Rockwell, on a roll call vote 6-0 the board voted to approve delegation of the final plan to be approved by the administrative officer.

**A. Minor Subdivision, Preliminary Plan Submission, Application # 2019-07-Minor,
Owner/applicant: Alberto D. Dasilva, Street address: 50 Fenmoor Street,
Location: Map 307, Block 12, Parcel 2. (enclosure)**

Mr. Hanner presented the staff report on the proposal. Mr. Hanner provided great detail on the applicant's submitted plan. The applicant is willing to install curbing, but requesting a waiver on sidewalks. The planning department feels there is no need for sidewalks in this area. The recommendation is to approve the sidewalk waiver as most neighboring properties do not have sidewalks. It is the opinion of the planning staff, the plan is consistent with the comprehensive plan and East Providence Zoning Ordinance. The proposed subdivision is consistent with Section 1-2 and positive findings were stated to all of the standards of Section 5-4 of the East Providence Land Development and Subdivision Regulations. Mr. Hanner requested the Planning Board to adopt several items into the record that includes the petition signed by the neighbors and the information provided by the Police Department.

Mr. Cox, who is representing the applicant, spoke of the petition presented by Mr. Hanner that was given to the Zoning Board of Review. The petition is from neighboring residences. Mr. Cox stated the petition references a 2 family dwelling, not the single family dwelling that the applicant is proposing.

Mr. Crook is looking for clarification of the petition and the numerous complaints made to the police department between 2011 and 2017. Mr. Cox doesn't feel a single family dwelling will cause future complaints. The last police incident was in 2017. Mr. Cox provided further detail on the proposed lots. The home will be sale and owner occupied, not a rental.

John Pacheco was sworn in along with Alberto Dasilva. Mr. Pacheco, a friend of Mr. Dasilva, spoke on the problems with the former tenants of the property and explained why the police were called. He stated he had one problem tenant he has gotten rid of, and has a very good tenant on the first floor.

Mr. Conley suggested a continuance to provide the board with guidance regarding the standards of review that must be followed by the Planning Board. The City's Solicitor's office will prepare a memorandum to the planning board.

On a motion by Mr. D'Aiello, seconded by Mr. Crook, on a roll call vote 6-0, the board voted to continue for one month.

6. OTHER BUSINESS

None

7. STAFF REPORT

Mr. Fazioli spoke briefly of the workforce development program with Roger Williams Univ.

8. COMMUNICATION

None

9. ANNOUNCEMENTS

The next planning board meeting is scheduled for October 13, 2020

10. ADJOURNMENT

The meeting was adjourned at 8:46PM