

# City of Woonsocket, RI

## Planning Board Meeting Minutes

**Date/Time:** Tuesday, October 6, 2020 | 6:00PM  
**Location:** Teleconference via Zoom, Meeting ID: 886 1568 8743

I. Call to Order:

Chairman Finlay called the meeting to order at 6:05 PM.

II. Attendance Review:

Members in Attendance:

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

Others in Attendance:

1. Kevin Proft, Administrative Officer
2. Theresa Dunigan, Recording Secretary
3. Alexander Scungio
4. Chris Needham
5. Randy Miron
6. Steve Hardy
7. Roman Sosa
8. Nicole Martucci
9. Eric Yeghian

III. Remote Meeting Announcement:

The chairman read the following Remote Meeting Announcement aloud:

**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. <https://www.woonsocketri.org/planning-board/pages/meeting-files>

#### **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.
  - a. 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.

Motion to CONTINUE AGENDA ITEMS UNTIL NOVEMBER 3, 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**

Motion to AMEND NEXT MEETING DATE TO NOVEMBER 10, 2020: 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**

*[editor's note: the November Planning Board meeting was already scheduled for November 10, 2020, so this vote was redundant]*

#### **IV. Correction/Approval of Minutes:**

Motion to APPROVE the September 1, 2020 meeting minutes: 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. Meeting Business:

- a. **Discussion** – *Oak Grove Phase II & Phase III. The Planning Board will discuss and take comment on Phase II & III of the Oak Grove subdivision. The purpose of the discussion is to provide context to the Planning Board for the approval of future improvement guarantees associated with the Oak Grove subdivision.*

The Planning Board discussed that an on-site meeting between residents of the Oak Grove subdivision and the City's Administration had been scheduled concurrently with the Planning Board Meeting. Therefore, due to the scheduling conflict, it was not an appropriate time to go forward with this discussion item.

Motion to TABLE the agenda item to the November 10, 2020 meeting: Member Miller

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**

- b. **Bond Approval** – *Per section 11 of the subdivision regulations, Eric Yegian of Vicon Properties has requested that the Planning Board approve a bond for Phase IV of the Oak Grove subdivision. Per Section 11.1.2 of the City's Subdivision Regulations, the Planning Board may use context provided by the implementation of Phase II and Phase III of the Oak Grove project to inform potential conditions to attach to a motion to approve the bond. This item was tabled at the September 1, 2020 Planning Board meeting. The Planning Board will review the matter and may vote on a motion to approve the bond.*

Chairman Finlay stated that upon the recommendation of the City's Department of Public Works and Legal Department the Bond Approval item should be tabled until existing concerns relating to the subdivision are addressed.

Motion to TABLE the Bond Approval until the November 10, 2020 meeting: 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**

- c. **Minor Subdivision** | *Preliminary Plan Stage* | *Applicant & Owner: Ramon Sosa* | *Project Location: 0 Olo Street, Lot 6-107, approximately 300 feet east of the intersection of Olo Street and First Avenue* | *The applicant proposes to subdivide Lot 6-107 (23,535 square feet) into two lots of 10,221 and 13,315 square feet for the construction of two two-family dwellings. No road extensions are proposed and no waivers from the subdivision regulations are sought. The Planning board will review the matter and may vote on a motion to approve the subdivision.*

Mr. Alexander Scungio introduced himself as the land surveyor for this property. He also drafted the plan provided to the Board for the applicant, Ramon Sosa. He reviewed the project, which would result in the division of a single parcel into two parcels for the construction of two two-family structures. Mr. Scungio noted that a concrete pad would be removed on Parcel “B”.

Chairman Finlay and Member Pratt discussed the slope behind the proposed buildings that leads to Costa Park. The Chairman expressed his preference for keeping the slope rather than adding a wall. Mr. Proft stated that Mr. Leo Cote, the City’s Building Inspector, was concerned about constructing homes so near to the slope. Mr. Proft stated that he added several conditions to the Draft Findings of Fact & Decision to address the concerns about the slope:

1. To the extent practicable, existing vegetation will be maintained, especially on the steep slope at the rear of the proposed parcels to help prevent erosion of the slope.
2. Erosion shall be managed during and after construction and stormwater from new impervious area resulting from development shall be managed after construction per section 8.7 of the City’s Subdivision Regulations and Chapters 7½ and 7¾ of the City’s Code of Ordinance.
3. Development on the site will comply with section 403.1.7 of the 2019 Rhode Island one- and two-family dwelling code.
4. Compaction testing shall be conducted should fill be added to the site.

Mr. Scungio said there is no plan to disturb or alter the slope grading.

Mr. Proft found the plan to be consistent with the Comprehensive Plan and to comply with the subdivision regulations. The Zoning Official found the plan complies with the zoning ordinance. There is a large existing curbcut, and Mr. Proft said requiring the applicant to close the curb cut and rebuild the sidewalk would be costly given the size of the proposed project. Mr. Proft proposed a Condition of Approval that the applicant will work with the Engineering Division to identify significantly cracked or deteriorated sections of the sidewalk to be fixed. Member Gardner said requiring the applicant to close the curb cut and reconstruct the sidewalk would be very expensive because he would need to cut into the street, but it would improve the sale value of the home.

*[editor’s note: it was later determined that the sidewalk curb cut is required to be closed to a specific degree by City ordinance. City ordinance supersedes the less stringent requirement placed on the applicant by the Planning Board at this meeting. The engineering division is working with the applicant to adhere to the city ordinance – kp 11/2/2020].*

There was a brief discussion about parking, specifically regarding the driveway locations and resident access. It was determined that the proposed two family homes would be stacked units, not side-by-side, and that convenient access to both units would be available from the driveway.

With no further questions from the Board, the Chairman read the Findings of Fact/Conditions of Approval into the record included as an addendum to these minutes.

Motion to APPROVE with the stated Conditions: 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**

The Planning Board delegated final plan review to the Administrative Officer.

- d. **Amending** the Findings of Fact & Decision for the Major Land Development at 1099 & 1139 Social Street. Randy Miron of Bohler Engineering (the applicant) has requested that a Condition of Approval included in the project's Preliminary Plan approval be modified to allow construction of building foundations prior to receiving a RIPES approval from RIDEM. The Board will review the matter and may vote on a motion to approve the proposed modification.

Chairman Finlay said he believed the delayed RIPDES approval from RIDEM is likely due to COVID-19 and that this delay provides a hardship on the applicant. The Chairman, Mr. Proft, the Building Official and Superintendent of Engineering each agreed that providing the permit for foundation work – with the understanding that the applicant was assuming the risk if the RIDEM permit was rejected – was acceptable.

Member Pratt said that he did not believe it prudent to proceed with construction prior to obtaining the RIDEM permit but said that as long as the applicant understood the risk, the Board could approve the amendment and then leave it to the applicant to decide whether to move forward given that risk. Mr. Randy Miron responded they understand the risk involved. They hope to get the foundation permit so they can begin construction before the ground freezes.

There was a discussion of the purpose of the RIDEM RIPDES permit and which phase of development it is relevant to. Mr. Miron said the permit is not related to the foundation aspect of the project. Instead the permit focuses on post-construction stormwater management. RIDEM has requested further water quality control because, after construction, the stormwater will drain into the Blackstone River (an impaired body of water). The alterations required to address RIDEM's comments do not impact the foundation work.

Mr. Proft shared a memo from the Building Official, Brad Ward, that stated that he would not object to issuing the foundation permit as long as RIGL 23-27.3-114.1 – *Approval in part* was met.

Chairman Finlay read Condition of Approval #7 from the Planning Board’s Preliminary Plan approval:

“The Applicant shall provide the Administrative Officer with copies of required state permits prior to final plan approval.”

Chairman Finlay read the proposed amendment to the above condition of approval:

“The Applicant shall provide the Administrative Officer with copies of required state permits prior to any building permits being approved for the project with the exception of permits associated with the construction of the project’s foundations.”

Mr. Proft suggested adding the phrase “at the applicant’s expense” to section V. g. of the proposed amendment’s Findings of Fact section. Member Pratt supported this addition. The amended sentence would read: “Should the project fail to obtain required State permits, resulting in the discontinuation of the project, the project site shall be stabilized in a manner approved of by the Engineering Division at the applicant’s expense”.

Motion to APPROVE the amendment to the Planning Board’s Preliminary Plan Findings of Fact & Decision as approved at the June 2, 2020 meeting: Member Pratt

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**

*[Editor’s Note: The Amendment is included as an addendum to these minutes]*

- e. *Selection of a Planning Board member to participate in Local Foods, Local Places workshops on October 27-29. Attendance at all workshops is not required.*

Mr. Proft explained the purpose of the virtual workshops is to develop a plan to revitalize downtown Woonsocket via the local food economy. NeighborWorks was awarded this Technical Assistance “grant” from the EPA; the City agreed to participate in the planning process and provided a letter of support during the application process. Mr. Proft thought it would be appropriate to have a Board Member at a few of the sessions. Vice-chairman Eappen, Secretary Miller, and Member Gardner expressed interest in participating in some of the workshops. Mr. Proft stated that he would follow up with those members in the coming days.

#### VI. Administrative Officer’s Report:

There were no administrative subdivisions approved during the past month.

The Comprehensive Plan amendment for the zone change of Lot 36-76 (recommended by the Board to the City Council) received second passage on October 5, 2020. The zone change is now official, and the lot is now rezoned from MU-2 to R-4. There zoning of parcel 36-76 will now allow Ed Beauchemin to move forward with a project to construct three single-family dwellings on the site.

There is no update on the upcoming Comprehensive Plan. City staff is continuing to work on the final agreement with the contractor.

The Brownfields program continues to implement the EPA \$300,000 assessment grant. Mr. Proft walked through 719 River Street with Fuss & O'Neill team members. A hazardous building material assessment will begin soon for 162 Main Street. The City applied for two additional RIDEM grants – an assessment grant at 92 and 176 Sunnyside Ave and a clean up grant for Seville Dye on First Avenue for known petroleum issues on the site.

The Census grant's September deadline was extended through October.

The Municipal Resilience workshop was rescheduled to October 21, 2020. Member Gardner has confirmed he is able to attend the new time.

The City is partnering with URI students to create conceptual landscape/architectural designs for several sites around downtown, mostly park interventions to improve the visual and resilience aspects. Mr. Proft held site visits with the students.

The City was awarded \$90,000 as part of the state's "Take It Outside" initiative. This grant's goal is to encourage citizens spend more time outdoors. The City's proposal included purchasing tables, chairs, and heaters for local businesses to extend their outdoor dining season; a program for senior citizens to recreate and eat meals outdoors; and creating a space for the library to have some programming outside. The initiative ends in mid-December. The items purchased were chosen with long-term use in mind to benefit the businesses, seniors, and library after the end of the initiative.

VII. Next Meeting Dates:

Tuesday, November 10, 2020 | Online via Zoom

VIII. Adjournment:

Motion to adjourn (7:45PM): Vice-Chairman Eappen

Second: Member Gardner

Discussion: None

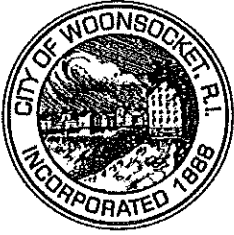
Vote:

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

**Motion Passed 5-0-0**

Addendum 1:  
Olo Street Preliminary Plan Approval





# City of Woonsocket, RI

## Planning Board: Findings of Fact & Decision

October 6, 2020

### I. Applicant

Property Owner's Name: Ramon Sosa  
Property Owner's Address: 619 Manville Road, Woonsocket, RI 02895  
Designated Representative: None

### II. Property

Assessor's Plat(s): 6-107  
Address(es)/Location(s): 0 Olo Street | ~ 300 ft east of Olo St. & First Ave.  
Zoning Designation: R-4 (high-density residential)  
Surveyor: Alexander Scungio  
18 Twins Ln., N. Providence, RI 02904  
(401) 265-9658

### III. Application

Type: Minor Land Development  
Review Stage: Preliminary Plan Review  
Proposed Development Type: Residential  
Description: Subdivide Lot 6-107 (23,535 square feet) into two lots of 10,221 and 13,315 square feet for the construction of two two-family dwellings. No road extension is proposed.

### 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 § 38 of the Rhode Island General Laws (R.I.G.L.), entitled *The Land Development and Subdivision Review Enabling Act of 1992: General provisions – Minor land development and minor subdivision review*.

V. Exhibits

The following exhibits were used to inform the decision of the Planning Board: Minor Subdivision application (certified complete September 23, 2020), Minor Subdivision Plan (June 15, 2020, last revised September 23, 2020), Compiled staff comment memo from Planning Division, Zoning Division, Fire Marshal's Office, Assistant Building Inspector, and Engineering Division (September 17, 2020), Administrative Officer's staff report (September 28, 2020), Draft Findings of Fact & Decision (October 6, 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, “diversify housing options for present and future generations” (Housing Goal H-1), in part, by, “encouraging the construction of ‘workforce housing’ for middle-income residents” (Housing Policy H-1.1). The proposed project would create four modest sized dwelling units likely to be affordable to middle-income residents.
  - b. The Comprehensive Plan states that the City should, “preserve the City’s existing housing stock in order to protect the health, safety, and financial well-being of city residents” (Housing Goal H-2), in part, by, “promoting small-scale development that enhances and supports the existing economic and social fabric of the City’s neighborhoods. The Comprehensive Plan also 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 development is small-scale in nature and represents an investment in an existing, older neighborhood within the city.
  - c. The Comprehensive Plan states that the City should, “increase visitation and the appropriate use of the city’s parks, conservation areas, and open space lands” (Open Space Goal OS-3). The proposed development will abut Costa Park, thereby increasing the number of City residents living in close proximity to the city’s parks.
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 R-4 (high-density residential) district.
  - b. The proposed use for both lots (two-family homes) is allowed in R-4 zones.
  - c. The proposed parcels and improvements meet the requirements for lot area, lot coverage, street frontage, lot width at building line, yards and open spaces, height, and number of buildings per lot.
  - d. The proposed parking areas meet the minimum requirement for two-family homes (four spaces per two-family dwelling).
3. That there will be no significant negative environmental impacts from the proposed subdivision's development.
- a. The parcel in question is not within a FEMA flood zone and does not contain known wetlands.
  - b. While wooded, the property is a previously disturbed site with limited habitat value.
  - c. To the extent practicable, existing vegetation will be maintained, especially on the steep slope at the rear of the proposed parcels to help prevent erosion of the slope.
  - d. Erosion shall be managed during and after construction and stormwater from new impervious area resulting from development shall be managed after construction per section 8.7 of the City's Subdivision Regulations and Chapters 7½ and 7¾ of the City's Code of Ordinance.
  - e. The Engineering Division reviewed the plan, submitted comments, and the applicant adequately addressed the comments. The Engineering Division will review construction plans prior to building permit approval.
  - f. The Assistant Building Inspector reviewed the plans, submitted comments, and the applicant adequately addressed the comments. All proposed construction on the site shall conform to Section 403.1.7 of the 2019 Rhode Island one- and two-family dwelling code.
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 development plan has met the requirements of the Zoning Ordinance.
  - b. The Engineering Division reviewed the plan, submitted comments, and the applicant adequately addressed the comments. The Engineering Division will review construction plans prior to building permit approval.
  - c. The Assistant Building Inspector reviewed the plans, submitted comments, and the applicant adequately addressed the comments. All proposed construction on the site shall conform to Section 403.1.7 of the 2019 Rhode Island one- and two-family dwelling code prior to building permit approval.

5. That the proposed land development and lots will have adequate and permanent physical access to a public street.
  - a. Both lots will have adequate and permanent access to Olo Street.
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. To the extent practicable, existing vegetation will be maintained, especially on the steep slope at the rear of the proposed parcels to help prevent erosion of the slope.
    - iii. Erosion shall be managed during and after construction and stormwater from new impervious area resulting from development shall be managed after construction per section 8.7 of the City's Subdivision Regulations and Chapters 7½ and 7¾ of the City's Code of Ordinance.
    - iv. The Engineering Division reviewed the plan, submitted comments, and the applicant adequately addressed the comments. The Engineering Division will review construction plans prior to building permit approval.
    - v. The Assistant Building Inspector reviewed the plans, submitted comments, and the applicant adequately addressed the comments. All proposed construction on the site shall conform to Section 403.1.7 of the 2019 Rhode Island one- and two-family dwelling code.
    - vi. The Fire Marshal's Office reviewed the subdivision plan and had no concerns with it being approved given street access to the parcel and the presence of a fire hydrant across the street from the parcel.
  - 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 September 23, 2020 and the application was reviewed by the Planning Board at the October 6, 2020 meeting.
  - c. That the project exhibits high-quality and appropriate design.
    - i. To the extent practicable, existing vegetation will be maintained, especially on the steep slope at the rear of the proposed parcels to help prevent erosion of the slope.
    - ii. Erosion shall be managed during and after construction and stormwater from new impervious area resulting from development shall be managed after construction per section 8.7 of the City's Subdivision Regulations and Chapters 7½ and 7¾ of the City's Code of Ordinance.
    - iii. The Engineering Division reviewed the plan, submitted comments, and the applicant adequately addressed the comments. The Engineering Division will review construction plans prior to building permit approval.

- iv. The Assistant Building Inspector reviewed the plans, submitted comments, and the applicant adequately addressed the comments. All proposed construction on the site shall conform to Section 403.1.7 of the 2019 Rhode Island one- and two-family dwelling code.
- 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. Two-family homes match the character of the existing neighborhood which generally consists of multi-family development.
  - ii. There is a steep slope at the rear of the parcel. The Assistant Building Inspector reviewed the plans, submitted comments, and the applicant adequately addressed the comments. All proposed construction on the site shall conform to Section 403.1.7 of the 2019 Rhode Island one- and two-family dwelling code.
  - iii. The project includes streetscape improvements, including street trees.
  - 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 complied with the regulations.
  - ii. The Engineering Division reviewed the plan, submitted comments, and the applicant adequately addressed the comments. The Engineering Division will review construction plans prior to building permit approval.
- g. That the project underwent thorough technical review by appropriate local officials.
  - i. The preliminary plan application was reviewed by the Planning Division, Zoning Division, Fire Marshal's Office, Engineering Division, and the Assistant Building Official.
- 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 September 24, 2020 as certified by the City Treasury of the City of Woonsocket.

**VII. Conditions of Approval**

1. To the extent practicable, existing vegetation will be maintained, especially on the steep slope at the rear of the proposed parcels to help prevent erosion of the slope.
2. Erosion shall be managed during and after construction and stormwater from new impervious area resulting from development shall be managed after construction per section 8.7 of the City's Subdivision Regulations and Chapters 7½ and 7¾ of the City's Code of Ordinance.
3. Development on the site will comply with section 403.1.7 of the 2019 Rhode Island one- and two-family dwelling code.
4. Compaction testing shall be conducted should fill be added to the site.
5. The applicant shall work with the City's Engineering Division to identify significantly cracked or deteriorated segments of the sidewalk. Said segments shall be marked for replacement on the subdivision plan prior to Final Plan approval.

**VIII. 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 Miller that the petition for a Preliminary Plan Review of a Minor Subdivision proposed by Ramon Sosa, 619 Manville Road, Woonsocket, RI 02895, for property located at 0 Olo Street (Lot 6-107) 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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**IX. 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.

X. Vesting of Decision

According to Section 5.2.4 of the City's Subdivision Regulations, the approved preliminary plan shall be vested for a period of one (1) year and 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.


XI. Final Plan Review

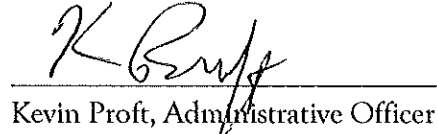
Final Plan review and approval was delegated to the Administrative Officer by the Planning Board at the October 6, 2020 Planning Board meeting.

XII. 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 October 6, 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:

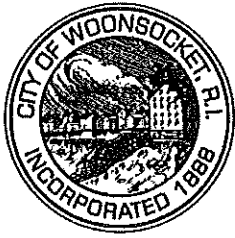
  
Kenneth Finlay, Chairman  
Woonsocket Planning Board

  
Kevin Proft, Administrative Officer  
Woonsocket Planning Board

RECEIVED IN WOONSOCKET R.I.  
DATE Oct 09, 2020 TIME 02:42:32P  
Christina Harmon, CITY CLERK

Addendum 2:  
1099 & 1139 Social Street Amendment  
to Preliminary Plan Approval





# City of Woonsocket, RI

## Planning Board: Findings of Fact & Decision

### AMENDMENT

October 6, 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:	<sup>Book: 2537</sup> <sup>Page: 198</sup> <u>Amendment to Preliminary Plan Approval</u>
Proposed Development Type:	Commercial
Project 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.
Amendment Description:	Randy Miron of Bohler Engineering – on behalf of the applicant – has requested that a Condition of Approval in this project's Preliminary Plan approval be modified to allow for construction of building foundations prior to the project receiving its RIDEM RIPES permit.

#### **IV. Proposed Amendment**

Condition of Approval 7 in the Preliminary Plan Findings of Fact & Decision approved by the Planning Board at its June 2, 2020 meeting states:

“The applicant shall provide the Administrative Officer with copies of required State permits prior to Final Plan approval (e.g. RIDOT, RIDEM).”

The amended Condition of Approval shall state:

“The applicant shall provide the Administrative Officer with copies of required State permits prior to any building permits being approved for the project with the exception of permits associated with the construction of the project’s foundations.”

#### **V. Findings of Fact**

- a. The applicant has secured its RIDOT Physical Alteration Permit and RIDEM Remedial Approval Letter and provided them to the City of Woonsocket
- b. The applicant has submitted its application for its RIDEM RIPES permit. RIDEM has provided comments to the applicant which need to be addressed prior to the application being approved.
- c. RIDEM’s comments pertain to post-construction stormwater control. The applicant is expected to further improve water quality on-site prior to discharge into public drainage infrastructure.
- d. The City’s Engineering Division has reviewed and assented to the project’s soil erosion and sediment control plan as part of the Final Plan Review for this project. This plan addresses runoff and pollution concerns during the construction phase of the project.
- e. The City’s Planning Division, Building Division, and Engineering Division are aware of the proposed amendment and do not object.
- f. The City’s Interim Director of Planning is aware of the proposed amendment and does not object.
- g. The applicant has been made aware that construction work undertaken prior to the completion of the RIPDES permitting process will be undertaken at its own risk. The approval of the building permits associated with the project’s foundations is not a guarantee of approval of subsequent permits required to complete the project. Should the project fail to obtain required State permits, resulting in the discontinuation of the project, the project site shall be stabilized in a manner approved of by the Engineering Division at the applicant’s expense. The applicant has agreed to provide a letter to the Building Official stating their understanding and acceptance of this risk.
- h. The amendment in no way alters the Findings of Fact arrived at in the Planning Board’s June 2, 2020 Findings of Fact & Decision. This includes:
  - i. Finding of Fact #3 – “that there will be no significant negative environmental impacts from the proposed subdivision’s development.”

1. While the RIPDES permit is associated with water quality, the proposed amendment defers the permitting requirement to a later point in the process; it does not waive the requirement.
- ii. Finding of Fact #6. a. – “That the project protects the health, safety, and welfare of the community.
  1. Poor stormwater management can lead to flooding. The RIDES permit will help ensure stormwater is managed responsibly. The proposed amendment defers the permitting requirement to a later point in the process; it does not waive the requirement.

#### **VI. Approval/Denial**

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

Motion by Member Pratt and seconded by Member Gardner that the Preliminary Plan Findings of Fact & Decision approved at the June 2, 2020 Planning Board meeting be amended as proposed in section IV of this document to allow for the construction of the project’s foundations prior to the applicant’s receipt of a RIDEM RIPDES permit, with the understanding that no other building permits shall be approved until the RIDEM RIPDES permit is secured by the applicant and provided to the Administrative Officer of the Planning Board and that the applicant proceeds with the construction of the foundations at its own risk as stated above in section V. g. of this document.

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

<b>Motion</b>	<b>Passes</b>	<b>5 - 0 - 0</b>
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#### **VII. 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.

#### **VIII. 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.

**IX. 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.

**X. Certification**

This is to certify that the above statements reflect the action of the Woonsocket Planning Board at their regularly scheduled meeting of October 10, 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 Oct 23, 2020 TIME 01:28:19P  
Christina Harmon, CITY CLERK