

**City of Woonsocket, Rhode Island**  
**Planning Board Meeting**  
**Tuesday, August 6, 2019 @ 6:00 P.M.**  
**Harris Hall, 169 Main Street**

Present: Kenneth A. Finlay, Chairman  
Roji Eappen, Vice Chairman  
Stephen R. Crisafulli, Secretary  
Ronald Miller, Member  
Jonathan R. Pratt, P.E., Member

Also Present: Kevin Proft, City Planner/Administrative Officer  
Carl Johnson, Zoning Official  
Pauline Washington, Recording Secretary

1. Call to Order

Chairman Finlay called the meeting to order at 6:00 P.M.

II. Attendance Review

Attendance was taken by Chairman Finlay that identified the above members as present.

III. Approval/Correction of Minutes

Meeting of Tuesday, July 2, 2019 - the minutes were corrected to reflect Mr. Eappen as Vice-chairman, not Mr. Miller. MOTION Mr. Miller, seconded by Mr. Crisafulli to approve the corrected minutes. The MOTION carried.

IV. Old Business

- Bike Path (Segment 8B-1 Truman Drive): update and next steps

Chairman Finlay stated that all the board members are in receipt of a letter '*In Response to Truman Drive Modification Proposal*' from David Fish, Administrator of Project Management, RIDOT. Mr. Proft stated that he received the letter from RIDOT in response to the on-site meeting they had regarding the requested changes to the roundabout the city is asking for at Bernon Street and Truman Drive during the construction phase of the Bike Path. Mr. Proft stated that RIDOT's reply to the City's request was NO. At this time RIDOT would prefer to complete the project on schedule, not delay completion work into 2020. Mr. Proft stated that he responded to David Walsh at RIDOT about the letter and requested that he speak to David Fish again in an effort to convince Mr. Fish to change his mind. Mr. Proft stated that he has not received a response to his letter, but Mr. Walsh indicated that he had circulated the letter around RIDOT in an effort to ensure that Mr. Fish had a clear understanding that the City is only asking for a change to the roundabout, not the entire project. Again, Mr. Proft stated that he has not received a reply to his letter, therefore he believes the answer is a definite NO.

Mr. Proft stated that Mr. Fish's letter did suggest two ways forward: 1. work with RIDOT and Statewide Planning to get approval of this project in the Transportation Improvement Plan (TIP), or 2. The City can request to do the project through the RIDOT Physical Alteration Permit Office.

Mr. Proft stated that at this point, since the project isn't going to happen during the current construction phase, he will determine the best path forward at a RIDOT planning

meeting on August 29<sup>th</sup>. Current and future projects are on the agenda for that meeting. Mr. Proft stated that during this meeting he will discuss the two alternate paths suggested by Mr. Fish, find out what the pros and cons are for both, and report back to the board. Mr. Proft noted that Steven Lima and Mr. D'Agostino will be attending that meeting, it might be helpful if a member of the board participate.

Mr. Pratt stated that he's somewhat familiar with the Physical Alteration Permit Office - basically you must apply for a permit for any modification to a State road- it's a difficult RIDOT application that's very time consuming.

Member Eappen suggested reaching out to River's Edge and/or Neighborworks regarding murals on one or both sides of the barriers along the Bike Path. Member Miller noted that images of their work can be found on East School Street.

## V. New Business

### Applications

- Preliminary and Final Plan Review - Minor Land Development Application - Singleton Street Solar Array- Owner/Applicant: Singleton Group, LLC - Project Location: Plat 7, Lot 17

*Brian R. King, P.E., Senior Project Director, Crossman Engineering* - 103 Commonwealth Avenue, North Attleboro, MA, represented the applicant.

Mr. King described the proposed site location as follows: its located adjacent the Blackstone River, its 4.12 acres in size and zoned L-I. The site is mostly clear of trees, there's a small paved parking lot at the corner of Singleton Street. The site is bordered on the north by a drainage channel; to the east there's residential properties, to the south is an industrial zone and industrial use, and to the west is a bike path. Mr. King stated that today the site is bordered by vegetation in most of the area to the north, east, and west.

Mr. King stated that the proposal is to construct a 250 kw ground-mounted solar array on Singleton Street. The system will be surrounded by a 9 ft.chain-link fence with gated access and locked. Access to the array would be via the existing driveway curb cut. He stated that the grass will be maintained, but where it is disturbed, it will be loamed and seeded after the project is complete. He noted that existing vegetation to the north would remain, vegetation to the east would require minimal cutting.

Mr. King stated that the proposed use is an allowed use in this zone, the applicant isn't requesting a waiver. Mr. King stated that the zoning regulations call for a 9 ft. high fence, but the applicant would prefer to have a 6-foot fence. He's working with the Zoning Official regarding this variance.

Member Miller asked what the setback from the parking area is, it appears very small. Mr. King stated that they don't touch the parking area, but it is close.

Member Pratt asked if they plan to maintain the parking area. Mr. King stated this parking area will remain, however it won't be used by the solar facility.

Member Crisafulli asked if the panels go into the wetland buffer zone, but not into the Riverbank buffer zone. Mr. King stated that is correct. With the board's approval he will need to go to DEM to get an Insignificant Alteration Permit for this work. He doesn't feel that this will be an issue because they're not proposing any clearing, they will be installing panels in an area that's already cleared. He stated that they're not changing the wetlands flow, and they're not changing the surface of the ground.

Chairman Finlay asked the Zoning Official if he's in favor of reducing the 9 ft. fence to 6 ft. Mr. Johnson stated that he and the City Planner have been working on an amendment to this zoning ordinance that address the fence height. He would look favorable on this application

before the Zoning Board as a dimensional variance. Mr. Proft stated that the draft language of the solar zoning ordinance amendment reads something like... *"the height of the fence will be the minimum required by the Fire and Electrical codes"*. He stated that the intention is to bring the height down to 6 ft. or the minimum requirement, to avoid the higher fences. Chairman Finlay stated that it's his opinion that 9 ft. is too high and would be a unattractive. He asked Mr. Proft if the amended zoning ordinance would be approved in time to apply to this application. Mr. Proft responded no. Chairman Finlay asked Mr. King if he's amenable to the zoning variance. Mr. King stated yes, he plans to further discuss the fence issue with the Zoning Official. His goal is to get Planning Board approval tonight and Final Plan approval whether they go to zoning or not.

Member Crisafulli asked if the fence black or galvanized? Mr. King stated that the fence will be whatever's required (galvanized).

Chairman Finlay stated that the plans calls for all the power from the site to tie into the existing National Grid poles. Mr. King replied yes.

Member Crisafulli requested that the applicant seed and loam the western portion of the lot with a low maintenance seed mix. It is currently disturbed from a previous project. The applicant agreed to add a note about this on the plan.

There being no comments from the public, Chairman Finlay closed the public hearing.

MOTION by Vice-Chairman Eappen, seconded by Member Miller that the Petition for a Preliminary and Final Plan review of a Minor Land Development Plan proposed by Singleton Group, LLC, 235 Singleton Street, Woonsocket, RI 02895, for property located at Woonsocket Assessor's Plat 7, Lot 11 on Singleton Street be approved.

The Findings or Fact were read into the record including the following conditions of approval:

#### **Conditions of Approval**

1. The applicant shall secure all required RIDEM permits and submit them to the City of Woonsocket's Administrative Officer/City Planner prior to the issuance of any building permit.
2. All installations shall comply with the applicable building, electrical, and fire codes and may be subject to yearly inspections by the Woonsocket Building and Electrical Officials. All installation components must have an UL listing or equivalent.
3. A surety bond shall be posted prior to the issuance of any building permit to cover the cost of removing the solar energy system and associated improvements and returning the land to its predevelopment state. The Developer is responsible for completing the decommissioning process based on the decommissioning plan within six months of cessation of operations.
4. The surety bond amount shall be set by the Administrative Officer and City Engineer after a review of the estimated cost of decommissioning provided by the applicant is reviewed by the Engineering Department.
5. The applicant shall submit the access easement between the applicant and National Grid. Said easement shall be reviewed by the City Solicitor and recorded in the land evidence record prior to the issuance of a building permit.
6. The site plan set shall be updated with a note that, where necessary, the area between the west fence line and the west lot line shall be loamed and seeded with a low-maintenance, pollinator-friendly seed mix after construction is complete.

7. That the Planning Board adopts the language of the Administrative Officer's Staff Report and Draft Findings of Fact & Decision relating to the Singleton Street Solar Project, enters the documents into the record, and approves their use for the purposes of writing the Findings of Fact & Decision.

Roll Call Vote:

Secretary Crisafulli	YES
Vice-Chairman Eappen	YES
Member Miller	YES
Member Pratt	YES
Chairman Finlay	YES

MOTION PASSES 5-0

Regulations

- *Amendment to Zoning Ordinance - Zoning Variances in Conjunction with Special Use Permits*

Chairman Finlay stated that the City Council forwarded the proposed Zoning Amendment to the board for advice and recommendation.

Carl Johnson, Zoning Official, stated that before the board is a proposed change to the City's zoning ordinance that would allow a property owner to request a variance in conjunction with a special use permit. Mr. Johnson stated that the current version of the Zoning Ordinance does not permit such a combination. He noted that the proposed amendment is specifically enabled by RI General Law and many RI municipalities have already approved such an amendment. Mr. Johnson stated that he knows of at least one potential application that could make use of this amendment and that there will likely be more. He noted that the amendment will be good for the City, therefore he supports it, and the City Planner as well.

Chairman Finlay stated that he supports the proposed amendment...with the change in environment in the City he's in favor of proposals that support the ease of property owners and developers getting through the permitting process.

Mr. Proft stated that he put together a draft resolution, if the board approves the language, we can sign it tonight and use it as the official resolution, and return it to the City Clerk and the Council.

MOTION by Vice-Chairman Eappen, seconded by Member Pratt to APPROVE the recommendation to the City Council regarding amending Section 15.8-4 Special Use Permit in conjunction with a Dimensional Variance of the Zoning Ordinance to recognize the unique circumstances of individual applicants for special use permits and to eliminate the economic disadvantage faced by the City compared to other Rhode Island municipalities that have already passed similar amendments.

Roll Call Vote:

Secretary Crisafulli	YES
Vice Chairman Eappen	YES
Member Miller	YES
Member Pratt	YES

Chairman Finlay YES

MOTION PASSES 5-0

- *Amendment to Zoning Ordinance - Various Technical Changes*

Chairman Finlay stated that it appears to be three parts to this zoning amendment. Mr. Johnson replied yes, but the last two sections go hand in hand. He stated that last year the City received a significant number of calls, especially regarding flatbed tow trucks. Basically, people that live in residential zones operating tow trucks during all hours (day and night) disrupting the neighbors. His office received numerous complaints--he looked into the Code of Ordinances which does address the enforcement of parked idling vehicles (over 30 minutes) or idling trucks (over 10 minutes in residential zones) is enforced by the Police Department, but the ordinance requires the Police Department to monitor the idling truck for the 10-minute period. Mr. Johnson stated that utilizing this procedure as a tool would give the residents some relief.

Mr. Johnson stated that the home occupation is basically a quality of life issue; any activity occurring during home occupation should not have an impact on your neighbors. There shouldn't be any outside storage of equipment or noise. He stated that you are allowed signage up to six square feet (about the size of a realtor's for sale sign). Mr. Crisafulli stated that six feet is too large for a residential zone. The board suggested that the sign be reduced to four square feet. After further discussion, it was determined that attempting to regulate sign size in this part of the ordinance would create contradictions with the section of the ordinance specifically designated to sign regulations. The board decided it would be better for the amendment to simply refer to the sign section and to amend the sign section in the future to attain the city's preferred signage outcomes.

Chairman Finlay stated that he has issues with the storage of commercial vehicles in a residential zone. He stated that you could have owner-operated electricians, carpenters, plumbers owning vehicles weighing over 5 thousand pounds. Or they could own a larger style van that a lot of tradesmen are buying now. Many of these tradespersons bring their vehicle home at the end of the day. Chairman Finlay stated that adherence to this ordinance wouldn't allow the resident to do that if he lives in a residential neighborhood. Chairman Finlay stated that he understands the problem, he has witnessed it first-hand. At one time there was an all-out war in the City between flatbeds and residential properties. He stated that in his opinion this ordinance appears to be too restrictive. He stated that he cannot support the ordinance as written - the single tradesman would suffer.

Mr. Johnson suggested working with the City Planner to revise the ordinance, specifically the language relating to storage of commercial vehicles.

MOTION by Member Miller, seconded by Member Crisafulli to TABLE the Amendment to Zoning Ordinance - Various Technical Changes, pending further language review. The MOTION CARRIED 5 - 0.

- *Amendment to Zoning Ordinance - Historic Structures Floating Overlay District*

Mr. Johnson stated that the proposed changes to the ordinance are technical in nature and intended to clarify the intent of the Historic Structure Floating Overlay District and create continuity of format.

Mr. Proft stated that this amendment is intended to cleanup up the ordinance but doesn't introduce anything that hasn't already been approved by the council.

MOTION by Member Pratt, seconded by Member Crisafulli to APPROVE the proposed recommendation to the City Council regarding amending Section 2.1-6 - Overlay District, Section 12.6 - Live/Work Units, Section 12.7 - Historic Structure Overlay District, and Section 18.1 - Definitions to clarify the intent of the Historic Structure Floating Overlay District, and create continuity of format with the Zoning Ordinance.

Roll Call Vote:

Secretary Crisafulli	YES
Vice-Chairman Eappen	YES
Member Miller	YES
Member Pratt	YES
Chairman Finlay	YES

MOTION PASSED 5-0

- *Amendment to the Zoning Ordinance - Zoning Board Fees*

Chairman Finlay stated that this issue has come up numerous times. Mr. Johnson stated that the last time zoning fees were raised was 2012; the cost of holding meetings has increased since that time but the Zoning Department has not increased its application fees. Mr. Johnson stated that the recommended changes are to Section 15.3 and Section 16.7; these increased fees will more closely reflect the cost of conducting Zoning Board meetings but do not exceed the costs associated with zoning meetings.

MOTION by Member Miller, seconded by Vice-Chairman Eappen to APPROVE the proposed recommendation to the City Council regarding mending Section 15.3 and Section 16.7 of the Zoning Ordinance to more closely reflect the cost of conducting Zoning Board of Review meetings.

Roll Call Vote:

Secretary Crisafulli	YES
Vice-Chairman Eappen	YES
Member Miller	YES
Member Pratt	YES
Chairman Finlay	YES

MOTION PASSED 5-0

- *Review and Approve Oak Grove Phase II Performance Bond Reduction*

Mr. Proft stated that this came about when we realized that the Department had misplaced the performance bond for the Oak Grove Phase II project. The project is coming to a close, the contractor only has to put down a top coat and a few other minor things. Mr. Proft stated that he contacted the developer and requested a new (original) of the Oak Grove Phase II Performance Bond. Mr. Proft stated that he was informed that they could not reissue the original bond, instead they would issue a new bond within the next two - three days. Mr. Proft stated that the developer felt that they shouldn't be required to submit the original bond amount because most of the work has been completed.

Mr. Proft stated that the developer's engineer contacted Mr. Debrousse to request that the bond be reduced. Initially Mr. Debrousse's response was no, however after careful review of the cost breakdown of the remaining construction items, Mr. Debrousse agreed and supported the engineer's request to reduce the bond. Mr. Debrousse and the engineer eventually settled on an estimate they both felt was fair. Mr. Proft stated that the proposed bond amount is \$54,285, which covers the costs of the items remaining to be completed such as landscaping, survey monuments, street lights, loam & seed, etc.

Mr. Proft stated that because the subdivision regulations states that the Planning Board shall set the amount for financial sureties, he felt it prudent to bring the issue of reducing the performance bond before the board for a vote. Mr. Profit stated that he's in agreement with Mr. Debrousse, and support the developer's request to reduce the bond. He also noted that Mr. Debrousse has done site inspections to determine how much work has been done.

MOTION by Member Miller, seconded by Vice-Chairman Eappen to APPROVE Oak Grove Phase II performance bond reduction. The MOTION carried by a vote of 5-0.

Note: Mr. Proft stated that the subdivision regulations clearly state that if a bond is issued for a subdivision, the bond should be held by the Finance Director and this will be the method going forward.

- *Review and Approve the Updated Subdivision Application Form*

Mr. Proft stated that this is something the previous City Planner initiated, he made a minor reformat of the document, and made a few changes as well. He practiced with the application on an Administrative Subdivision that he will need to do for the City. After filling out the form he felt that it was okay, but noted that we can always edit the from if we find that it needs tweaking.

Mr. Proft stated that the purpose of the updated application form is it eliminates us having a Minor Subdivision, Administrative, Major Subdivision, Design Review, and River Corridor applications. The revised application satisfies all of these; it's a good change

MOTION by Vice-Chairman Eappen, seconded b Secretary Crisafulli to APPROVE the updated subdivision application form. The MOTON carried 5-0.

### III. Cass Park Update

Mr. Proft stated that the little information he was able to get is summarized in the memo he submitted with the agenda. The softball field is mostly complete (he stopped by last week to take pictures). The sod and clay looks nice, the bases should be installed soon. The perimeter remains disturbed and will be seeded and loamed this fall. Sprinklers are running to allow the grass to establish itself. The field will be used primarily by the High School softball team, when the school is not using the field, it can be reserved by other groups. He stated that the area on the hill above the retaining wall will be used as a spectator area. A fence will be installed along the retaining wall for safety. Mr. Proft stated that a small playground exists now - new equipment has been ordered and is expected to be installed by mid-August, in time for the beginning of the school year (according to Liz Kerrigan).

Mr. Crisafulli stated that the Varsity softball field does not have foul poles and the foul area isn't properly delineated by the yellow fence capping.

Mr. Proft stated that he will write up a memo to the Public Works Director regarding Mr. Crisafulli's concerns.

Mr. Proft also stated that volleyball courts will be added next year to where the basketball courts are now. And the intention is to move the football field to Cass Park, possibly between the track and the new softball field.

Mr. Proft stated that it appears that we have two versions of the Cass Park Master Plan, which Plan are we using?. Mr. Crisafulli stated that the first Plan was developed by former Planning Director, Joel Mathews. Mr. Mathews' successor, Mr. Bouley, and former City Planner Rui revised the Plan with assistance from the Mayor. Mr. Crisafulli stated that he developed the revised Master Plan based on professional expertise. He noted that there were several conflicting elements in the original Master Plan; one element was the track and football field, which he moved between the track and softball field. Mr. Crisafulli stated that the earthwork is a massive undertaking and expense, and in his opinion wrong. Mr. Crisafulli stated that grants were written and received based on the revised plans, but then projects were completed based on the old plan which could be an infraction of the grant terms.

Mr. Proft stated that moving forward perhaps he should set up a meeting with Mayor Baldelli-Hunt, Mr. D'Agostino and Mr. Lima to discuss the inconsistencies, get everyone on the same page.

#### VI. Administrative Officer's Report

Mr. Proft stated that he's still working on the Capital Improvement Plan. He submitted the Annual Report of the Planning Board to the Mayor, which the board approved during the July board meeting. Mr. Proft stated that he and Mr. Johnson are working on the Solar Energy amendment. He drafted it based on State guidance, and he looked at Cumberland's ordinance. He noted that the Amendment should be ready for the board's review by the next board meeting. Regarding the EPA Brownfields grant, the next thing we need to do is get a contractor on board to help us with the Phase I and Phase II Assessments. Regarding the Floodplain Training, he submitted the Members Crisafulli, Eappen, Miller, and Pratt's signed statement of completion to the City Clerk as required by RI state law. Member Finlay still needs to complete his training. Mr. Proft stated that he met with a number of local groups the past month to introduce himself and find out how the Planning Department might partner with each on projects. He and Steven Lima did a site visit at Holley Springs, the conservation land the City and DEM are working together to acquire; Mr. Proft is drafting a Management Plan, a required step in the process of converting the site to a conservation area. The Abraham Lincoln sculpture was installed and unveiled by the Mayor last month. The sculpture was a collaboration between the City and the Steel Yard in Providence, and funded by the RI Foundation.

#### VII. Next Meeting

The next meeting is scheduled for Tuesday, September 3, 2019 @ 6:00 PM (2nd floor conference room)

#### Adjournment

MOTION by Vice-Chairman Eappen, seconded by Secretary Crisafulli to adjourn; motion carried, the meeting adjourned at 8:15 P.M.



