



City of Woonsocket, RI

Planning Board Meeting Minutes

Date/Time: Tue, June 2, 2020 | 6 PM

Location: Teleconference via Zoom, Meeting ID: 358 664 6419

I. Call to Order:

Chairman Finlay called the meeting to order at 6:03 PM.

II. Attendance Review:

Members in Attendance:

1. Ken Finlay, Chairman
2. Roji Eappen, Vice-Chairman
3. Ron Miller, Secretary
4. Wendall Gardner
5. Jon Pratt

Others in Attendance:

1. Kevin Proft, Administrative Officer/City Planner
2. Theresa Dunigan, Recording Secretary
3. Carl Johnson, Zoning Official
4. Scott Gibbs, Interim Director of Department of Planning and Development
5. Brad Ward, Building Official
6. Steve Cabral, Crossman Engineering
7. Leo Hudon, Bowerman Associates
8. Gary Moyer, Gary Moyer Architect
9. Randy Miron, Bohler Engineering
10. Richard Nadeau, Partridge Snow & Hahn LLP
11. Robin Gasser, Family Dollar
12. Phillip Tewell, O'Reilly's Auto Parts
13. Steve Hardy
14. Lauren Clem

III. Remote Meeting Announcement:

General Proceedings

1. Each agenda item will be read in-full to ensure it is clear what matter is before the board.
2. Members should request permission to speak from the Chair prior to speaking. The Chair should recognize the Member by name.
3. Members will identify themselves each time before they speak.
4. All votes should be conducted by roll call.

Public Comment

1. The public will be muted by the meeting administrator until the Chair opens the floor to public comment, at which point all members of the public will be unmuted.
2. Members of the public wishing to comment should use the “raise hand” tool on their zoom screen so they may be called on by the chair to speak. If this method proves to be too challenging, the meeting administrator will mute all members of the public, and then unmute each member of the public one-by-one and ask if they have a comment.
3. Members of the public wishing to comment should state their first/last name and address for the record, then state their comment.

Documentation

1. Documents associated with the items being discussed at the meeting are available to the public on the Planning Board’s webpage on the Woonsocket website.
 - a. <https://www.woonsocketri.org/planning-board>

Technical Difficulties

1. If remote access is interrupted for all participants and cannot be restored within 10 minutes, the remainder of the meeting items will be continued to the following meeting. The board will preemptively vote to continue items not addressed due to potential technical difficulties to the next meeting to avoid the need to re-advertise said items. The date of said meeting must be included in the motion to continue.

IV. Vote to continue agenda items not completed due to technical difficulties to the next regularly scheduled Planning Board Meeting on July 7, 2020:

Motion to CONTINUE AGENDA ITEMS TO JULY 7, 2020 IF NEEDED: Secretary Miller

Second: Member Gardner

Discussion: None

Vote:

Chairman Finlay	Yes
Vice-Chairman Eappen	Yes
Secretary Miller	Yes
Member Gardner	Yes
Member Pratt	Yes

Motion Passed 5-0-0

V. Correction/Approval of Minutes:

Motion to APPROVE the May 12, 2020 meeting minutes: Secretary Miller

Second: Vice-Chairman Eappen

Discussion: None

Vote:

Chairman Finlay	Yes
Vice-Chairman Eappen	Yes
Secretary Miller	Yes
Member Gardner	Yes
Member Pratt	Yes

Motion Passed **5-0-0**

VI. Old Business:

None

VII. New Business:

- a. **Bond Reduction: The City's Engineering Division has received a request from Vicon Properties to reduce the bond for Oak Grove Phase III to better align with the work left to complete. The Planning Board is required by section 11.1.4 Release of Guarantee of the subdivision regulations to approve bond reductions**

Mr. Kevin Proft provided context. Eric Yegian, of Vicon Properties, reached out to Mike Debrousse, Superintendent of Engineering, to request a reduction to bond #1073645. Mr. Debrousse reviewed the project engineer's estimate of the remaining work and the proposed new bond amount and agreed that a bond reduction from \$498,703.00 to \$178,201.00 was reasonable (as stated in a May 27, 2020 letter to the Planning Board). This number is the value of remaining work (\$148,201.09 - \$158,202.18) with an additional \$20,000 in case of cost overruns and unforeseeable costs.

Chairman Finlay asked for Member John Pratt's opinion. Member Pratt said he feels this new amount is reasonable as around half of the project has already been completed.

Motion to APPROVE the proposed bond reduction: Member Gardner

Second: Secretary Miller

Discussion: None

Vote:

Chairman Finlay	Yes
Vice-Chairman Eappen	Yes
Secretary Miller	Yes
Member Gardner	Yes
Member Pratt	Yes

Motion Passed **5-0-0**

Mr. Proft will draft an approval letter. Mr. Brad Ward, Building Official, recommended having the city solicitor review the new bond to ensure proper retainage. Chairman Finlay requested this be added to the approval letter.

b. Applications:

1. **Pre-Application Review | Major Land Development Application | Applicant: Redevelopment Agency of Woonsocket | Owner: Redevelopment Agency of Woonsocket & First Mendon Associates, LLC c/o Ray Bourque | Project Location: Parcels 51-1, 51-108, & 51-109 - north of Park East Drive behind (i.e. east) of Cumberland Farms | The applicant proposes to construct a light-industrial facility with associated driveway, parking, and loading zones. The applicant is seeking feedback from the Planning Board prior to submitting its Master Plan application. The applicant will present and discuss the project with the board. Board approval is not required for a pre-application review.**

Chairman Finlay stated this review is an overview of the project for the board members and allows the members to provide feedback.

Mr. Leo Hudon of Bowerman Associates introduced the project to the Agency. RESH Inc. is a metal manufacturing company that employs approximately 30 individuals, and the majority of its workforce lives in Woonsocket and the surrounding areas. The company plans to move from Franklin, MA, to Woonsocket, RI.

Mr. Steve Cabral of Crossman Engineering provided more details. The land in question is approximately 7 acres and was cleared several years ago. The proposed use is an allowed use in a MU-2 zoning district. Three parcels are being used for this project: 51-1, 51-108, and 51-109. The Redevelopment Agency of Woonsocket owns parcel 51-108. Mr. Cabral showed the board several drawings to highlight the grading levels, planned roadway, stormwater draining, and parking. There is a small wetland at the northern edge of the site and a small stream on the property to the north. The project is designed to avoid the wetland and 100-ft river buffer. A preliminary wetland application has been filed with DEM.

At full employment, there will be 35 employees at the facility. There will be one shift during regular business hours Monday-Friday (6 a.m. to 6 p.m.) with an occasional Saturday morning shift (6 a.m.-12 a.m.) RESH expects 6-10 truck deliveries per day, happening in the middle of the day, not during commuting hours. Except for security lighting, exterior lighting will be timed to shut off after workers leave for the night. The driveway into the property is one-lane in each direction with a free right turn lane to allow more space for turning trucks (heading toward Mendon Road).

Mr. Cabral briefly described the stormwater draining system – an underground infiltration system fed by two retention ponds that infiltrates some stormwater and discharges the rest through an 18” drain connected to the public drainage system under Mendon Road. This is possible due to an easement through parcel 51-13, which is owned by Ray Bourque, who is the owner of parcels 51-1 and 51-109.

Mr. Proft asked if the project will result in an increase of stormwater runoff for the site. Mr. Cabral said the stormwater system was designed to avoid any increase in peak flow, and that it would actually reduce overland runoff on neighboring residential properties. The infiltration rate on the site would remain the same as existing conditions and water quality would be improved compared to existing conditions.

Vice-chairman Roji Eappen asked if home insurance rates would be increased for the neighboring residential properties due to potential flood risk increase. Mr. Cabral replied it should not cause an insurance increase as the property is outside the 100-year flood zone so there will be no change to the current flood zone. In addition, the drainage/recharge system design should not alter the groundwater levels for the neighboring properties. Mr. Cabral stated that a membrane could be added to the slope to the west of the infiltration basin to ensure no seepage.

Vice-Chairman Eappen then asked if there would be any pollution created by the RESH facility. Mr. Gary Moyer, the architect, stated there is no waste created by the manufacturing at the facility as it only deals with solid metal products. The facility is fully automated, and much of the work is on cutting and shaping solid metal. Mr. Brad Ward, Building Official, said he visited RESH's Franklin, MA location and did not notice any sound pollution. He will write a memo to the board stating that the project is in compliance with the performance standards associated with development in an MU-2 zone.

Mr. Gary Moyer of Gary Moyer Architect presented floor plans, building elevations, and a 3d rendering of the building. The overall footprint of the building is roughly the size of a football field. The bulk of the building is the manufacturing space, 300'x160' of high bay manufacturing at the rear of the building. He explained the manufacturing process and said the design is about manufacturing efficiency while maintaining the safety of the workers. Most of the manufacturing floor is open and well-lit. Offices are located in a two-story area at the front of the building. The upper level (mezzanine) will have executive offices, a conference room, and engineering offices.

Mr. Carl Johnson, Zoning Official, informed the Board that no parking variance will be required for the project.

Vice-Chairman Eappen expressed concern about the impact of this project's construction combined with a neighboring lot's construction on the rush hour peak traffic for Park East Drive. Mr. Cabral suggested limiting truck deliveries to off-peak hours. Mr. Hudon said sequencing deliveries would be very possible and would minimize additional burden on the local traffic.

Secretary Ron Miller asked if any blasting would be required for the leveling work, and Mr. Cabral said they do not anticipate blasting due to no ledge being found during soil evaluations.

Chairman Finlay thanked them for their presentations.

2. **Public Hearing: Preliminary Plan Review | Major Land Development Application | Applicant: GREP 1099 Social LLC | Owner: Mann Family Nominee Trust (Marc Mann, Trustee) | Project Location: 1099 & 1139 Social Street, Lots 35-24 & 35-22 | The applicant proposes to alter lot lines, demolish a multi-family home, and build two single-tenant, single-story retail buildings of 7,225 and 9,180 sq. ft and associated parking. Based on the plans submitted at the time this agenda was drafted, the application may require waivers from the City's Subdivision Regulations, including 8.2.20 – Pedestrian Crosswalks and 8.2.7-6 – Sidewalks and Vegetative Buffers. The Planning Board may vote on the application at this Public Hearing.**

Messrs. Randy Miron of Bohler Engineering and Richard Nadeau of Partridge Snow & Hahn LLP spoke as representatives of the project previously at the March 3rd meeting when it received Master Plan approval. Mr. Miron provided a brief overview of the project, stating the plans presented at this meeting were very similar to the plans presented in March. One change since the March meeting is the location of Retail B's Dumpster location. The Dumpster was moved from the rear of the lot to the southeast corner of the building near Diamond Hill Road. This was changed to avoid possible issues regarding trash pick-up blocking customer-convenient parking spaces along the store. The new location has been properly screened and is outside the mandatory setbacks.

Mr. Miron stated that the proposed plan would reduce the number of curb cuts on the site from five to three (one on Social Street and two on Diamond Hill Road). The applicant is currently in the process of submitting a Physical Alteration Permit application to DOT as curb cuts on Social Street and Diamond Hill Road are under DOT's jurisdiction. Mr. Miron also stated there is a "decent reduction" of 14,000 ft² to impervious areas, compared to the current condition of the lot. This will create a reduction of stormwater rates. New deep sump catch basins were added to improve water quality, and the overflow connection will tie into the DOT's system (included with the permit application to DOT). Due to ongoing contamination of the site, the environmental engineer recommended no underground infiltration of stormwater. Updates were also made to the proposed landscaping with 17 street trees and 110 shrubs/grasses. In addition, new lighting options were included in the plans. They will be 14' high, dark sky compliant, LED-style fixtures.

Chairman Finlay asked if the new dumpster location would impact the loading space, and Mr. Miron responded the location will not impact the loading space. The two spaces are separate.

Reviewing the Staff Report issued on 6/1, Mr. Proft asked if the pavement and sidewalk outside the front of Retail A & B would be ADA-compliant. Mr. Proft stated he did not see ramps in some locations. Mr. Miron confirmed those areas would be flush so the site will be ADA-compliant.

Mr. Proft reviewed the conditions of approval from the Master Plan phase and some responses to staff comments in need of clarification. Some of the Master Plan conditions of approval that were supposed to be met prior to Preliminary Plan approval had not yet been met. The applicant stated that the conditions would still be met, but that they had not been met yet. Mr. Nadeau asked that the Planning Board include the outstanding conditions of approval from the Master Plan decision in the Preliminary Plan decision and require that they be completed prior to Final Plan approval.

Chairman Finlay led a discussion regarding concerns expressed by the Board previously on the impact of deliveries and trash pickup on residential neighbors. The applicant agreed to the following constraints:

- a. Construction shall occur only between the hours of 7 a.m. and 6 p.m.
- b. Garbage and recycling collection shall occur only between the hours of 7 a.m. and 9 p.m.
- c. Deliveries shall occur only between the hours of 7 a.m. and 11:59 p.m.

Mr. Proft stated that a previous concern regarding loitering near the proposed O'Reilly's Auto Parts building led to him suggesting security cameras or fencing for the area. Mr. Nadeau said they did not want to become a replacement for the Police Department or provide security for the neighborhood. He is concerned the neighbors are looking to the applicant to enforce the law, and that is not something they can do.

Mr. Nadeau asked that the Board vote to approve the preliminary plan with the discussed conditions and that the Board authorize the final plan approval be done administratively. None of the members expressed concerns regarding administrative approval of the final plan.

Chairman Finlay read out loud the Findings of Fact & Decision (included as an addendum to these minutes) including the Conditions of Approval. The Conditions of Approval are as follows:

1. The plan shall be revised to close the curb cut along Adams Street prior to Final Plan approval.

2. The plan shall be revised to show easements that allow Lot A to access Diamond Hill Road via the western driveway on Lot B and that allow Lot B to access Social Street via the parking area and driveway on Lot A. Metes & bounds of said easements, and legal descriptions of the purpose of the easements shall also be provided. This condition shall be met prior to Final Plan approval.
3. The plan shall be revised to state that the project will comply with Chapter 7½ - Erosion and Sediment Control and 7¾ - Post Construction – Storm Water Control Ordinance of the City’s Code of Ordinances subject to approval by RIDEM prior to Final Plan approval.
4. The conditions of Design Review Commission approval shall be met prior to or concurrent with Final Plan Approval.
5. The Engineering Division will conduct a detailed review of the plan and submit comments and feedback to the applicant. Said comments and feedback will be addressed to the satisfaction of the Engineering Division prior to Final Plan approval.
6. The applicant shall provide the fire department with a plan or document that references fire code requirements associated with the project and documents how said requirements are met prior to Final Plan approval.
7. The applicant shall provide the Administrative Officer with copies of required State permits prior to Final Plan approval (e.g. RIDOT, RIDEM).
8. The applicant agreed to the following constraints:
 - a. Construction shall occur only between the hours of 7 a.m. and 6 p.m.
 - b. Garbage and recycling collection shall occur only between the hours of 7 a.m. and 9 p.m.
 - c. Deliveries shall occur only between the hours of 7 a.m. and 11:59 p.m.

Motion to OPEN the Public Hearing: Member Gardner

Second: Secretary Miller

Discussion: None

Vote:

Chairman Finlay	Yes
Vice-Chairman Eappen	Yes
Secretary Miller	Yes
Member Gardner	Yes
Member Pratt	Yes

Motion Passed 5-0-0

Chairman Finlay called for comments from the public. The call was repeated two more times with no response.

Motion to CLOSE the Public Hearing: Vice-Chairman Eappen

Second: Member Gardner
Discussion: None
Vote:

Chairman Finlay	Yes
Vice-Chairman Eappen	Yes
Secretary Miller	Yes
Member Gardner	Yes
Member Pratt	Yes

Motion Passed **5-0-0**

Motion by Member Gardner that the Petition for a Preliminary Plan Review of a Major Land Development proposed by GREP 1099 Social LLC, 50 Main Street, Suite 201, E. Greenwich, RI 02818, for property located at 1099 & 1139 Social Street (Parcels 35-24 & 35-22) in Woonsocket be approved with conditions.

Second: Member Eappen
Discussion: None
Vote:

Chairman Finlay	Yes
Vice-Chairman Eappen	Yes
Secretary Miller	Yes
Member Gardner	Yes
Member Pratt	Yes

Motion Passed **5-0-0**

Mr. Nadeau requested confirmation that the final plan approval would be administrative. Mr. Finlay confirmed that Final Plan approval would be administrative.

- c. **Amending section 11.1.4 Release of Guarantee of the subdivision regulations: The Planning Board will discuss the protocol for bond reductions and determine whether the City Planner should develop an amendment to the subdivision regulations for future consideration and passage by the Planning Board.**

Recently, the developer for the Oak Grove subdivision requested a bond reduction (see Item VII.a in tonight's minutes) very close to his deadline for renewing the bond with his bank. All bond reductions must go before the Planning Board according to the current subdivision regulations. To accommodate the developer prior to his deadline, a special meeting of the Planning Board would have been required.

Mr. Proft asked if future bond reduction requests could be handled administratively by staff instead of the Planning Board. This would require an amendment of 11.1.4 Release of

Guarantee of the subdivision regulations.

Mr. Pratt stated his opinion that the developer is aware of the bond renewal deadline with his bank and can plan accordingly if he wants a bond reduction. He also said he felt it is better to have more eyes reviewing bond reduction requests. Chairman Finlay stated that by leaving the decision with the planning board, it alleviates pressure on staff. He agreed with Member Pratt that the burden of timing is the applicant's responsibility. He felt the current process should not be changed.

Vice-Chairman Eappen asked for the reason for this applicant's delayed submission. Mr. Proft said he did not have that information. The Planning Board decided to leave the regulation as it is currently written.

No further action was taken.

- d. **Comprehensive Plan RFP: The Planning Board will designate a representative to participate on the search committee for a Comprehensive Plan consultant on behalf of the Planning Board.**

The RFP has been published, and questions have been submitted and answered. The next step will be to review all submitted proposals. The designated representative will assist Mr. Proft, the Zoning Official, the Planning Director, and the Mayor to review the proposals. Mr. Proft asked if anyone was interested. Vice-Chairman Eappen said he would be interested in the position. Member Gardner said he would be willing to help and support Vice-Chairman Eappen as needed.

Mr. Proft said digital copies of the proposals will be shared with all the members, and they can share their comments with Vice-Chairman Eappen who will then pass it to the search committee.

VIII. Administrative Officer's Report:

Mr. Proft quickly updated the Board:

- Mendon Road Solar approval letter was signed and sent to the applicant.
- The Comprehensive Plan and Zoning amendment from the previous meeting has been sent to the City Council and was advertised for the June 15 Council meeting.
- The only application currently planned for the July meeting is the RESH project.

IX. Next Meeting Dates:

Regular Meeting: Tuesday, July 7, 2020 at 6:00 PM via Zoom

X. Adjournment:

Motion to adjourn (8:28 p.m.): Secretary Miller

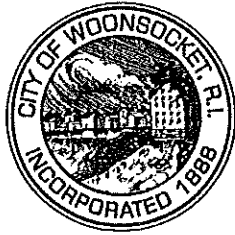
Second: Member Gardner

Discussion: None

Vote:

Chairman Finlay	Yes
Vice-Chairman Eappen	Yes
Secretary Miller	Yes
Member Gardner	Yes
Member Pratt	Yes
Motion Passed	5-0-0

Addendum: Findings of Fact & Decision
1099 & 1139 Social Street
Major Land Development
Preliminary Plan



City of Woonsocket, RI

Planning Board: Findings of Fact & Decision

June 2, 2020

I. Applicant

Property Owner's Name:	Mann Family Nominee Trust (Marc Mann, Trustee)
Property Owner's Address:	16 Oak Tree Drive, Milford, MA 01757
Developer 1's Name:	GREP 1099 Social LLC
Developer 1's Address:	50 Main Street, Suite 201, E. Greenwich, RI 02818
Developer 1's Phone:	401.825.3500
Designated Representative:	Richard Nadeau, Esq., Partridge Snow & Hahn LLP

II. Property

Assessor's Plat(s):	35-24 & 35-22
Address(es)/Location(s):	1099 & 1139 Social Street
Zoning Designation:	MU-1
Surveyor:	John P. Lynch, Control Point Associates, Inc.

III. Application

Type:	Major Land Development
Review Stage:	Preliminary Plan Review
Proposed Development Type:	Commercial
Description:	Alter the lot lines of the two parcels to create lots of 38,745 square feet and 36,250 square feet. Demolish a multi-family home. Build two single-tenant, single-story retail buildings of 7,225 and 9,180 square feet and associated parking.

IV. Statement of Review & Authority

The above matter was reviewed by the Woonsocket Planning Board under the provisions of the *Subdivision Regulations of the City of Woonsocket, Rhode Island* (the Subdivision Regulations), and Title 45, Chapter 23 § 41 of the Rhode Island General Laws (R.I.G.L.), entitled *The Land Development and Subdivision Review Enabling Act of 1992: Major Subdivision – Preliminary Plan*.

V. Exhibits

The following exhibits were used to inform the decision of the Planning Board: Major Subdivision application (certified complete May 18, 2020), site plan set (January 27, 2020, last revised May 15, 2020), Family Dollar building elevation and floor plan (January 27, 2020), O'Reilly Auto Parts building elevation and floor plan (May 5, 2020), Bohler's project narrative (May 15, 2020), Bohler's drainage memo (May 15, 2020), Administrative Officer's staff report (June 1, 2020), Planning Division, Zoning Division, and Engineering Division Comment Memos (May 20, May 27, February 5, 2020 respectively), Applicant's response to staff comments (June 2, 2020), Draft Findings of Fact & Decision (June 2, 2020).

VI. Findings of Fact

Pursuant to such hearing and testimony by appropriate representatives of the landowner and/or proposed developer and interested others, including remonstrants for and/or against the proposal, the Woonsocket Planning Board, upon careful deliberation and in accordance with the provisions of the Subdivision Regulations and Title 45, Chapter 23 § 60 of the R.I.G.L entitled *The Land Development and Subdivision Review Enabling Act of 1992: Procedures – Required Findings*, has arrived at and agreed upon the following findings of fact by majority vote:

1. That the proposed development is consistent with the *2012 Comprehensive Plan of the City of Woonsocket, Rhode Island* (the Comprehensive Plan), as amended and as approved by the Woonsocket City Council and the Director of the Rhode Island Department of Administration and/or has satisfactorily addressed the issues where there may have been inconsistencies.
 - a. The Comprehensive Plan states that the City should "grow Woonsocket's economy in a balanced and beneficial manner" (Economic Development Goal ED-2), in part, by "attracting new businesses to the City" (Economic Development Policy ED-2.1). The proposal would attract two new businesses to the city – an auto parts store and dollar store.
 - b. The Comprehensive Plan states that the City should "Improve the stability and desirability of the City's older Neighborhoods as places to live" (Housing Goal H-3). The proposed project will take a blighted, long-vacant parcel at the crossroads of multiple city neighborhoods and convert it to active use, while significantly improving aesthetics on the site.
2. That the parcels comply with the standards and provisions of the *Zoning Ordinance of the City of Woonsocket, Rhode Island* (the Zoning Ordinance) enacted December 19, 1994, amended as of November 2019.
 - a. The property in question is in an MU-1 (mixed-use residential/commercial) district.
 - b. The proposed uses for both lots (retail sales) are allowed uses in MU-1 zones.

- c. The proposed parcels and improvements meet the requirements for lot area, lot coverage, street frontage, lot width at building line, height, and number of buildings per lot.
 - d. The proposed structure on Lot A meets all setback requirements.
 - e. The loading zones for each parcel meet the minimum requirements.
 - f. The applicant has obtained variances from the following sections of the Zoning Ordinance, which the project does not comply with:
 - i. Lot A
 - 1. Section 9.1-6.4 – The proposed location of the Dumpster on Lot A is within the front yard setback, which is disallowed by the Zoning Ordinance.
 - 2. Section 9.1-3 – The building on Lot A exceeds the allowable gross floor area (5,000 square feet allowed, 7,225 square feet proposed).
 - 3. Section 5.1-3.12 – The proposed parking plan does not meet the minimum parking requirement (36 spaces required, 33 proposed).
 - ii. Lot B
 - 1. Section 9.1-6.3 – The proposed structure on Lot B does not meet the rear setback requirement (25 feet required, 12.5 feet proposed).
 - 2. Section 9.1-3 – The building on Lot B exceeds the allowable gross floor area (5,000 square feet allowed, 9,180 square feet proposed).
 - 3. Section 5.1-3.12 – The proposed parking does not meet the minimum parking requirement (45 spaces required, 26 spaces proposed).
 - g. The project in question requires Design Review from the Design Review Commission.
 - i. The applicant has applied to the Design Review Commission to have the project approved. Design Review approval will be a condition of Final Plan approval.
3. That there will be no significant negative environmental impacts from the proposed subdivision's development.
- a. The parcels in question are not within a FEMA flood zone and do not contain known wetlands.
 - b. The proposed project will increase pervious surface and tree cover on the site.
 - c. The property is in a developed area with limited habitat value.
 - d. The Engineering Division will conduct a detailed review of the plan and submit comments and feedback to the applicant. Said comments and feedback

will be addressed to the satisfaction of the Engineering Division prior to Final Plan approval.

4. That the proposed subdivision will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impractical.
 - a. The proposed project will result in two relatively flat lots with no known wetlands present.
 - b. The proposed development plan has met the requirements of the Zoning Ordinance, or, where necessary, obtained variances from said regulations.
 - c. The proposed project will require the construction of retaining walls, which, where required by building code, shall be designed and stamped by a registered engineer prior to receiving building permits.
5. That the proposed land development and lots will have adequate and permanent physical access to a public street.
 - a. Lot A will be directly accessible from Social Street.
 - b. Lot B will be directly accessible from Diamond Hill Road.
6. That the proposed subdivision meets the general purposes of the Subdivision Regulations as enumerated in subsection 1.2 of said regulations, where applicable.
 - a. That the project protects the health, safety, and welfare of the community.
 - i. The project will have little or no negative impact on the public.
 - ii. The Engineering Division will conduct a detailed review of the plan and submit comments and feedback to the applicant. Said comments and feedback will be addressed to the satisfaction of the Engineering Division prior to Final Plan approval.
 - iii. The project provides ADA compliant access from the sidewalk to the structures.
 - iv. Driveway curb cuts will be approved by RIDOT prior to final plan approval.
 - v. The applicant has agreed to constraints on construction activity, delivery schedule, garbage collection, and after-hours light intensity to avoid negatively impacting abutting residential neighbors prior to preliminary plan approval.
 - vi. The applicant shall provide the fire department with a plan or document that references fire code requirements associated with the project and documents how said requirements are met prior to final plan approval.

- b. That the project received orderly, thorough, and expeditious review and approval from the Department of Planning & Development and the Planning Board.
 - i. The application was certified complete on May 18, 2020 and the application was reviewed by the Planning Board at the June 2, 2020 meeting.
- c. That the project exhibits high-quality and appropriate design.
 - i. The Engineering Division will conduct a detailed review of the plan and submit comments and feedback to the applicant. Said comments and feedback will be addressed to the satisfaction of the Engineering Division prior to Final Plan approval
 - ii. Driveway curb cuts will be approved by RIDOT prior to final plan approval.
 - iii. The applicant has applied for design review from the Design Review Commission. Design Review approval will be a condition of Final Plan approval.
- d. That the project protects existing natural features and the built environment.
 - i. See Finding of Fact 3 above.
- e. That the project is well integrated with the surrounding neighborhoods with regard to natural and built features and concentrates development in areas which can best support intensive use by reason of natural characteristics and existing infrastructure.
 - i. The project improves a blighted, long-vacant lot into active retail use.
 - ii. The project includes sidewalk and streetscape improvements, including vegetative buffers and street trees.
 - iii. The project includes pedestrian access between the sidewalk and the structures.
 - iv. The project is proposed in an area already served by roads and utilities.
- f. That the project reflects the intent of the City's design and improvement standards with regard to the physical character of the various neighborhoods and districts of the city.
 - i. The Administrative Officer has reviewed the plan compared to section 8 - Physical Design Requirements and section 9 - Public Improvement Standards of the Subdivision Regulations and is satisfied that the applicant has or will comply with the regulations prior to Final Plan approval or, where necessary, obtained waivers from the Planning Board. The Administrative Officer reserves the right to change this judgment pending review of the plan by the Engineering Division prior to Final Plan approval.
 - ii. The Engineering Division will conduct a detailed review of the plan and submit comments and feedback to the applicant. Said comments and feedback will be addressed to the satisfaction of the Engineering Division prior to Final Plan approval.

- g. That the project underwent thorough technical review by appropriate local officials.
 - i. The preliminary plan application was reviewed by the Planning Division and Zoning Official. The Fire Department and Engineering Division reviewed the Master Plan and will review the plan again prior to Final Plan approval.
 - h. That the dedication of public land was deemed not applicable.
 - i. The parcel is relatively small with no obvious opportunity for the dedication of land to the municipality.
 - i. That record-keeping for this application was consistent with the requirements of City and State regulations.
 - i. That all records relating to this application are available at the Department of Planning & Development at City Hall.
7. That the parcels are current in the payment of real estate taxes as of February 26, 2020 as certified by the City Treasury of the City of Woonsocket.

VII. Waivers from the Subdivision Regulations

- 1. The Planning Board has the authority to grant waivers from the subdivision regulations per § 2.5.2 of said regulations. The applicant received the following waivers at the Master Plan review stage:
 - a. Section 8.2.20 - Pedestrian Crosswalks are required to be 10-feet wide.
 - i. The applicant was granted a waiver to propose ADA compliant crosswalks of uniform width narrower than 10 feet.
 - ii. The waiver aligns with the comprehensive plan, which states, "Woonsocket enjoys a safe, adequate, and efficient circulation network that meets the varied needs of its residents, businesses, and visitors" (Circulation Goal C-1)
 - b. Section 8.5.2 0 - Lot Depth is required to be deeper than the lot is wide.
 - i. The applicant was granted a waiver to allow Lot B to be wider than it is deep.
 - ii. Given the intent to divide the site into two large lots and given the shape of the site, it is inevitable that Lot B will be wider than it is deep. The literal enforcement of this provision is impracticable and would exact undue hardship because of the peculiar conditions pertaining to the land in question.

VIII. Conditions of Approval

- 1. The plan shall be revised to close the curb cut along Adams Street prior to Final Plan approval.
- 2. The plan shall be revised to show easements that allow Lot A to access Diamond Hill Road via the western driveway on Lot B and that allow Lot B to access Social Street

- via the parking area and driveway on Lot A. Metes & bounds of said easements, and legal descriptions of the purpose of the easements shall also be provided. This condition shall be met prior to Final Plan approval.
3. The plan shall be revised to state that the project will comply with Chapter 7½ - *Erosion and Sediment Control* and 7¼ - *Post Construction – Storm Water Control Ordinance* of the City's Code of Ordinances subject to approval by RIDEM prior to Final Plan approval.
 4. The conditions of Design Review Commission approval shall be met prior to or concurrent with Final Plan Approval.
 5. The Engineering Division will conduct a detailed review of the plan and submit comments and feedback to the applicant. Said comments and feedback will be addressed to the satisfaction of the Engineering Division prior to Final Plan approval.
 6. The applicant shall provide the fire department with a plan or document that references fire code requirements associated with the project and documents how said requirements are met prior to Final Plan approval.
 7. The applicant shall provide the Administrative Officer with copies of required State permits prior to Final Plan approval (e.g. RIDOT, RIDEM).
 8. The applicant agreed to the following constraints:
 - a. Construction shall occur only between the hours of 7 a.m. and 6 p.m.
 - b. Garbage and recycling collection shall occur only between the hours of 7 a.m. and 9 p.m.
 - c. Deliveries shall occur only between the hours of 7 a.m. and 11:59 p.m.

IX. Approval/Denial

Based upon the testimony and evidence gathered by the Woonsocket Planning Board in written and oral form at and before the above-referenced hearing, the following motion is hereby recorded as the official action of the Woonsocket Planning Board in the above-cited matter:

Motion by Member Gardner and seconded by Member Eappen that the Petition for a Preliminary Plan Review of a Major Land Development proposed by GREP 1099 Social LLC, 50 Main Street, Suite 201, E. Greenwich, RI 02818, for property located at 1099 & 1139 Social Street (Parcels 35-24 & 35-22) in Woonsocket be approved with conditions.

Chairman Finlay	Yes
Vice Chair Eappen	Yes
Secretary Miller	Yes
Member Gardner	Yes
Member Pratt	Yes

Motion	Passes	5-0-0
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X. Appeal of Decision

This decision may be appealed within 20 days of its recording in the City's Land Evidence Record under Section 13 of the Subdivision Regulations.

XI. Vesting of Decision

According to Section 6.4.5 of the City's Subdivision Regulations, the approved preliminary plan shall be vested for a period of two (2) years with the right to extend for two (2) one-year extensions and vesting may be extended for a longer period, for good cause shown, if requested in writing by the applicant, who must appear before the planning board for each annual review and provide proof of valid state or federal permits as applicable and approved by the planning board. Thereafter, vesting may be extended for a longer period, for good cause shown, if requested, in writing by the applicant, and approved by the planning board. The vesting for the preliminary plan approval shall include all general and specific conditions as shown on the approved preliminary plan drawings and supporting material.


XII. Final Plan Review

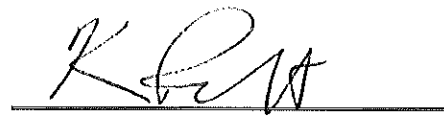
Final Plan review and approval was delegated to the Administrative Officer by the Planning Board at the June 2, 2020 Planning Board meeting.

XIII. Certification

This is to certify that the above statement of Findings of Facts & Decision reflects the action of the Woonsocket Planning Board at their regularly scheduled meeting of June 2, 2020, a quorum being present throughout, in accordance with the *Subdivision & Land Development Regulations of the City of Woonsocket, Rhode Island*, as amended. This is a true and accurate recording of such action and is intended to be a part of the official records of the Woonsocket Planning Board and duly recorded in the Land Evidence Office of the Woonsocket City Clerk as attested hereinafter.

Certified:


Kenneth Finlay, Chairman
Woonsocket Planning Board


Kevin Proft, City Planner
Administrative Officer

RECEIVED IN WOONSOCKET R.I.
DATE Jun 30, 2020 TIME 12:04:29P
Christina Harmon, CITY CLERK