

**CITY OF EAST PROVIDENCE
PLANNING BOARD
MINUTES**

Date: November 20, 2024

Time: 7:00 PM

Place: City Hall, Council Chambers

Present: Christopher Grant (Vice Chair), Stephanie Lopes, Bob Gagnon, Greg Miller, Eric Crook, Keith A. Brynes (staff), Joel Votolato (Assistant 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 recited.

3. NEW BUSINESS

For discussion, consideration, and/or action (vote), regarding the following matters:

A. Master plan submission, Land Development Application # 2024-07-LDP (major). Applicant: David Sisson. Owner: Touchdown Realty Group LLC. Street address: 100 Wampanoag Trail. Location: map 408, block 10, parcel 24.

Joseph Brennan, Esq. representing the applicant was sworn in and presented an overview of the master plan. Mr. Brennan confirmed that the application has met the requirements of adaptive reuse, and as a result no dimensional or use variances are needed.

David Sisson representing the applicant as the project architect was sworn in and presented the floor plans, existing elevations, off-street parking, vertical elevations and renderings. Mr. Sisson explained that the site plan and materials are conceptual at this stage in the review process, and if the master plan is approved, the applicant will seek the services of a civil engineer and landscape architect to address stormwater and landscape buffering.

Mr. Crook asked for clarification of the narrative prepared by David Sisson that referenced waivers being requested for landscaping. Mr. Sisson stated that no waivers will be requested and that all landscaping will meet the requirements of the zoning ordinance, and the text in the narrative was made in error.

Joseph Brennan, Esq. confirmed that all landscaping will meet the requirements of the zoning ordinance along with the stormwater runoff requirements, and that a peer-review for the stormwater report is not needed since it will be prepared by a licensed engineer and reviewed by the City

Engineer, and further the property is under receivership that will ensure that all improvements are installed as required by the Planning Board. In addition, smoking will be prohibited for the entire property.

Mr. Grant asked for clarification of who requested the peer-review for the traffic impact study and stormwater management plan. Mr. Brynes responded that the peer-reviews were requested by an attorney representing the abutters and that the City Engineer should be consulted however it is a standard practice of City staff to request a peer-review for traffic impact studies.

Mr. Miller asked if the recommendation provided by staff to relocate the dumpster was made out of concerns of the dumpster encroaching upon the setbacks of the parcel. Mr. Hanner responded that the staff recommendation to relocate the dumpster was made out of concerns that the dumpster should be the greatest distance possible from the abutting residential properties and a decision of the exact location of the dumpster can be made at the preliminary stage of review.

Mr. Crook asked for clarification whether all stormwater runoff will be contained on the site as required by State and City ordinances. Mr. Brennan responded that the intent of the applicant is to meet all State and City ordinances, and that all stormwater runoff will be contained on the site. Mr. Sisson described the existing contours of the subject parcel and immediate neighborhood, and confirmed that all stormwater that enters the subject property will be contained. The overall goal is to improve the stormwater runoff on the subject property and the abutting properties, however stormwater runoff issues of the neighborhood outside of the project's impact area will not be addressed as part of this submission.

Mr. Brynes presented the staff report and that it is the opinion of the Planning Department that the master plan is consistent with the City's comprehensive plan, and positive findings have been found for the required findings of the subdivision regulations.

Stephen Sypole, Esq. representing abutting property owners summarized the items that are being requested by the abutting property owners that include visual screening, landscaping, noise, light spillover and stormwater runoff as well as peer-review of the landscaping plan, stormwater management report and traffic impact study.

Mr. Grant stated that the Planning Board meeting for the preliminary plan will allow public comment.

Lisa Fitzpatrick of 51 Milburn Road stated that her family has made a substantial number of improvements to their home with the intent to age in place. The former nursing home was a good neighbor and easily accessible to contact. Ms. Fitzpatrick is concerned with vehicles entering the rear parking lot at all hours of the evening, parties in the backyard, accumulation of trash, light spillover and lack of 24 hour property management.

Thomas Pearson of 55 Milburn Road expressed concern of noise, privacy and security.

Zachary and Alison Kazarian are concerned with stormwater runoff considering standing water is present in their backyard following storm events and privacy to their backyard. In addition, they would like to retain existing landscaping to act as a buffer and install mature landscaping. Light

spillover is also a concern.

Terry Atwell of 83 Wampanoag Trail has concerns with privacy, light spillover, noise and vehicle exhaust pollution. Dense landscaping is needed to protect adjacent property owners.

Paula Perkins of 24 Hedley Circle is concerned with stormwater runoff. Stormwater runoff is a serious problem for nearby residents and residents of Hedley Circle.

Danielle Amorim of 59 Glendale Avenue is concerned that the proposed 35 off-street parking spaces are not sufficient, will encourage individuals to park on Wampanoag Trail and the adjacent church parking lot. In addition, landscaping screening is needed along the property line of the church.

Elizabeth Merrill of 57 Fairview Avenue stated that reasonable priced housing is needed in East Providence. Ms. Merrill asked if any of the proposed units will be restricted to affordable housing units. Mr. Brynes responded that all of the units are proposed to be market rate units.

Joseph Botelho of 82 Plymouth Road stated that the adaptive reuse ordinance requires 20% low to moderate housing, has concerns with impacts to property values and that the adaptive reuse ordinance is strictly for commercial buildings, however there is no definition of commercial buildings in state or local ordinances. Further, in his opinion the nursing home is an abandoned non-conforming use and since the use has been abandoned it must convert to an allowable use under the R-3 district. Mr. Grant responded that the application has been thoroughly reviewed by the City's Law Department, Planning Department and Zoning Officer, and that it was determined that the application meets the definition of adaptive reuse ordinance. Mr. Crook asked for clarification if deed restricted affordable housing is mandatory under the adaptive reuse ordinance. Mr. Brynes responded that the affordable housing option is not mandatory. Mr. Botelho insisted the property is not vacant but rather abandoned, and that the parcel should revert to single-family.

John Dorsey, Esq. who has been recently appointed as receiver of the subject property municipal court gave a history of the receivership of the property, current status of the receivership and next steps moving forward, and clarified to the board that the property has never been deemed as abandoned.

Stephen Sypole, Esq. asked the board to consider all of the request that have been made by the residents.

Joseph Brennan, Esq. stated that the applicant has no problems restricting the parcel to non-smoking, if any encroachments are present they will be identified on the survey and 8 weeks is a reasonable time to compare surveys to determine the presence of any encroachments.

On a motion by Mr. Crook, seconded by Mr. Miller, the Planning Board voted 5-0 on a roll call vote to enter into the record the following documents:

1. Plan set (last revision 10/16/24)
2. Certificate of completeness, dated 9/19/24
3. Email from Captain Charles E. Carr, Fire Marshal, dated 10/17/24

4. Email from Edward Pimentel, Zoning Officer, dated 10/18/24
5. Memorandum from Stephen J. Sypole, Esq., dated 10/21/24
6. Email from Allison Kazarian, dated 10/10/24
7. Email from Erin Sladen, dated 10/10/24
8. Email from Kerrie Atwell, dated 10/8/24
9. Email from Libby Merrill, dated 10/7/24
10. Email from Thomas and Margaret Pearson, dated 10/4/24
11. Letter from Reverend Jennifer Zogg, dated 10/22/24
12. Email from Michelle Martins-Botelho, dated 11/18/24
13. Summary of neighbor's requested conditions of approval, prepared by Stephen Sypole, Esq.

On a motion by Mr. Crook, seconded by Ms. Lopes to grant conditional approval of the master plan subject to the applicant submitting a landscape plan, stormwater plan, lighting plan and traffic impact study at the preliminary plan stage of review, and that the landscape plan, stormwater plan, lighting plan and traffic impact study are peer-reviewed. The Planning Board voted 5-0 on a roll call vote.

On a motion by Mr. Crook, seconded by Mr. Miller to grant conditional approval of the master plan subject to all expenses incurred by the City for the public notification requirements are paid for by the applicant. The Planning Board voted 5-0 on a roll call vote.

On a motion by Mr. Miller, seconded by Mr. Crook to grant conditional approval of the master plan subject to the preliminary plan being based upon the approved master plan, and further that the preliminary plan and supporting documentation meet the requirements of the East Providence Land Development and Subdivision Review Regulations. The Planning Board voted 5-0 on a roll call vote.

On a motion by Mr. Miller, seconded by Mr. Crook to grant conditional approval of the master plan subject to the proposal meeting all applicable City, State, and/or Federal regulations and requirements. The Planning Board voted 5-0 on a roll call vote.

On a motion by Mr. Crook, seconded by Mr. Miller to grant conditional approval of the master plan subject to fencing being installed to protect privacy and deter trespassing for the abutting property owners. The Planning Board voted 5-0 on a roll call vote.

On a motion by Mr. Crook, seconded by Mr. Miller to grant conditional approval of the master plan subject to all lighting being dark sky compliant and designed to prevent light pollution directed towards the abutting properties. The Planning Board voted 5-0 on a roll call vote.

4. ANNOUNCEMENT

Mr. Grant announced the next Planning Board meeting is scheduled for Monday, December 9, 2024.

5. Adjournment

The meeting was adjourned at 9:35 pm.

cc: Mayor Roberto DaSilva

Director of Public Works
City Engineer
City Solicitor
Fire Chief
Zoning Officer