



**CITY OF EAST PROVIDENCE
PLANNING BOARD
Official Minutes**

Date: Monday, December 9, 2024

Time: 7:00 PM

Place: East Providence City Hall, 145 Taunton Avenue, City Council Chambers

1. CALL TO ORDER

Chairman Robinson called the meeting to order. Members present were Michael Robinson, Bob Gagnon, Stephany Lopes, Michelle Rockwell, Eric Crook, Greg Miller, Director Brynes, Dominic Leonardo (Planning Staff), Jim Moran (Planning Staff), and Joel Votolato (Assistant Solicitor).

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF PLANNING BOARD MINUTES

Minutes of August 19, 2024
Minutes of August 26, 2024
Minutes of September 9, 2024
Minutes of October 15, 2024
Minutes of November 20, 2024

On a motion by Mr. Miller, seconded by Mr. Crook, the Board unanimously approved all meeting minutes on the agenda with the amendments requested by Mr. Crook that included amending the October 15th, 2024 minutes to note he was absent and to amend the November 20th minutes to note that a member of the public's comment that the subject property on 100 Wampanoag Trail is an abandoned nonconforming use was that individual's opinion, and that receiver Attorney Dorsey rebutted the assumption that the subject building had been abandoned, and that the Planning Board should acknowledge the Vice Chair recommended, to the greatest degree possible, the recommendations of attorney Stephen Sypole be added to the provisions in the 100 Wampanoag Trail agenda item.

4. NEW BUSINESS

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

A. 350 Taunton Ave request for Preliminary Plan Approval extension for property located at 330, 350, 354 Taunton Avenue. MAP 306, BLOCK 1, PARCEL 12.1, 13, and 14. Owner ONE Neighborhood Builders.

Attorney McGunagle, representing the applicant, requested the extension from the Board.

On a motion by Mr. Crook, seconded by Mr. Miller, the Board unanimously approved the applicant's Preliminary Plan Approval extension.

B1. Jeffrey Mateus, seeks permission to subdivide property located at 25 ORANGE STREET, further recognized as MAP 302, BLOCK 4, PARCEL 1, via a Minor Subdivision in accordance with the Unified Development Plan Review procedural process, necessitating dimensional relief for having deficient overall lot depth, lot area, and maximum building lot coverage. [Petition No. 7002].

B2. Minor Subdivision Preliminary Plan to subdivide parcel 1 into two single-family residential dwellings, in accordance with Article 8 titled Minor Land Development Projects and Minor Subdivisions of the Land Development and Subdivision Regulations.

Attorney Jake D'Amico, representing the applicant, presented the application for zoning relief and for the proposed subdivision.

Director Brynes presented the Staff Report to the Board.

Chairman Robinson opened the floor for public comment.

Members of the public provided comments regarding the potential for increased traffic, increased on-street parking, questioned the need to build an additional house, and that privacy would be impacted as a result of a new home.

On a motion by Mr. Miller, seconded by Ms. Lopes, the board voted unanimously to enter the following documents into the record:

- Planning Department's Staff Recommendation with attachments dated November 6, 2024
- Memorandum from Erik Skadberg, dated October 11, 2024
- Memorandum from E. Pimentel, dated October 24, 2024

Mr. Crook made a motion to deny the requested variances because the number of variances requested. The motion failed because the motion was not seconded.

On a motion by Ms. Rockwell, seconded by Mr. Miller, the board voted unanimously to approve the requested dimensional relief based on all evidence presented, making the four required findings of dimensional relief, and included the following conditions in their approval:

1. Petitioner(s) obtaining any, and all, necessary permits.
2. Compliance with the submitted site plan (or amended site plan as it may be applicable), all exhibits, and entire testimony provided during the respective hearing.
3. All conditions of approval of the Preliminary Plan application shall also apply as conditions of granting the requested dimensional relief.
4. That a five-foot privacy fence be installed around the perimeter of the subject parcels where the subject parcels abut neighbors.
5. That the final subdivision plan include the notation "No further building improvements, to include any accessory structure, such as a shed, shall be permitted."

On a motion by Mr. Crook, seconded by Ms. Rockwell, the board voted 6-0 to grant the applicant's waiver request from installing sidewalks and curbing based on the findings that:

1. The subdivision is not located within an area within on-half (1/2) mile of a public or private school;
2. The subdivision is not located in a reasonable proximity to major public or private facilities such as churches, shopping areas, playgrounds, etc. where there is a reasonable likelihood that pedestrian traffic to/from/within the proposed subdivision would result; and
3. The subdivision is not located within an area with high vehicular traffic volumes or where there would be a likelihood of significant danger to pedestrians.

On a motion by Ms. Rockwell, seconded by Mr. Miller, the board voted 6-0 to approve the proposed subdivision, based upon the information presented and that the proposed subdivision is consistent with

Section 1-2, “General Purposes” and that the General Purposes were addressed as part of Staff’s review, and that positive findings were stated to all of the standards of Section 5-4, “Required Findings” of the East Providence Land Development and Subdivision Review Regulations, and that the subdivision, as proposed, is fully consistent with the East Providence Comprehensive Plan, subject to the following conditions:

1. That all of the comments in the memorandum from the City Engineering Department shall be addressed prior to Final Plan Approval;
2. That any outstanding property taxes or municipal fees are paid to date before a final plan approval is granted;
3. That the title block of the Preliminary Plan be revised to indicate Final Plan status;
4. 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; and
5. That the proposal shall meet all applicable City, State, and/or Federal regulations and requirements.
6. 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.
7. That a five-foot privacy fence be installed around the perimeter of the subject parcels where the subject parcels abut neighbors.
8. That the final plan include the notation “No further building improvements, to include any accessory structure, such as a shed, shall be permitted.”

C1. Michael R. and Jeannelyn D. Cavaco, seek permission to subdivide property located at 11-19 WHELDEN AVE and 6 SHORT ST, further recognized as MAP 206, BLOCK 13, PARCEL 5, via a Minor Subdivision in accordance with the Unified Development Plan Review procedural process, resulting in relief from lot area, lot depth, side, front-yard and rear-yard setbacks, as well as exceeding the maximum building and impervious lot coverage, and failing to meet the off-street parking requirements. [Dimensional Variance – Petition No. 7003]

C2. Michael R. and Jeannelyn D. Cavaco, seek permission to subdivide property located at 11-19 WHELDEN AVE and 6 SHORT ST, further recognized as MAP 206, BLOCK 13, PARCEL 5, via a Minor Subdivision in accordance with the Unified Development Plan Review procedural process, resulting in the need for a Special Use Permit to use the existing three-family dwelling in an R-6 Zoning District. [Special Use – Petition No. 7003]

C3. Minor Subdivision Preliminary Plan to subdivide parcel 5 into two parcels, each containing one residential structure, in accordance with Article 8 titled Minor Land Development Projects and Minor Subdivisions of the Land Development and Subdivision Regulations.

Attorney Jake D’Amico, representing the applicant, presented the application for zoning relief, a special use permit, and for the proposed subdivision.

Director Brynes presented the Staff Report to the Board. Assistant Solicitor Votolato informed the Board the petitioner should provide an updated zoning application to correctly note the address as “11 Whelden Ave” and not “11-19 Whelden Ave”.

Chairman Robinson opened the floor for public comment.

Abutter Maria Dias provided comments to the board, opposing the requested relief and subdivision based on the potential for increased traffic and off-street parking. Ms. Dias submitted a letter from her neighbor also opposing the application for the record.

On a motion by Mr. Crook, seconded by Mr. Miller, the board voted 6-0 to enter the following items into the record:

- Planning Department's Staff Recommendation with attachments dated December 3, 2024
- Memorandum from Erik Skadberg, dated September 26, 2024
- Memorandum from E. Pimentel, dated October 21, 2024
- Email from Water Department Superintendent Jim Marvel, dated September 19, 2024
- Email from Fire Marshal Captain Carr, dated September 24, 2024
- Email from Maria Dias dated October 31, 2024
- Letter from abutter submitted at December 9, 2024 Planning Board meeting

On a motion by Mr. Crook, seconded by Ms. Miller, the board voted 5-1, with Michelle Rockwell voting nay, to approve the requested dimensional relief, and to grant the requested Special Use Permit by a 5-1 vote, with Michelle Rockwell voting nay, to continue usage of the preexisting present three-family dwelling in an R-6 Zone, in accordance with the submitted application subject to the following:

1. Petitioner(s) obtaining any, and all, necessary permits.
2. Compliance with the submitted site plan (or amended site plan as it may be applicable), all exhibits, and entire testimony provided during the respective hearing.
3. All conditions of approval of the Preliminary Plan application shall also apply as conditions of granting the requested dimensional relief.
4. Petitioner provide an updated application to specify the existing address of the three family on Map 206, Block 13, Parcel 5 is 11 Whelden Ave.

On a motion by Mr. Crook, seconded by Mr. Miller, the board voted 5-1 to approve the proposed subdivision, with Michelle Rockwell voting nay, based upon the information presented and that the proposed subdivision is consistent with Section 1-2, "General Purposes" and that the General Purposes were addressed as part of Staff's review, and that positive findings were stated to all of the standards of Section 5-4, "Required Findings" of the East Providence Land Development and Subdivision Review Regulations, and that the subdivision, as proposed, is fully consistent with the East Providence Comprehensive Plan, subject to the following conditions:

1. That all of the comments in the memorandum from the City Engineering Department shall be addressed prior to Final Plan Approval;
2. That any outstanding property taxes or municipal fees are paid to date before a final plan approval is granted;
3. That the title block of the Preliminary Plan be revised to indicate Final Plan status;
4. 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; and
5. That the proposal shall meet all applicable City, State, and/or Federal regulations and requirements.

D. Recommendation to the Waterfront Special Development District Commission regarding Comprehensive Plan consistency for Metacomet Property LLC's application for a proposed mixed-use development located on 500 Veterans Memorial Parkway, Assessor's Map 107, Block 15, Lot 1, and Map 107, Block

15, Lot 1-10.

Attorney Josh Berlinsky, representing the applicant, presented to the commission, introducing four professionals who were sworn in as experts who also presented to the Board: John Salle, Architect from Phase Zero Design, Matt Mrva, Landscape Architect from Bohler Engineering, Paul Bannon, Engineer of Crossman Engineering, and Ashley Sweet, Planner of Weston and Sampson.

Chairman Robinson allowed members of the public to provide comment.

Members of the public provided comments on the proposed roundabout, proposed signage on the parkway, consistency with the comprehensive plan, the historic nature of the parkway, whether the proposed development can occur without making changes to the parkway, and on the boundaries and ownership of the parkway.

On a motion by Miller, seconded by Mr. Gagnon, the Board voted unanimously to enter the planning memorandum with attachments into the record as well as the December 9, 2024 memorandum from the Design Review Committee, the Keep Metacomet Green Memorandum, and Mr. Baudouin.

On a motion by Mr. Miller, seconded by Mr. Crook, the Board voted unanimously to provide an advisory recommendation to the East Providence Waterfront Commission that the development as proposed and presented to the Planning Board is consistent with the East Providence 2010-2015 Comprehensive Plan and the East Providence Land Development Review Regulations.

E. Approval of 2025 Planning Board Meeting Calendar

On a motion by seconded by Mr. Miller, seconded by Mr. Crook the Board voted unanimously voted to approve the 2025 Planning Board Meeting Calendar.

5. ANNOUNCEMENT

The Chairman announced the next scheduled Planning Board meeting is January 13, 2025.

6. STAFF REPORT

There was no staff report.

7. ADJOURNMENT

On a motion by Mr. Miller, seconded by Ms. Rockwell, the board voted unanimously to adjourn.

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