



City of Woonsocket, RI

Planning Board Meeting Minutes

Date: Tue, October 1, 2019, 6 p.m.
Location: Harris Hall (3rd Floor of Woonsocket City Hall)
169 Main St, Woonsocket, RI 02895

I. Call to Order

Chairman Finlay called the meeting to order at 6:00 p.m.

II. Attendance Review

Planning Board Members Present:

1. Kenneth Finlay
2. Ron Miller
3. John Pratt

Planning Board Members Absent:

1. Roji Eappen

Others in attendance:

1. Kevin Proft, Administrative Officer/City Planner
2. Carl Johnson, Zoning Official

III. Correction/Approval of Minutes

Motion to Approve the September 3, 2019 planning board meeting minutes: Member Pratt

Second: Member Miller

Discussion: None

Vote: The motion PASSED - 3-0-0

IV. Old Business

a. Update on Singleton Street Solar Minor Land Development

Mr. Proft stated that the applicant agreed to a financial guarantee of \$7,340 for decommissioning costs. The guarantee will be a cash escrow account managed by the City's finance department. Mr. Proft said he is waiting for the applicant to submit their DEM permits, access easement with national grid, and updated site plan for Final Plan Approval.

b. Update on Manila Ave Extension Major Subdivision

Mr. Proft stated that the fire department assisted the applicant in preparing an application for a RI Fire Safety Code Board variance required as a condition of Master and Preliminary Plan approval by the Planning Board. The variance is

needed because a turnaround cannot be accommodated at the end of Manila Avenues due to pre-existing plat conditions. Mr. Proft noted that the applicant was unhappy to have to go before another board for approval. The RI Fire Safety Code Board is scheduling new applications for December meetings, which will prevent the applicant from moving forward on the project for the next few months. Chairman Finlay said he would investigate the scheduling issue to see if the application could be reviewed sooner. Mr. Proft stated that, with the board's permission, he would not require the applicant to change its site plan to remove the gas line extension currently shown. While the gas line will not be extended, the applicant's engineer told Mr. Proft in a phone conversation that leaving the line on the plan could be beneficial for developers if they wish to extend the gas line at a future date. The board indicated that the gas line could remain on the plans. Mr. Proft said that the applicant had not yet negotiated a bond with the City's Engineering Department, but would once the scope of work had been finalized (i.e. after a variance has been granted by the RI Fire Safety Board). A bond was required as a condition when the board approved the applicant's Master and Preliminary Plan.

c. Update on 18 Oak Hill Ave Minor Subdivision

Mr. Proft stated that the applicant had updated his site plan to meet the conditions set by the Planning Board during preliminary plan review. Mr. Proft is still waiting for the applicant to submit other documents that were required as conditions of preliminary plan approval.

d. Resolution for Financial Guarantee for Solar Decommissioning

- i. Mr. Proft stated that at the previous Planning Board meeting, the board had requested that he draft a Planning Board resolution that outlined the process the Planning Board would follow when setting a financial guarantee for solar energy system decommissioning. The board decided at its previous meeting that this process would be as follows: (1) The applicant would produce a cost estimate, (2) the applicant would have the cost estimate peer-reviewed by a qualified firm on the State's MPA list, (3) the applicant would pay for the peer review, (4) the planning board would set the financial guarantee based on the applicant's cost estimate and the findings of the peer review, (5) the applicant would submit the financial guarantee to the City's finance department, (6) the applicant would not receive a building permit until the City received the financial guarantee.

Motion to approve the resolution: Member Miller

Second: Member Pratt

Discussion: None

Vote: The motion PASSED - 3-0-0

e. Update on Truman Drive Jersey barrier beautification

- i. Mr. Proft stated that the Mayor supports this idea. He said he reached out to various potential partners including Neighborworks and the Avenue Concept. He

also intends to speak with RISCA and River's Edge. Mr. Proft said he contacted NYC DOT, an agency that has completed projects like this before, to get a general cost estimate. He said funding could come from CDBG funds, grants (including from RISCA), and/or corporate sponsors.

V. New Business

- a. Administrative Subdivision Approved | Owner/Applicant: City of Woonsocket | Owner: Bryan and Sylvia Richards | Subdivision Location: 234 Patton Rd. (Lots 57-61 & 88)
 - i. Mr. Proft reported that he had approved this administrative subdivision. He said the city sold a portion of PR-2 land to a neighboring residential property owner to resolve a liability issue for the City. A pool on the residential property was built partially on the City's land. The City sold some of its land to the land owner so that the entire pool is located on the residential property. Mr. Proft noted that this subdivision could be completed administratively because it only adjusted lot lines and did not create new lots or streets.
- b. Amendment to Zoning Ordinance – Section 4 Use Regulations and Section 18 Definitions
 - i. Chairman Finlay identified the general purpose of the ordinance as presented in the meeting's agenda: The amendment would separate public uses from semi-public uses in the use table and modify the commercial use table to reduce redundancy. The amendment would also add semi-public and public uses to the definition section of the ordinance. Chairman Finlay noted that the Planning Board will discuss the amendment and provide a recommendation to the City Council regarding its consistency with the Comprehensive Plan.
 - ii. Carl Johnson, Zoning Official, noted that the amendment was drafted by the City Council, not the Planning Department. He said the amendment would clarify uses and reduce redundancy in the use table. He said there seemed to be an unintentional deletion of some definitions in Section 18 of the Zoning Ordinance that should be restored prior to City Council passage of the amendment.
 - iii. Mr. Proft stated that from the perspective of compatibility with the comprehensive plan, the changes would not have an impact as the changes are technical in nature. Mr. Proft noted that the formatting of the amendment beginning at section 18.1 (120) e. should be revised to conform to the formatting of the rest of the Zoning Ordinance. Mr. Proft noted that one condition of approval and one recommendation are included in the draft recommendation to the City Council from the Planning Board. The condition stated that the definitions that were seemingly unintentionally removed be restored. The recommendation was to change the formatting beginning at 18.1 (120) e. so that it conforms with the rest of the Zoning Ordinance formatting.
 - iv. Mr. Finlay asked Mr. Johnson if this amendment would limit allowable activities at public parks. Mr. Johnson said that this amendment would not change what special events can happen at a public park. Mr. Proft noted that while the formatting of the use table was changing as a result of the amendment, no uses were added or deleted, and no changes were made regarding which uses are allowed in which zoning districts.

- v. Mr. Finlay asked if the changes were basically housekeeping to reduce redundancy. Mr. Johnson confirmed that this was the intent and for the Council to further clarify their actions earlier in the year when it added the double asterisks to the State, Federal, and Municipal uses in the use table. Mr. Johnson said the change would remove ambiguity about which uses were public and which were semi-public.
- vi. Mr. Proft said the splitting of the use table was a formatting concern, while the changes to use titles related to educational uses (non-profit, for profit, and trade schools) helped reduce redundancy in the table.
- vii. Alan Leclaire, Chairman of the Zoning Board, said this amendment is likely the direct result of the charter school issue that happened earlier in the year where the City Council did not want a charter school to go into a commercial district, but it was allowed there anyway (as a municipal use). Mr. Proft noted that the proposed amendment would clearly move non-profit education uses into the semi-public use category, not the public use category.
- viii. Mr. Finlay asked if including “other public uses” in the definition section for semi-public uses would cause problems in the future in terms of how projects were categorized. Mr. Johnson said he thought the amendment was more clearly defining the term.
- ix. Mr. Miller asked if the amendment was a way to prevent another charter school from going into a commercial zone. Mr. Johnson said that while he can’t speak for the intent of the Council members, that is what he reads into it.
- x. Mr. Finlay asked if Mr. Johnson is comfortable with this based on his experience as a Zoning Official. Mr. Johnson said the amendment will not be burdensome and will take some of the interpretation out of his job.
- xi. Mr. Miller stated that his concern was that while some issues will be going through the normal process of Zoning and Planning, the Council will be the body with the final decision-making authority. Mr. Johnson agreed that that was the concern when the double asterisks were originally added to the zoning ordinance after the charter school issue. Mr. Proft noted that this was not making that situation worse it was just clarifying the intent of the original change.
- xii. Mr. Leclaire agreed that the amendment does offer clarification and would make it harder to have charter schools. He said he did not think the council should have a say in what should be a zoning issue. He said that if the Planning Board did not think it was detrimental to the zoning ordinance it could approve the amendment, but also that whether the Planning Board sent back a positive recommendation, the council would likely pass the amendment anyway.

Motion to offer a positive recommendation to the City Council with the condition that the deleted definitions be restored to the amendment prior to

passage: Member Pratt

Second: Member Miller

Discussion: None

Vote: The motion PASSED - 3-0-0

- c. Amendment to Zoning Ordinance – Section 8.2-2 Floor Area Ratio (C-2 zones) and 12.5 Downtown Overlay District, Live/Work Units, and Micro-lofts
- i. Chairman Finlay identified the general purpose of the ordinance as presented in the meeting’s agenda: The amendment would correct a typo regarding floor-area ratio in C-2 zones, stipulate that micro-lofts be 1-bedroom or less, and prohibit residential units on the first floor within the Downtown Overlay District. Chairman Finlay noted that the Planning Board will discuss the amendment and provide a recommendation to the City Council regarding its consistency with the Comprehensive Plan.
 - ii. Mr. Johnson stated that the Planning Department noticed a typo in the Zoning Ordinance. Floor area ration in a C-2 zone is listed as .4 in the current zoning ordinance, but is supposed to be 4.0, as it appeared in past zoning ordinances. This amendment proposes fixing the typo. That said, Mr. Johnson said 4.0 is not necessarily a desirable floor area ratio for a C-2 zone, and that he and Mr. Proft would like to dial it back via a future zoning amendment. Mr. Johnson said .4 is too restrictive. The shopping centers on Diamond Hill Road are near .4 FAR which proves it promotes sprawling single-story development that is not what the city wants either.
 - iii. Mr. Finlay asked for clarification on what development at .4 and 4.0 looks like. Mr. Proft explained what type of buildings you might get at different floor area ratios. Mr. Johnson pointed out that the maximum floor area that a developer could build would also be limited by parking requirements. Mr. Proft noted that it can also be limited by building height restrictions. Mr. Proft noted that despite these restrictions, a 4.0 FAR could result in taller tower like buildings that, in his opinion, are not the type of buildings the city should be encouraging. Something in between .4 and 4.0 is appropriate.
 - iv. Mr. Proft stated that he did not find a 4.0 FAR to be consistent with the comprehensive plan. Still, he suggested passage of the recommendation, because the question of what the appropriate FAR is was not before the board at this meeting; this amendment is about correcting the typo. He suggested that the board direct the planner and zoning official to do some research to reduce the FAR as soon as possible. Mr. Johnson said the FAR requirement could be eliminated and the code could rely only on maximum footprint and maximum building height.
 - v. Mr. Finlay moved onto the next part of the amendment stating that the amendments prohibits commercial uses at street level.
 - vi. Mr. Johnson said that residential uses are not desirable on the first floor in the Downtown Overlay District and that the City Council and Planning Department agree about that. The first floor should be reserved for commercial uses with upper level residential. Many parcels in the DOD are in C-1 zones which prohibit residential uses on the first floor already, but some are MU-1 which do not. This amendment clarifies that the intention is for the prohibition to be district-wide.
 - vii. Mr. Proft noted that live work units will continue to be allowed on the first floor in the DOD but the residential portion of the unit must be located at the rear of the building.

- viii. Mr. Finlay asked if there was a square footage minimum on live work units. Mr. Johnson said there was not, and noted that no live work units had been requested since the City began allowing them.
- ix. Mr. Proft noted that prohibiting residential units on the first floor is appropriate planning practice and meets some of the city's economic development goals in the comprehensive plan, so is consistent with the comprehensive plan.
- x. Mr. Finlay moved onto the next part of the amendment stating that the amendment prohibits micro-lofts from being greater than one bedroom.
- xi. Mr. Johnson said this was the intent of the micro-loft ordinance, but that it was not stated explicitly in the original language. This clarifies the intent for future applicants. He said micro-loft square footage is too small for two-bedrooms units.
- xii. Mr. Miller asked if 122 N. Main St were all micro-lofts. Mr. Johnson said they are not micro-lofts even though they are small units. Some have two bedrooms but are significantly larger than a micro-loft (800 square feet compared to 550 square feet).
- xiii. Mr. Proft stated that limiting micro-lofts to one bedroom was the original intent of the ordinance, and adding the clarifying language is not inconsistent with the comprehensive plan.
- xiv. Mr. Johnson suggested that he and Mr. Proft review the micro-loft ordinance and develop an amendment that allows it to function better. Currently, the requirement of a certain amount of lot area per unit (4000 square feet for first unit and 1500 for each additional unit) severely limits the number of micro-lofts that can be developed in many existing downtown buildings. These buildings have sizable floor area due to their height, but sit on small parcels. Mr. Johnson used the Longley Building as an example. Based on the buildings floor area alone, greater than 30 micro-lofts could be developed. Because of the small parcel on which it is located the existing micro-loft ordinance's language would limit the number of units that can be developed to just 2.

Motion to offer a positive recommendation to the City Council: Member Miller

Second: Member Pratt

Discussion: None

Vote: The motion PASSED - 3-0-0

- d. Amendment to Zoning Ordinance – Section 6.15 Solar & Wind Energy Systems, Facilities and Installations
 - i. Mr. Proft stated that he had provided a draft amendment to the Planning Board for preliminary review and feedback on Solar Energy System regulations. He noted that recent applications for solar development showed the existing Zoning language does not offer the city adequate protection against undesirable outcomes and has various technical errors like requiring smaller projects to undergo more review than larger ones. Since the passage of the City's solar ordinance, State guidance on the topic was published and other towns have passed strong ordinances. The City Planner decided it was better to rewrite the ordinance with these examples in mind instead of tweaking the City's existing ordinance.

- ii. Mr. Finlay stated that he could not get the document to open prior to the meeting so had not had a chance to review the ordinance. He recommended tabling the ordinance until the next meeting. Mr. Proft said he wanted a substantive discussion about the ordinance so agreed discussing it in November would be better.
 - iii. Mr. Miller asked about an item that would prevent clearcutting of trees to install solar systems. Mr. Proft said that prohibiting clearcutting was probably unenforceable since property owners are not required to leave trees on their land in other circumstances. A property owner could cut the trees down, then propose a solar array after the trees are gone, and the planning board would have to consider the application. Limiting the footprint of the arrays is probably a better way to prevent a lot from being entirely cut down.
 - iv. Mr. Miller noted that he was concerned about the public solar projects proposed for City recreation land. Mr. Proft said didn't know best way for the Planning Board to be heard about this issue. He said that the Planning Board would eventually review a land development application associated with such a project but at that point it may be too late to prevent a misguided project. Technically the Planning Board could reject the plan, but that would be very confrontational. Mr. Johnson noted that the solar projects, unlike the water treatment plant is not a project that was mandated that we needed, so the planning board may have more latitude to deny that application than with the water treatment plant.
 - v. Mr. Proft ran through the main sections of the solar ordinance to familiarize the planning board with its structure prior to their more detailed review.
 - vi. Chairman Finlay asked what would happen if a property owner sold the solar project partway through the life of the project. Mr. Proft said he would consider that and add language to the proposed amendment that would address this question. He said he thought the new owner should be held to the original decommissioning plan, but that the financial guarantee associated with the original owner should be released and a new financial guarantee from the new property owner should be obtained. Mr. Finlay agreed and suggested that this could be required as part of the purchase and sales agreement.
- e. Amendment to Subdivision Regulations – Section 8.2.7 Apportioning of Street Right-of-ways
 - i. Mr. Proft stated that he revised the above section for two reasons. First, when he met with RIDOT the agency recommended that the City have its preferred right-of-way apportioning incorporated into its regulations. RIDOT has internal standards to which they construct roads. If a municipality has its own standards, RIDOT has more latitude to be flexible in order to create streets aligned with local preferences. Second, the current Apportioning of Street Right-of-way section of the regulations refers the reader to an appendix that Mr. Proft said he could not find. Mr. Pratt noted that he had the file and would send it to Mr. Proft.
 - ii. Mr. Proft explained that this is a subdivision regulations amendment so the Planning Board can pass it without City Council involvement.

- iii. Mr. Proft went through each sub-section. The draft proposal has been included at the end of this document for the readers review.
 - 1. Mr. Proft noted that the proposed road and lane widths are on the narrow end of the spectrum. He said narrow roads are: (1) cheaper for developers to install and the City to maintain, (2) generate less stormwater, (3) cause people to drive slower which results in fewer and less serious accidents, and (4) they decrease the crossing distance for pedestrians. He said the Fire Code requires 20-foot roads to accommodate fire trucks. He said wide lanes are often preferred by drivers because they can drive faster on them. In Mr. Proft's opinion, this outcome is not beneficial when all road users are considered. He also noted that he prefers no parking lane on local roads even if on-street parking is not prohibited. When someone is parked on a 20-ft road and two cars are approaching each other, it will cause one car to slow down in order to let the other car pass. This, in effect, is a traffic calming device. With this being said, if parking is allowed on both sides of the road on a 20-foot street, you can end up with cars parked opposite each other that constrict the roadway too much, especially for emergency vehicles, so it might be wise to limit parking to one side. In new development, which is mainly what this regulation will impact, most parked cars will be in driveways/garages so having a full parking lane that is empty will give the impression of a wider road, causing faster driving speeds. Mr. Miller noted an example of cars parked on both sides on a narrow road that causes difficulty, but noted that this is in a dense section of the city, not a new residential subdivision.
 - 2. Mr. Finlay noted he preferred asphalt bermed curbs to granite curbs in new residential developments and that curb type should be left up to the planning board on a case-by-case basis. Bermed curbs are easier to maintain for the city, cheaper for the developer, and more residential/rural in feel.
 - 3. When discussing parking lane widths Mr. Proft explained that he would like to limit parking lanes to one side of the road and to limit it to only 50% of the linear feet of the road. The intention is to create required curb bump outs that offer the appearance of a narrower road. Otherwise the driver will often have the impression that they are driving on a 27-foot road, not a 20-foot road. Mr. Pratt pointed out that this may not be popular because people like to park directly outside their house. Mr. Finlay suggested that the 50 % be changed to 80% so more people could park in front of their house, but there would still be bump outs on 20% percent of the road. Mr. Proft agreed. Mr. Proft said that the crosswalk bump outs achieve a similar goal, but Mr. Finlay pointed out that a dead-end street won't have corners to bump out.
 - 4. Mr. Finlay noted that the City is shying away from sidewalks in new residential developments because the city already struggles to maintain the sidewalks they have. Sidewalks are on a case-by-case basis for the planning board and should be kept that way. Mr. Proft agreed that it was good to

have it at the board's digression so that if a development was proposed in a place where a sidewalk was logical, it could still require it, but in more suburban style development, it could be waived.

5. Mr. Proft confirmed with Mr. Finlay that he was comfortable with a 20-foot roadway on local roads because he had mentioned a wider road earlier in the evening. He said he supported what was proposed because it would temper traffic and improve safety.
6. Mr. Proft said that he would revise the draft amendment and advertise it in October so a hearing could happen in November to make the change.

- f. The Planning Board will review a guide to public hearings for the public
 - i. Mr. Proft explained that this is designed to be an explainer for people coming to a Planning Board hearing. It would be left out with the agendas when people walk in. Mr. Miller said he liked the idea but thought more people would read it if it was shorter. Mr. Proft agreed and said he would try to make it more concise. Mr. Finlay suggested posting it on the website too. Mr. Pratt said it was common for the public to come to the meeting and not understand the protocol of a public hearing which can be frustrating for the board.
- g. Correspondence: Public hearing notice from the Bellingham Planning Board | Amendment Zoning Ordinance's Use Schedule and Definitions regarding marijuana cultivator and marijuana establishments.
 - i. Mr. Proft said this was a standard, required notice sent to the Planning Board from the Bellingham Planning Board, but that it wasn't an issue of concern for the City. He asked if he should continue to bring these to future planning meetings. Mr. Finlay said Mr. Proft could use his judgement to determine whether it was relevant.

VI. Administrative Officer's Report

Comprehensive Plan: Mr. Proft said that he had an opportunity to do some reading and research on the comprehensive plan process. He began to create a schedule of activities and determine who should be on the Comprehensive Plan team and who should be considered stakeholders. He noted that the comprehensive Plan expires in April 2022 which should give the City plenty of time to complete the update.

EPA Brownfields Grant: Mr. Proft noted that the grant period began on October 1 and that the Planning Dept would be posting the RFP for a contractor within days. Ideally, the City will have a contractor on-board by early November so that they can begin preparations in early winter and update the city's Brownfield inventory in late winter.

Cass Park Master Plan Conflict: The Director of Planning brought this up with the Mayor. She said she wanted to be able to use both plans as appropriate. Additionally, the Director of Planning feels that Cass Park should be primarily an athletic complex and favors the older plan

that would relocate the field to the wooded area in the center of the park. Mr. Proft said he preferred the newer plan because it would avoid clearcutting the forested area of the park and eliminate the need to level the park. Mr. Finlay asked if the Planning Board had ever officially adopted the newer plan. Mr. Proft said he didn't think there was an official vote to adopt the newer plan, but was under the impression that the board had been a partner in drafting the update with former city planner Rui Almeida and former director N. David Bouley. Mr. Finlay said the park development would be based on what there was funding to complete, which may or may not be included in the various plans.

RI Infrastructure Bank: Mr. Proft described a meeting between himself and staff from the stormwater and resiliency department of the Rhode Island Infrastructure Bank and RIEMA. They discussed different funding opportunities. The City Planner is now pursuing two of these opportunities: The Pre-Disaster Mitigation Grant from FEMA and the Municipal Resilience Program from RIIB.

RIDOT update: Mr. Proft continues to have meetings with RIDOT staff about TIP projects. He noted that the city has 4.62 million in 2026 for downtown overlay district improvements. This is in addition to the Monument Square/Worrall St project that will be constructed next year. Mr. Proft said that the Director of Planning said that CDBG funding would be used for the design portion of the 4.62. million project and design should begin a few years prior to the construction funding becoming available. Mr. Proft noted that he obtained Blackstone River Bikeway plans and had concerns about the bridge in section 8-A and the on-road portion of the bikeway in section 8-B2. He said he would follow up with the project manager to see if he could get them to make changes to the design.

Mr. Proft noted that he and the Director attended a Transit meeting focused on the states comprehensive transit strategy. He said he advocated for commuter rail, commuter buses, more frequent service on existing buses, and bus service to the Highland Corporate Park. He noted that there will be a follow up meeting for Norther Rhode Island communities in October.

VII. Next Meeting and Adjournment

Mr. Finlay stated that the next meeting would be on Tue, November 5, 2019.

Motion to adjourn at 8:40 p.m.: Member Miller

Second: Member Pratt

Vote: The motion PASSED - 3-0-0