

**CITY OF EAST PROVIDENCE
PLANNING BOARD
MINUTES**

Date: December 4, 2023

Time: 7:00 PM

Place: City Hall, Room 306

Present: Michael Robinson (Chair), Christopher Grant, Greg Miller, Eric Crook, Michelle Rockwell, Stephany Lopes, Keith A. Brynes (Director), Patrick Hanner (Staff), Dominic Leonardo (Staff)

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

3. APPROVAL OF PLANNING BOARD MINUTES

On a motion by Mr. Grant, seconded by Mr. Miller, the Board voted unanimously to approve the minutes from July 24, 2023 October 23, 2023 and November 23, 2023.

On a motion by Mr. Miller, seconded by Mr. Grant, the Board voted unanimously to approve the meeting minutes from June 12, 2023. Eric Crook recused himself from this vote.

4. NEW BUSINESS

- 1) **Public Hearing and consideration of proposed amendments to the City of East Providence Land Development and Subdivision Review Regulations to comply with recent General Assembly statutory changes to state law. Changes are proposed in order to conform to new State laws 2023 H-6061A and 2023 H-6086A, which require municipalities to amend certain aspects of their Land Development and Subdivision Review Regulations by January 1, 2024.**

Director Brynes provided an overview of the proposed amendments to the Land Development and Subdivision regulations and explained the process of how the proposed amendments were written to be consistent with recently adopted Rhode Island General Laws.

A. On a motion by Mr. Grant, seconded by Mr. Miller, the Planning Board voted 6-0 to the following documents into the record:

- Planning Department's memorandum with attachments dated 11/30/23
- Land Development and Subdivision Review Regulations Draft 11/27/23

B. On a motion by Mr. Grant, seconded by Mr. Miller, the Planning Board voted 6-0 to add the following to the table in Section 11-1:

- A line item under Commercial Square Footage Thresholds that reads "An adaptive reuse project of over 50,000 square feet or more of gross floor area located in a commercial zone where no extensive exterior modification of improvements is sought," requires a Major Land Development Project.
- Designation of Development Plan Review (Formal) for "Developments in which a split zone is being used for a more intense use as per Section 19-97 of the Zoning Ordinance."

C. On a motion by Mr. Miller, seconded by Mr. Crook, the Planning Board voted 6-0 to adopt the Planning Department's findings of consistency with the Comprehensive Plan as stated in the Planning Department's memorandum dated 11/30/23.

D. On a motion by Mr. Crook, seconded by Mr. Miller, the Planning Board voted 6-0 to adopt the Planning Department's findings of consistency with the General Purposes of the Land Development and Subdivision Review Regulations as stated in the Planning Department's memorandum dated 11/30/23.

E. On a motion by Mr. Miller, seconded by Mr. Crook, the Planning Board voted 6-0 to adopt the Planning Department's findings of consistency with the purposes of Zoning as stated in the Planning Department's memorandum dated 11/30/23.

F. On a motion by Mr. Crook, seconded by Mr. Miller, the Planning Board voted 6-0 to adopt the proposed amendments to the Land Development and Subdivision Review Regulations subject to the following conditions:

1. Effective date of amendments is 1/1/24.
2. Staff is authorized to make minor changes to the final document to include:
 - a. Changes to language based upon on City Solicitor and planning consultant review;
 - b. Changes to enhance readability and formatting.

G. On a motion by Mr. Crook, seconded by Mr. Miller, the Planning Board voted 6-0 that the application checklists, which shall include specific plan requirements deleted from the body of the Land Development and Subdivision Review Regulations shall be finalized by the Planning Department prior to the effective date of 1/1/24.

- 2.) **Recommendation to the City Council for proposed amendments to the City of East Providence Zoning Ordinance. The majority of these changes are proposed in order to conform to new State laws 2023-H6059A, 2023-H6090A, 2023-H6058A, 2023 H-6061A and 2023 H-6086A, which require municipalities to amend certain aspects of their Zoning Ordinances by January 1, 2024.**

Director Brynes provided an overview to the Board on the proposed amendments to the Zoning Ordinance.

A member of the public, John Heaney, provided public comment requesting the Planning Board Amend Sec. 19-360.4 to remove item f. “Unamplified music or entertainment is permitted by right until 10:00 PM” from the Zoning Ordinance.

A. On a motion by Mr. Crook, seconded by Mr. Grant, the Planning Board voted 6-0 to enter into the record the following documents:

- Planning Department’s memorandum with attachments dated 11/30/23
- Proposed amendments to Zoning Ordinance Draft 11/10/23

B. On a motion by Mr. Crook, seconded by Mr. Grant, the Planning Board voted 6-0 to provide a positive recommendation to the City Council for the proposed amendments to the Zoning Ordinance subject to the following conditions:

- Amend Sec. 19-360.3 (c)(1) to read “For projects that meet the following criteria, the residential density permitted in the converted structure shall be a maximum of twenty-five (25) units per acre.”
- Amend Sec. 19-360.3 (c)(2) to read “For all other adaptive reuse projects, the residential density permitted in the converted structure shall be a maximum of fifteen (15) units per acre.”
- Amend Sec. 19-37 to read “Once each year the zoning board of review shall organize by electing from its membership a Chair, Vice-Chair and Secretary.”
- Amend Sec. 19-360.4 to remove item f. “Unamplified music or entertainment is permitted by right until 10:00 PM.”

C. On a motion by Mr. Grant, seconded by Ms. Lopes, the Planning Board voted 4-2 to recommend amending the Schedule of Use Regulations in Sec. 19-98 to maintain hotels as prohibited uses in the C-2, C-3, C-4 and C-5 districts.

D. On a motion by Mr. Crook, seconded by Mr. Grant, the Planning Board voted 6-0 to adopt the Planning Department’s findings of consistency with the Comprehensive Plan as stated in the Planning Department’s memorandum dated 11/30/23.

E. On a motion by Mr. Miller, seconded by Mr. Grant, the Planning Board voted 6-0 to adopt the Planning Department’s findings of consistency with the General Purposes of Zoning as stated in the Planning Department’s memorandum dated 11/30/23.

5. CONTINUED BUSINESS

There was no continued business.

6. STAFF REPORT

There was no staff report.

7. ANNOUNCEMENT

Mr. Robinson announced the next Planning Board meeting is scheduled for Monday, December 11th, 2023.

8. ADJOURNMENT

On a motion by Mr. Crook, seconded by Mr. Miller, the Board voted unanimously to adjourn.

Cc: Mayor Roberto DaSilva
Director of Public Works
City Engineer
City Solicitor
Fire Chief
Zoning Officer